

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

TUESDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 7840 OF 2026



Between:

S. Afsa Bi, D/o. S. Afzal Basha. Aged about 9 years, Minor,
Represented by her. Natural Guardian and Mother Smt. Pathan
Rabiya Bashir Khathu, W/o. S. Afzal Basha, R/o. H.No. 3-18,
Seethamani Nagar, B. Thandrapadu, G. Pulla Reddy Engineering
College, Kurnool, Andhra Pradesh - 518002.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education Department, Secretariat, Amaravati, Andhra Pradesh - 522238.
2. The Commissioner of School Education, Government of Andhra Pradesh, Mangalagiri, Guntur District, Andhra Pradesh, 522508.
3. The District Collector, Kurnool District, Kurnool Andhra Pradesh. 518002.
4. The District Educational Officer and Ex-Officio Project Coordinator, AP Samagra Shiksha, Kurnool, Kurnool District, Andhra Pradesh. 518002.
5. Kredo The School, Rep. by its Management, B. Thandrapadu, Kurnool - 518007. (School Code. 28210702412, Affiliation No. 130752)

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Mohammed Shafi presented this 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 a WRIT OF MANDAMUS or any other appropriate Writ, Order, Orders or Direction, declaring the inaction of the Respondent No. 3 and 4 for not considering the representations dated. 03-11-2025, 08-12-2025 and 23-02-2026 and granted any effective relief or issued any direction ensuring the Petitioners continuation under RTE and not taking any action against Respondent No. 5 for denying Petitioners entry to school as illegal, arbitrary, unconstitutional and violation of Section 12 and 13 of the RTE Act and compulsory education under Articles 21 and 21-A of the Constitution of India and direct the Respondents No. 1 to 5 to treat and continue the Petitioner as a student admitted under section 12 (1)(c) RTE Act at Respondent No.5 school from AY 2023-24 onwards till completion of elementary education (up to VIII), also to ensure that she receives all academic benefits, promotions, certificates without hindrance without demanding or collecting any fee from the Petitioners parents and consequently direct the Respondents No. 1 to 4 to initiate appropriate disciplinary and penal proceedings against management of Respondent No. 5 under the RTE Act, AP RTE Rules and G.O.Ms.No.1, School Education (Prog.II) Department, dated 01-01-1994, for failing to upload RTE data, denying continuation to study under RTE and demanding fees in violation of Section 13 RTE Act.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Mohammed Shafi Advocate for the Petitioner, GP For School Education for the Respondents No.1 to 3 and of Sri K. Raghu Babu, Standing Counsel for the Respondent No.4 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 Principal Secretary, School Education Department, Secretariat, Amaravati, State of Andhra Pradesh - 522238.
2. The Commissioner of School Education, Government of Andhra Pradesh, Mangalagiri, Guntur District, Andhra Pradesh - 522508.
3. The District Collector, Kurnool District, Kurnool Andhra Pradesh. 518002.
4. The District Educational Officer and Ex-Officio Project Coordinator, AP Samagra Shiksha, Kurnool, Kurnool District, Andhra Pradesh - 518002.
5. B. Thandrapadu, Kredo The School, Management, Kurnool - 518007.
(School Code. 28210702412, Affiliation No. 130752)

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 within four weeks to which date the case stands posted for hearing.

IA NO: 1 OF 2026

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 Respondent No.5 to forthwith permit the Petitioner, S Afsa Bi (App.ID 2300041303), to attend classes in Class III (or the appropriate class for AY 2025-26) at Respondent No.5 School as a RTE student under Section 12(1)(c), without insisting on payment of any fee and to allow her to write all ongoing and forthcoming examinations, pending disposal of WP No.7840 of 2026, on the file of the High Court.

The Court made the following: ORDER:

- “1. Notice before admission, returnable in four weeks.
2. Sri K. Raghu Babu, learned Standing Counsel appears for Respondent No.4.
3. The present Writ Petition is filed questioning the inaction of Respondent Nos.2 in not considering the representations dated

03.11.2025, 08.12.2025, and 23.02.2026 in ensuring the Petitioner's continuation in Respondent No.5/School under The Right of Children To Free And Compulsory Education Act, 2009, as illegal and arbitrary.

4. The Petitioner was admitted to Respondent No.5/School under Section 12(1)(C) of The Right of Children To Free And Compulsory Education Act, 2009 (for short, 'the Act') for the academic year 2023-2024 through a lottery process. It was submitted that the Petitioner had completed Classes-I and II and was promoted to Class-III for the academic year 2025-2026.

5. While so, from August-2025, the Respondent No.5/School was not permitting the Petitioner to attend her classes, unless her school fees is paid and though representations were made to the authorities, no action was taken. Hence, the present Writ Petition is filed.

6. Learned Assistant Government Pleader on instructions, submits that pursuant to the representations given by the Petitioner, a notice was issued to the Respondent No.5/School on 13.11.2025, and in response, the Respondent No.5/School submitted a letter dated 21.11.2025, wherein it is stated that the Petitioner had joined the school as instructed by the higher authorities under the Act.

7. It was further mentioned that the Petitioner had completed Classes-I and II, and the details of the Petitioner for Class-III were not found in online. It was further submitted that a letter dated 16.11.2025 was addressed to the CMO office, and no reply was received from the authorities to that effect.

8. Considering the submissions, there shall be an interim direction as under:-

(i). The Petitioner shall be continued in Respondent No.5/School under the Right of Children To Free And Compulsory Education Act, 2009, pending further orders.

(ii). The Respondent-Authorities are directed to address the lapses pointed out by Respondent No.5/School regarding the admission of the Petitioner.

Post this matter after four weeks."

SD/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, School Education Department, Secretariat, Amaravati, State of Andhra Pradesh - 522238. (By Spl. Messenger - along with a copy of petition and affidavit).
2. The Commissioner of School Education, Government of Andhra Pradesh, Mangalagiri, Guntur District, Andhra Pradesh - 522508.
3. The District Collector, Kurnool District, Kurnool Andhra Pradesh. 518002.
4. The District Educational Officer and Ex-Officio Project Coordinator, AP Samagra Shiksha, Kurnool, Kurnool District, Andhra Pradesh - 518002.
5. B. Thandrapadu, Kredo The School, Management, Kurnool - 518007. (School Code. 28210702412, Affiliation No. 130752) (Addressee Nos.2 to 5 By RPAD- along with a copy of petition and affidavit)
6. One CC to Sri Mohammed Shafi Advocate [OPUC]
7. One CC to Sri K. Raghu Babu, Standing Counsel [OUT]
8. Two CCs to GP for School Education, High Court of A.P. [OUT]
9. One spare copy

HIGH COURT

VN,J

DATED:24/03/2026

NOTICE BEFORE ADMISSION

POST THIS MATTER AFTER FOUR WEEKS.

WP.No.7840 of 2026

DIRECTION

