

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)**

**TUESDAY, THE TWENTY FIFTH DAY OF MARCH,  
TWO THOUSAND AND TWENTY FIVE**



**:PRESENT:**

**HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD**

**WP NO: 7700, 7725, 7731 & 7734 OF 2025**

**WP.No.7700 of 2025:**

**Between:**

Sri ABM Junior College and High School, Ongole, Prakasam District. Rep  
by its Correspondent Kommuri Ravi Chandra Sekhar Babu.

**...Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Secretary  
(Education department) Secretariat, Velagapudi, Amaravathi, Guntur  
District.
2. The Commissioner and Director of School Education, Education  
Department, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Regional Joint Director of School Education, Guntur, Guntur  
District.
4. The District Educational Officer, Ongole, Prakasam District.
5. The Deputy Educational Officer, Ongole, Prakasam District.

**...Respondents**

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 the inaction of the  
4<sup>th</sup> Respondent in completing the entire recruitment process to fill the  
vacant posts of teachers in the petitioners institution pursuant to

proceedings vide File No. ESE 02/ 961/ 2024- ASEC- RJD- GNT dated. 19.11.2024 as arbitrary, illegal, unjust, contrary to the rules made in G. O. Ms. No.1, Education (P.S.2), dated 01.01.1994, and the provisions of Right of Children to Free and Compulsory Education Act, 2009 and Andhra Pradesh Education Act, 1982 and order passed in W.P. No. 30927 of 2022 besides being violative of the petitioners rights guaranteed under Article 14 and Article 21A of the Constitution of India, 1950;

**IA NO: 1 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 4<sup>th</sup> & 5<sup>th</sup> Respondents to immediately complete the recruitment process for vacant teachers posts in the petitioners' institution, before the commencement of the academic year 2025-2026, pending disposal of WP.No.7700 of 2025, on the file of the High Court.

**IA NO: 2 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of proceedings issued by the 4<sup>th</sup> respondent vide Rc.No.9137-1/B1/2016 dated 22.03.2025, pending disposal of WP.No.7700 of 2025, on the file of the High Court.

**WP NO: 7725 OF 2025:**

**Between:**

CAUP School, Vallapalli, Ballikurava Mandal, Bapatla District (Erstwhile Prakasam District). Rep by its Correspondent Parasu Sunil Kumar

**...Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Secretary (Education department). Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner and Director of School Education, Education Department, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Regional Joint Director of School Education, Guntur, Guntur District.
4. The District Educational Officer, Prakasam District.
5. The Deputy Educational Officer, Chirala, Prakasam District.

**...Respondents**

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 the inaction of the 4th Respondent in completing the entire recruitment process to fill the vacant posts of teachers in the petitioner's institution pursuant to proceedings vide R.C.No.4938/C2/2023 dated.23.10.2024 as arbitrary, illegal unjust, contrary to the rules made in G.O. Ms. No.1, Education (P.S.2), dated 01.01.1994, and the provisions of Right of Children to Free and Compulsory Education Act, 2009 and Andhra Pradesh Education Act, 1982 and order passed in W.P. No. 30927 of 2022 besides being violative of the petitioners rights guaranteed under Article 14 and Article 21A of the Constitution of India, 1950;

**IA NO: 1 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 4<sup>th</sup> and 5<sup>th</sup> Respondents to immediately complete the recruitment process for vacant teachers posts in

the petitioners' institution, before the commencement of the academic year 2025-2026, pending disposal of WP.No.7725 of 2025, on the file of the High Court.

**IA NO: 2 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of proceedings issued by the 4<sup>th</sup> respondent vide Rc.No.4938/C2/2023, dated 22.03.2025, pending disposal of WP.No.7725 of 2025, on the file of the High Court.

**WP NO: 7731 OF 2025:**

**Between:**

Sri PSNCC High School, Muppavaram, J.Pangalur Mandal, Bapatia District (Erstwhile Prakasam District). S/o Koteswara Rao, Aged 64 years R/o D.No.7-7-21, VIP Road, Ongole, Prakasam District. Rep by its Correspondent Kodali Uma Venkata Subba Rao.

**...Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Secretary (Education department). Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner and Director of School Education, Education Department, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Regional Joint Director of School Education, Guntur, Guntur District.
4. The District Educational Officer, Prakasam District.
5. The Deputy Educational Officer, Chirala, Prakasam District

**...Respondents**

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 the inaction of the 4<sup>th</sup> Respondent in completing the entire recruitment process to file the vacant posts of teachers in the petitioners institution pursuant to proceedings vide File No. ESE02- 18022/ 10/ 2022- BSEC- RJD- GNT dated. 08. 11. 2024 as arbitrary, illegal, unjust, contrary to the rules made in G.O. Ms. No.1, Education (P.S.2), dated 01.01.1994, and the provisions of Right of Children to Free and Compulsory Education Act, 2009 and Andhra Pradesh Education Act, 1982 and order passed in W.P. No. 30927 of 2022 besides being violative of the petitioners rights guaranteed under Article 14 and Article 21A of the Constitution of India, 1950;

**IA NO: 1 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 4<sup>th</sup> and 5<sup>th</sup> Respondents to immediately complete the recruitment process for vacant teachers posts in the petitioners institution, before the commencement of the academic year 2025-2026, pending disposal of WP.No.7731 of 2025, on the file of the High Court.

**IA NO: 2 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of proceedings issued by the 4<sup>th</sup> respondent vide Rc.No.1765/B1/2022, dated 22.03.2025, pending disposal of WP.No.7731 of 2025, on the file of the High Court.

**WP NO: 7734 OF 2025:**

**Between:**

MS High School, RK Puram, Chirala, Bapatia District, (erstwhile Prakasam District), Rep by its Correspondent Murari Emmy John Sudhakar.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Secretary (Education department), Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner and Director of School Education, Education Department, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Regional Joint Director of School Education, Guntur, Guntur District.
4. The District Educational Officer, Ongole, Prakasam District.
5. The Deputy Educational Officer, Chirala, Bapatla District, (erstwhile Prakasam District)

...Respondents

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 the inaction of the 4<sup>th</sup> Respondent in completing the entire recruitment process to fill the vacant posts of teachers in the petitioner's institution pursuant to proceedings vide File NO.ESE02/158/2024-B SEC-RJD-GNT dated 19.11.2024 as arbitrary, illegal, unjust, contrary to the rules made in G.O. Ms. No. 1, Education (P.S.2), dated 01.01.1994, and the provisions of Right of Children to Free and Compulsory Education Act, 2009 and Andhra Pradesh Education Act, 1982 and order passed in W.P. No. 30927 of 2022 besides being violative of the petitioners rights guaranteed under Article 14 and Article 21A of the Constitution of India, 1950;

**IA NO: 1 OF 2025:**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the

High Court may be pleased to direct the 4<sup>th</sup> and 5<sup>th</sup> Respondents to immediately complete the recruitment process for vacant teachers posts in the petitioners' institution, before the commencement of the academic year 2025-2026, pending disposal of WP.No.7734 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri K.P.S.Sailesh Reddy, Advocate for the Petitioner in all the Writ Petitions and Sri Ramachandra Rao Gurram, GP for Education for the Respondents in all the Writ Petitions, the Court made the following;

**ORDER:**

**“Heard Sri K.P.S. Sailesh Reddy, learned Counsel for the Writ Petitioner in all the above Writ Petitions and Sri Ramachandra Rao Gurram, learned Government Pleader for Education.**

**2. Learned Counsel for the Writ Petitioner would submit that the District Educational Officer had issued Proceedings bearing Rc.No.9137-1/B1/2016 (in W.P.No.7700 of 2025), Rc.No.4938/C2/2023 (in W.P.No.7725 of 2025), Rc.No.1765/B1/2022 (in W.P.No.7731 of 2025) and Rc.No.1487/B1/2024 (in W.P.No.7734 of 2025), dated 22.03.2025, to the Correspondent of the Writ Petitioner's College/School.**

**3. These Proceedings are placed on record by the Writ Petitioner by filing I.A.No.1 of 2025.**

**4. Learned Counsel for the Writ Petitioner would submit that, as per Rule 12(2) of the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) - Rules, 1993 (vide G.O.Ms.No.1, Education (P.S.2), dated 01.01.1994) ('the Rules'), the management of**

the Educational Institution alone is competent to fill up the aided teaching and non-teaching posts.

5. It is submitted that the District Educational Officer (Respondent No.4) has issued the Proceedings contrary to these Rules by taking up the task upon himself in conducting Online Examination.

6. This Court has perused the Rules and the Proceedings issued by the Respondent No.4, dated 22.03.2025.

7. Having noted the same, this Court is of the prima facie opinion that the District Educational Officer (Respondent No.4) has exceeded his powers and duties as assigned to him under the Rules.

8. Accordingly, the Proceedings bearing R.C.No.9137/1/B1/2016 (in W.P.No.7700 of 2025), Rc.No.4938/C2/2023 (in W.P.No.7725 of 2025), Rc.No.1765/B1/2022 (in W.P.No.7731 of 2025) and Rc.No.1487/B1/2024 (in W.P.No.7734 of 2025), dated 22.03.2025 shall remain suspended till the next listing.

9. Sri Ramachandra Rao Gurram, learned Government Pleader, is directed to convey the gist of this Order to the District Educational Officer, Prakasam District (Respondent No.4) forthwith for effective compliance.

10. Sri Ramachandra Rao Gurram, learned Government Pleader, seeks a short adjournment for obtaining Written Instructions.

11. List these matters on 01.04.2025 in the 'Motion List'."

//TRUE COPY//

For /

SD/-B.CHITTI JOSEPH  
ASSISTANT REGISTRAR  
  
SECTION OFFICER

To,

1. The Secretary (Education department) State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District. (by **Special Messenger**)
2. The Commissioner and Director of School Education, Education Department, Ibrahimpatnam, Vijayawada, Krishna District.
3. The Regional Joint Director of School Education, Guntur, Guntur District.
4. The District Educational Officer, Ongole, Prakasam District.
5. The Deputy Educational Officer, Ongole, Prakasam District.
6. The Deputy Educational Officer, Chirala, Prakasam District.  
(Addressee Nos.2 to 6 by **RPAD**)
7. One CC to Sri. K.P.S.Sailesh Reddy, Advocate [OPUC]
8. Two CCs to GP for School Education, High Court of Andhra Pradesh. [OUT]
9. One spare copy

MM

**HIGH COURT**

**GRKP,J**

**DATED:25/03/2025**

**LIST THESE MATTERS ON 01.04.2025 IN THE MOTION LIST**

**ORDER**

**WP NO: 7700, 7725, 7731 & 7734 OF 2025**

**DIRECTION**

