

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE THIRTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6669 OF 2026



Between:

Delhi Public School, SVKR College Road GollalaKoderu, Bhimavaram, West Godavari, Being run by its Franchisee Vatsavai Subbaraju Kamala Education Society, Rep. by its Chairman, Vatsavai Srinivas Raju, S/o. Subba Raju, Age 55 years, R/o. D. No. 27-3-85, Sriramapuram, Bhimavaram, West Godavari District.

Petitioner

AND

1. The Union of India, Rep. by its Secretary, Ministry of Education H R Department, New Delhi-110002.
2. The Central Board of Secondary Education, (An autonomous organization under the Ministry of Education, Govt, of India), Rep. by its Secretary, Integrated Office Complex, Sector 23, Phase-I, Dwaraka, Delhi - 110077.
3. The Joint Secretary (Affiliation), Central Board of Secondary Education Integrated Office Complex, Sector 23, Phase-1, Dwaraka, Delhi - 110077.
4. The Regional Officer, Regional Office, Central Board of Secondary Education (CBSE) at Vijayawada, Vijayawada-520001.
5. The Delhi Public School, Society Rep. by its Chairman, F- Block, East of Kailash, New Delhi-110065.
6. The State of Andhra Pradesh, Rep by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Guntur District-522238

Respondents

WHEREAS the Petitioner above named through its Advocate Sri K JYOTHI PRASAD presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent, issuing proceedings in Order No.CBSE/AFF/130527/E-177056/2026/00111, dt.21.01.2026 passed by the 3rd respondent whereby unilaterally withdrawn the affiliation (Affiliation No. 130527) granted to the petitioner with immediate effect without issuing any show cause notice, without giving any opportunity of hearing and without considering the interim orders of this Hon'ble Court directing the respondents not to take any coercive steps against the petitioner-school vide orders dated 19.08.2025 in WP.No.17893 of 2025 as illegal, arbitrary, malafide, violation of Principles of Natural Justice besides violation of Constitutional Guarantees, and consequently to set aside the same, in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri K JYOTHI PRASAD Advocate for the Petitioner, Additional Solicitor General of India for R1 o R5, GP for School Education for R6 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Union of India, Ministry of Education H R Department, New Delhi-110002.
2. The Secretary, Central Board of Secondary Education, (An autonomous organization under the Ministry of Education, Govt, of India), Integrated Office Complex, Sector 23, Phase-I, Dwaraka, Delhi - 110077.
3. The Joint Secretary (Affiliation), Central Board of Secondary Education Integrated Office Complex, Sector 23, Phase-1, Dwaraka, Delhi - 110077.

4. The Regional Officer, Regional Office, Central Board of Secondary Education (CBSE) at Vijayawada, Vijayawada-520001.
5. The Chairman, Delhi Public School, Society, F- Block, East of Kailash, New Delhi-110065.
6. The Principal Secretary, State of Andhra Pradesh, School Education Department, Secretariat, Velagapudi, Guntur Distric-522238

are be and hereby directed to show cause either appearing in person or through an Advocate as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 24.04.2026 for which date the case stands posted for hearing..

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass an interim direction directing the respondents not to give effect to the impugned order of unilateral withdrawal of the affiliation (Affiliation No. 130527) granted to the petitioner, and consequently permit the petitioner-school to continue its academic activities and enable the students to pursue their studies and appear for the Board Examinations by suspending the operation of the proceedings in Order No. CBSE/AFF/130527/E-177056/2026/00111 dated; 21-01-2026 issued by the 3rd respondent, pending disposal of WP No. 6669 of 2026, on the file of the High Court.

The Court made the following:

ORDER

1. Notice before admission, returnable in four (04) weeks.
2. The present Writ Petition is filed questioning the action of Respondent No.3 in issuing proceedings vide Order No.CBSE/AFF/130527/E 177056/2026/00111, dated 21.01.2026, withdrawing affiliation (Affiliation No.130527), which was granted to the Petitioner with immediate effect, as illegal and arbitrary.

3. The Petitioner is an educational institution, which comes under Vatsavai Subbaraju Kamala Education Society (hereinafter referred to as 'the Society'). The Society was registered under the Andhra Pradesh Societies Registration Act, 2001 (Act 35 of 2001), dated 17.12.2007.
4. The Society has entered into a franchise agreement with the 'Delhi Public School' Society for starting 'Delhi Public School' at Golla Koderlu Village, Bhimavaram, West Godavari District, in the year 2018.
5. Consequent thereto, affiliation was issued by the Central Board of Secondary Education (for short, 'CBSE') vide Affiliation No. 130527, and the Petitioner-Society had established the school at the aforesaid place in an extent of Ac.5.00 Cents.
6. While so, certain objections were raised with regard to the infrastructure of the School established by the Petitioner-Society and a show cause notice was issued on 07.02.2025. A reply was given by the Petitioner-Society to the aforesaid show-cause notice on 13.03.2025 along with related documents, and an e-mail was also sent by Petitioner-Society on 16.03.2025.
7. Thereafter, a surprise inspection was conducted with a two-member inspection committee on 25.04.2025. Pursuant thereto, another show-cause notice was issued to the Petitioner-Society on 31.07.2025 with regard to the violation of Affiliation By-Laws-2018.
8. It was also mentioned that, the 'CBSE' was also informed by the 'Delhi Public School' Society vide its letter dated 29.04.2025 that no agreement, permission, or recognition has ever been granted to the Petitioner-Society and that the Petitioner-Society is misusing the name 'Delhi Public School'.
9. On the basis of the shortcomings in the show-cause notices and the letter issued by the 'Delhi Public School' Society, the

impugned order came to be passed. Hence, the present Writ Petition is filed.

10. Learned counsel for the Petitioner-Society submitted that the agreement between the Petitioner-Society and the Respondent No.5- Society is a genuine one and further stated that an amount of Rs.59,00,000/- was also paid as a franchise amount to the Respondent No.5-Society and relied upon the receipt issued by Respondent No.5-Society and further submitted that the aforesaid amount is supported by bank statements of the Petitioner-Society. As regards the deficiencies and violation of By-Laws, show cause notice dated 31.07.2025 submitted that the same need not be a ground to disagree with the Petitioner-Society and further submitted that, if some time is provided, Petitioner-Society would comply with the deficiencies.
11. As regards, the usage of the name 'Delhi Public School,' learned counsel submitted that affiliation in favour of the Petitioner-Society can be considered independent of the agreement, considering the infrastructure as on date. Learned counsel further submitted that Petitioner-Society would pursue remedies regarding enforcement of clauses in the franchise agreement which was entered with Respondent No.5-Society independently.
12. Sri T. D. Phani Kumar, learned Standing Counsel appearing for the 'CBSE,' submitted that, as there is a serious dispute between the Petitioner-Society and Respondent No.5-Society with regard to the agreement and the affiliation in the name of 'Delhi Public School' cannot be continued. He further submitted that the Petitioner-Society would have to make an independent application for affiliation. Learned counsel would further submit that, in the event, the Petitioner-Society complies the deficiencies, 'CBSE' would examine the compliance and will take further action thereon.

13. Heard the counsels.

14. Considering the submissions and the fact that the school is located in an extent of Ac.5.00 Cents, which is a rarity in modern times, there shall be an interim direction as under:-

(i). Firstly, the Petitioner-Society shall comply with the deficiencies pointed out in the show cause notices and shall submit a detailed representation to the 'CBSE' for continuing affiliation.

(ii). On receipt of the representation, the 'CBSE' shall examine the same and pass appropriate orders for continuance of the affiliation.

(iii). While examining the representation, 'CBSE' shall consider the affiliation of the Petitioner Society independently, without reference to the dispute between Petitioner-Society and Respondent No.5-Society.

(iv). The Petitioner-Society may work out their dispute with Respondent No.5-Society in independent forum.

Post this matter on 24.04.2026.

SD/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Education H R Department, New Delhi-110002.
2. The Secretary, Central Board of Secondary Education, (An autonomous organization under the Ministry of Education, Govt, of India), Integrated Office Complex, Sector 23, Phase-I, Dwaraka, Delhi - 110077.
3. The Joint Secretary (Affiliation), Central Board of Secondary Education Integrated Office Complex, Sector 23, Phase-1, Dwaraka, Delhi - 110077.

4. The Regional Officer, Regional Office, Central Board of Secondary Education (CBSE) at Vijayawada, Vijayawada-520001.
5. The Chairman, Delhi Public School, Society, F- Block, East of Kailash, New Delhi-110065. (addressee 1 to 5 by **RPAD**- along with a copy of petition and memorandum of grounds)
6. The Principal Secretary, State of Andhra Pradesh, School Education Department, Secretariat, Velagapudi, Guntur Distric-522238 (by **Special Messenger** - along with a copy of petition and memorandum of grounds)
7. One CC to SRI. K JYOTHI PRASAD Advocate [OPUC]
8. One CC to SRI. PELLETI RAJESH KUMAR (CENTRAL GOVERNMENT COUNSEL) Advocate [OPUC]
9. Two CC to GP for School Education, High Court of AP at Amaravati [OUT]
10. One spare copy

HIGH COURT

VN,J

DATED:13/03/2026

Post this matter on 24.04.2026

NOTICE BEFORE ADMISSION

WP.No.6669 of 2026

INTERIM DIRECTION

