APHC010579942026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 31740/2026

Between:

1. MAHATMA GANDHI EM SCHOOL, REP. BY ITS CORRESPONDENT, SRI G. CHINNA HARI KUMAR, S/O. G. BALATHIRUPAL, AGED 37 YEARS, RIO. D. NO. 1-97, VELIDANDLA VILLAGE, LINGALA MANDAL, YSR KADAPA DISTRICT 516396.

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF SCHOOL EDUCATION, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT 522238.
2. THE DIRECTOR/COMMISSIONER OF SCHOOL EDUCATION, VIDYA BHAVAN, BESIDE HAPPY RESORTS, NH-16, MANGALAGIRI, GUNTUR DISTRICT - 522503.
3. THE REGIONAL JOINT DIRECTOR OF SCHOOL EDUCATION, KADAPA, YSR KADAPA DISTRICT- 516001.
4. THE DISTRICT EDUCATIONAL OFFICER, YSR KADAPA DISTRICT 516001.
5. THE DEPUTY EDUCATIONAL OFFICER, YSR DIVISION, YSR KADAPA DISTRICT 516001.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue an appropriate writ, order or direction more

particularly one in the nature of Writ of Mandamus declaring the action on the part of the respondents in not granting permission for Classes VIII to X (English Medium) at a stretch from the Academic Year 2026 - 2027 in the petitioner school which is having permission/recognition for Classes I to VII EM. (without Aid) from the Academic Year 2018 - 2019 with continuous renewals having validity up to 2031 - 2032 Academic Year by withholding the proposals sent by the 5th respondent ignoring the earlier Proceedings/Proposals/Recommendations submitted for opening permission for Classes VIII to X (E.M.) for the Academic Year 2026 - 2027 in respect of the petitioner School from the respondents 3 to 5, as illegal, arbitrary, contrary to law and violation of Articles 14 and 21-A of the Constitution of India and to consequently direct the respondents to grant opening permission for Classes VIII to X (English Medium) at a stretch in the petitioner school forthwith pursuant to the recommendations sent by the 5th respondent in the interest of justice and to pass

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to direct the respondents to grant opening permission for Classes VIII to X (English Medium) at a stretch in the petitioner school forthwith pursuant to the recommendations sent by the 5th respondent pending writ petition in this Hon'ble Court and pass

Counsel for the Petitioner:

1. S LAKSHMINARAYANA REDDY

Counsel for the Respondent(S):

1. GP FOR HIGHER EDUCATION

The Court made the following <u>ORDER:</u>

1. Learned counsel appearing for the petitioner submits that the petitioner is a recognized school having valid recognition till the year 2031-2032.
2. It is submitted that the petitioner's school is presently conducting classes up to VII standard and has all requisite infrastructure which is required for conducting the said classes. It is also submitted that the additional infrastructure has also been put in place by the petitioner for conducting classes from VIII to X standards. In this regard, the petitioner has submitted all the requisite documents to the competent respondent authorities seeking their approval for conducting the classes from VIII to X standards. It is submitted that the said proposals are pending with respondent No.2 from the month of June, 2026 onwards.
3. Learned counsel for the petitioner would submit that respondent No.2 ought to have conducted the inspection or caused an inspection to be conducted on the prevailing infrastructure of the school of the petitioner and pass appropriate orders. However, respondent No.2 or respondent Nos.3 to 5 have so far not visited the petitioner's school and conducted any inspection.
4. It is submitted that in similar circumstances, this Court in Writ Petition No.18981 of 2026 and batch has directed the respondent authorities to grant affiliation to the petitioner institutions for the academic year 2026-2027 for the Grades VIII to X subject to the petitioners in pursuance of the G.O.Ms.No.1, Education Department, dated 01.01.1994.

5. Learned Assistant Government Pleader appearing for the respondent No.4 submits that appropriate orders will be passed in accordance of G.O.Ms.No.1, Education Department, dated 01.01.1994. However, the respondents are at liberty to impose any additional conditions for grant of affiliation of the permission to the petitioner's institutions for conducting classes for VIII to X standards.

6. Recording the same, the Writ Petition is disposed of, at the admission stage, directing the respondent authorities to conduct inspection and suggest any additional measures to be taken or additional infrastructure to be kept in place in the event of any such requirement and grant affiliation to the petitioner's institution for conducting classes from VIII to X standards. Any such suggestions or conditions imposed by the respondent authorities would have to be complied by the petitioner within a period of four (4) weeks from the date of receipt of such suggestions/conditions. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in this Petition shall stand closed.

JUSTICE HARINATH.N

Date: 03.11.2026
KAS/SKB

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THE HONOURABLE SRI JUSTICE HARINATH.N

W.P.No.31740 of 2026
Date: 03.11.2026

KAS/SKB