



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

[3457]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 26653/2013

Between:

1. HENRY MAYER MEMORIAL HIGH SCHOOL,, RAILWAY KODUR,
KADAPA DISTRICT., REP BY ITS CORRESPONDENT, SRI S.B.JAYA
KUMAR

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF SCHOOL EDUCATION,
SECRETARIAT BUILDINGS, HYDERABAD.
2. THE COMMISSIONER DIRECTOR OF SCHOOL EDUCATION, GOVT.
OF A.P., SAIFABAD, HYDERABAD.
3. THE REGIONAL JOINT DIRECTOR OF SCHOOL EDUCATION,
HYDERABAD.
4. THE DISTRICT EDUCATIONAL OFFICER, KADAPA DISTRICT,
ANDHRA PRADESH.

...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 to issue an appropriate direction, order or writ more in the nature of Writ of Mandamus declaring the action of the respondents in seeking to apply and enforce the provisions of G.O.Ms.No.40 dated 18-06-2013 issued for the purpose of rationalization of Aided Posts in Aided Schools, as being arbitrary, illegal and violating the provisions of Article 14 and 30(1) of the Constitution of

India in as much as the allotting of the surplus teachers would infringe the prerogative of the minority institutions to make appointments to the posts and consequently direct the respondents to permit the managements to make appointments in the vacant aided posts as per the provisions of the G.O.Ms.No.1 Edn., dated 01-01-1994 since the Ban Orders dated 20-10-2004 are set aside by this Hon'ble High Court and issue such other writ or order or direction as deemed fit and proper in the circumstances of case.

IA NO: 1 OF 2013(WPMP 32985 OF 2013)

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 to direct the respondents not to apply and enforce the provisions of G.O.Ms.No.40 Edn.(SE-PS.I Dept.) dated 18-06-2013 to the petitioner institution, pending disposal of the Writ Petition, in the interest of justice

Counsel for the Petitioner:

1.CH SAMSON BABU

Counsel for the Respondent(S):

1.GP FOR SCHOOL EDUCATION

The Court made the following:

Order:-

This writ petition was filed seeking to declare the action of the respondents in applying and enforcing the provisions of G.O.Ms. No. 40 dated 18.06.2013, issued for the purpose of rationalization of aided posts in aided schools, as illegal.

2. This Court, vide order dated 13.09.2013, granted an interim direction not to apply G.O.Ms. No. 40 dated 18.06.2013.

3. The learned Assistant Government Pleader submitted that the orders of this Court have been complied with and placed on record the instructions received from the District Educational Officer, Annamayya District, Rayachoty, dated 09.04.2026.

4. Recording the same, this writ petition is closed. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE HARINATH.N

20.04.2026
PNS