

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

FRIDAY, THE TWENTY FIRST DAY OF MARCH  
TWO THOUSAND AND TWENTY FIVE



PRESENT

HON'BLE SRI JUSTICE DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT APPEAL NO: 226 OF 2025

Writ Appeal under clause 15 of the Letters Patent against the order dated 12-03-2025, in WP No. 6129 of 2025 on the file of the High Court.

**Between:**

1. The State of Andhra Pradesh, Rep by its Principal Secretary Department of School Education, AP Secretariat, Velagapudi, Amaravati, Andhra Pradesh.
2. The Commissioner of School Education, Department of School Education, Andhra Pradesh, D.No 398/3, Vidya bhavan, Venkatadiri towers, Atmakur (V), Mangalagiri (M), Guntur District-522503.
3. The Director, Andhra Pradesh Government, Textbook Press, Department of School Education, Andhra Pradesh, 5th Floor, Vidhya Bhavan, Atmakur (V), Mangalagiri (M), Guntur District, Andhra Pradesh.

...Appellants

AND

1. M/s Vikranth Publishers, Rep by its Proprietor Gorthi Srinivasa Chakravarthi, S/o Gorthi Narayana, Registration No. 37ACOPPG1874GIZE D.No 33-3-33, GNR Mansion, Ramanaidu Street, Seetharampuram, Vijayawada, NTR District, AP – 520002.
2. The Commissioner of Industries, Department of Industries and Commerce, 8th Floor, APIIC Towers, IT Park, Autonagar, Mangalagiri, Andhra Pradesh

- 2
3. The Director of Industries, Department of Industries and Commerce 8th Floor, APIIC Towers, IT Park, Autonagar Mangalagiri, Andhra Pradesh

...Respondents/Respondents

**IA NO: 1 OF 2025**

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 suspend the operation of the interim order passed in WP No. 6129 of 2025 dated 12-03-2025.

**Counsel for the Appellants: GP FOR SCHOOL EDUCATION**

**Counsel for the Respondent No. 1: SRI M R TAGORE APPEARING ON BEHALF OF SRI DHEERA KANISHKA**

**Counsel for the Respondent Nos. 2&3: GP FOR INDUSTRIES AND COMMERCE**

**The Court made the following order:**



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI**Bench  
Sr.No:-21  
[3483]**WRIT APPEAL NO: 226 of 2025**

The State of Andhra Pradesh and others

...Appellants

Vs.

M/s. Vikranth Publishers and others

...Respondents

\*\*\*\*\*

Advocate for Appellants : GP for School Education

Advocates for Respondents : Mr. M. R. Tagore  
for Mr. Dheera Kanishka

GP for Industries &amp; Commerce

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR  
SRI JUSTICE RAVI CHEEMALAPATI****DATE : 21-03-2025****Per DHIRAJ SINGH THAKUR, CJ:**

The present Writ Appeal, filed under Clause 15 of the Letters Patent, has been preferred against an interim order, dated 12.03.2025, passed by the learned single Judge in W.P.No.6129 of 2025.

2. The petitioner, who is respondent No.1 herein, had filed the Writ Petition challenging the tender notification, dated 18.02.2025, issued by the respondents *inter alia* on the ground that the annual turnover of Rs.10 Crores prescribed in the tender notification for the last three financial years i.e., 2022-2023, 2023-2024 & 2024-2025 was onerous.

3. The case of the petitioner was that even when a representation, dated 20.02.2025, had been filed by the petitioner with the Director, Andhra Pradesh government Textbook Press, Department of School Education, the same had not been decided.

4. It is in that backdrop that the learned single Judge observed in the order impugned that since the respondents/appellants herein were under a mandatory public duty to furnish the response, one way or the other, before the last date of submitting the 'Expression of Interest' which was 05.03.2025, and having failed to perform such elementary public duty, it proceeded to direct the appellants herein to accept the 'Expression of Interest' which the petitioner could file within two days from the date of the order. The appellants were also directed to receive the application form without reference to the last date prescribed in the tender document.

5. Learned counsel for the appellants would submit that the petitioner was not at all fulfilling the turnover requirement and it is only on that account the petitioner had not responded to the tender notification, dated 18.02.2025, before the last date of submission i.e. on 05.03.2025.

6. Learned counsel for the respondents in the present appeal have reiterated the stand as was taken by them before the learned single Judge.

7. We have heard learned counsel for the parties.

8. We are of the view that only because the appellants had failed to respond to the representation, dated 20.02.2025, filed by the petitioner would not warrant the participation of the petitioner in the tendering process, especially when the petitioner had not succeeded in establishing before the learned single Judge as to how the terms and conditions of the tender notification were in any manner unsustainable in law. Moreover, even the learned single Judge had not clearly opined as to how in the light of the provisions of clause 9 of the tender notification, dated 18.02.2025, the petitioner could be permitted to participate in the tendering process.

9. In our opinion, the order impugned, dated 12.03.2025, is not sustainable and is, accordingly, set aside.

10. The Writ Appeal is, accordingly, allowed. No costs.

Consequently, connected miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/- E KAMESWARA RAO  
JOINT REGISTRAR  
  
SECTION OFFICER

To,

1. The Proprietor, Vikranth Publishers, Gorthi Srinivasa Chakravarthi, S/o Gorthi Narayana, Registration No. 37ACOPPG1874GIZE D.No 33-3-33, GNR Mansion, Ramanaidu Street, Seetharampuram, Vijayawada, NTR District, AP – 520002.
2. The Commissioner of Industries, Department of Industries and Commerce, 8th Floor, APIIC Towers, IT Park, Autonagar, Mangalagiri, Andhra Pradesh
3. The Director of Industries, Department of Industries and Commerce 8th

4. One CC to Sri. Dheera Kanishka Advocate [OPUC]
5. Two CCs to GP for School Education, High Court of Andhra Pradesh [OUT]
6. Two CCs to GP for Industries and Commerce, High Court of Andhra Pradesh [OUT]
7. Three CD Copies

GSC

**HIGH COURT**

**DATED:21/03/2025**

**ORDER**

**WA.No.226 of 2025**



**ALLOWING OF THE WA**

**WITHOUT COSTS**