



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

WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

**PRESENT
THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

WRIT PETITION NO: 14448 OF 2025

Between:

1. S R K HIGH SCHOOL, Amaravati, Rep. by its Correspondent, Sri. Allagadda Suresh Kumar, S/o. Venkateswara Rao, aged about 64 years, R/o. D.No. 5-95-8, 6/12, Brodipeta, Guntur, Guntur District.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, rep. by its Principal Secretary, Education Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner and Director of School Education, A.P., Ibrahimpatnam, Vijayawada, Krishna District.
3. The Regional Joint Collector, Near Collector Office, Guntur, Guntur District.
4. The District Education Officer, office of DEO, Narsaraopeta, Palnadu District.
5. The Deputy Educational Officer, Sattenapally, Palnadu District.
6. The State of Andhra Pradesh, represented by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Amaravathi, Guntur District.

...Respondents

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 any appropriate Writ, order or direction more particularly one in the nature of Writ of

Mandamus, declaring the action of the respondents in not releasing the arrears of maintenance grant at the rate of 6percent on the teaching grant payable to the petitioner school in accordance with law in terms of judgment rendered by the Honble High court in recognized school Management Association, A.P. Vs Govt, of A.P., Educational Department and another reported in 1997 (3) ALD 40 and judgment in W.P.No. 3449 of 2004, dt. 30- 09-2016 as illegal, arbitrary and consequently direct the respondents to release the arrears of maintenance grant payable to the petitioner school as per the law in accordance with the judgment of this court reported in 1997 (3) ALD 40 and the judgment in W.P. No. 3449 of 2004 dt. 30-09-2016.

Counsel for the Petitioner: V SUBRAHMANYAM

Counsel for the Respondents: GP FOR REVENUE

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

Counsel for the Respondents: GP FOR FINANCE PLANNING

The Court made the following ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“....to issue any appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not releasing the arrears of maintenance grant at the rate 6% on the teaching grant payable to the petitioner school in accordance with law in terms of judgment rendered by the Hon’ble High Court in Recognized School Management Association, A.P. v. Govt. of A.P., Educational Department and another reported in 1997 (3) ALD 40 and judgment in W.P.No.3449 of 2004, dated 30.09.2016, as illegal, arbitrary and consequently direct the respondents to release the arrears of maintenance grant payable to the petitioner school as per the law in accordance with the judgment of this court reported in 1997 (3) ALD 40 and the judgment in W.P.No.3449 of 2003 dated 30.09.2016....”

2. Today, when the matter came up for hearing, learned counsel for the petitioner submitted that the issue in the present Writ Petition is squarely covered by the orders of the erstwhile High Court of Andhra Pradesh, dated 30.09.2016 passed in W.P. No.3449 of 2003, wherein a learned single Judge allowed the Writ Petition. The relevant Paragraphs of the Judgment read thus:

“21. In any view of the matter, the contention of the learned Government Pleader is that the petitioner is not entitled to maintenance grant in view of G.O.Ms.No.320, which was struck down by this Court in the judgments referred supra. Even otherwise, the discriminatory attitude of the Government giving concession to one educational institution and denying benefit to the petitioner’s educational institution cannot be encouraged by the Courts, since it is arbitrary and discriminatory in not releasing grant-in-aid to the petitioner’s association whose object is to provide free education. In those circumstances, this Court has no option except to hold that the inaction of the respondents is arbitrary in not releasing the maintenance grant-in-aid to the petitioner’s educational institution and consequently, I hold that the petitioner is entitled to all the benefits as decided in Recognised Schools Managements Associations case.

Hence, the respondents are directed to work out maintenance grant @ 6% and arrange to pay the same within a period of three months from the date of receipt of copy of this order to the petitioner’s educational institution, on par with other schools.”

3. It is also brought to the notice of this Court that the matter is carried in appeal in W.A. No.1296 of 2016 and the Division Bench dismissed the same by an order dated 03.08.2018 confirming the order passed by the learned Single Judge in W.P.

No.3449 of 2003. It is also brought to the notice of this Court that the Special Leave to Appeal (C) No.31292 of 2018 preferred before the Hon'ble Apex Court against the order dated 03.08.2018 in WA.No.1296 of 2016 is also dismissed by an order dated 14.12.2018.

4. In view of the same, the Writ Petition is disposed of, by directing the respondents to work out maintenance grant @ 6% and arrange to pay the same within a period of three (3) months from the date of receipt of a copy of this order to the petitioner's educational institution, on par with other schools. There shall be no order as to costs.

Registry is directed to enclose a copy of the order dated 30.09.2016 passed in W.P. No.3449 of 2003 and a copy of the order dated 03.08.2018 passed in W.A. No.1296 of 2016

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

K. SREENIVASA REDDY, J.

Date:06.08.2025
Nsr

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Writ Petition No.14448 of 2025

Date:06.08.2025

Nsr