

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

FRIDAY, THE FIRST DAY OF MAY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 12591 OF 2026



Between:

Sri Siddiqui Aided (U)Primary School, Rudravaram Village and Mandal,
Nandyal District Rep. by the Manager and Correspondent, K. Mushtaq
Mohammed Siddiqui, Aged. 38 years, Siddiqui Aided Schools
Committee, Sirvel

...Petitioner

AND

1. The State of A.P., Rep by its Principal Secretary, Department of
School Education, Secretariat, Velagapudi, Guntur District.
522238
2. The Director/Commissioner of School Education, Vidya Bhavan,
Beside Happy Resorts, NH-16, Mangalagiri, Guntur
District.522503
3. The Regional Joint Director of School Education, Kadapa.516001
4. The District Educational Officer, Nandyal District at
Nandyal.518501
5. The Mandal Educational Officer, Rudravaram, Nandyal
District.518594

...Respondents

WHEREAS the Petitioner above named through his 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 ~~pleased~~ to

issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly the 4th respondent in issuing the impugned Final Notice vide Rc.No.2226-22/A3/B5/2024,dated. 10.04.2026, informing that the petitioners school shall be closed and teachers shall be transferred to needy schools in the district, duly admitting the children in nearby schools within 7 days from the date of the notice on the ground of less strength of the school, as the same is beyond the scope of G.O.Ms No. 1, dated 01-01-1994 and G.O.Ms No. 59, dated 22-06-2023 referred in the said notice, illegal, arbitrary and violative of Articles 14 and 21-A of the Constitution of India and to consequently set aside the impugned Final Notice dated 10.04.2026;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri K.Jyothi Prasad, Advocate for the Petitioner and GP for Education for Respondent Nos.1 to 5, 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, State of A.P., Department of School Education, Secretariat, Velagapudi, Guntur District. 522238
2. The Director/Commissioner of School Education, Vidya Bhavan, Beside Happy Resorts, NH-16, Mangalagiri, Guntur District.522503
3. The Regional Joint Director of School Education, Kadapa.516001
4. The District Educational Officer, Nandyal District at Nandyal.518501
5. The Mandal Educational Officer, Rudravaram, Nandyal District.518594

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;

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 writ petition, the High Court may be pleased to pass an interim direction against the respondents not to interfere with the functioning of the petitioner's institution/school by suspending the operation of the impugned Final Notice issued by the 4th respondent, vide Rc.No.2226-22/A3/B5/2024 dated: 10.04.2026, during the pendency of the Writ Petition in the interest of justice, pending disposal of WP No.12591 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

1. Issue notice to the Respondents.
2. The present Writ Petition is filed questioning the Final Notice issued vide Rc.No.2226- 22/A3/B5/2024, dated 10.04.2026, informing the Petitioner/School to be closed and teachers in Petitioner/School shall be transferred to the needy schools in the district, duly admitting the children of Petitioner/School in nearby schools, contrary to the G.O.Ms.No.01, Education (P.S.2), dated 01.01.1994, and the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) Rules, 1993.
3. The Petitioner is an aided school and is the only 'Urdu' medium school in the area. While so, a show-cause notice was issued on 19.02.2026 stating that there has been a fall in the student's strength in the school for the last three academic years, and the Petitioner/School was called upon to submit an explanation as to why the Petitioner/School should not be closed. Though, the Petitioner/School gave a detailed explanation, the

Respondent No.4 issued another Final Notice on 10.04.2026. Hence, the present Writ Petition is filed.

4. Learned counsel for Petitioner/School submitted that the impugned Final Notice was issued on the basis of fall in the student's strength of Petitioner/School relying on G.O.Ms.No.59, School Education Department, dated 22.06.2023, and submitted that this Court passed an interim order suspending the aforesaid G.O. in W.P.No.16956 of 2023 and batch on 03.08.2023, and the same is pending for consideration.

5. It was further submitted that except G.O.Ms.No.59, School Education Department, dated 22.06.2023, there is no rule enabling the Respondent-Authorities to issue the impugned notices.

6. Learned Assistant Government Pleader submitted that the impugned proceeding is only a notice and that there is no cause of action for the Petitioner/School to file this Writ Petition.

7. Heard the counsels.

8. The Petitioner/School is the only 'Urdu' medium school in the area. The students from the classes I to V are enrolled and the fall in the student's strength for withdrawal of grant-in-aid is with reference to the schools with Class VI onwards.

9. In the impugned proceedings, a reference was made to G.O.Ms.No.59, School Education Department, dated 22.06.2023 for justifying the impugned action. This Court in W.P.No.16956 of 2023 and batch on 03.08.2023 passed an interim order suspending the operation of the aforesaid G.O.

10. In the light of the same, there is no rule enabling the Respondent-Authorities to close down the Petitioner-School under the provisions of the Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) Rules, 1993.

11. Therefore, there shall an interim suspension of the impugned Final Notice issued vide Rc.No.2226-22/A3/B5/2024, dated 10.04.2026, until further orders.

12. Post along with W.P.No.11897 of 2026.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
MB
SECTION OFFICER

To,

1. The Principal Secretary, State of A.P., Department of School Education, Secretariat, Velagapudi, Guntur District. 522238 (by **Special Messenger**)
2. The Director/Commissioner of School Education, Vidya Bhavan, Beside Happy Resorts, NH-16, Mangalagiri, Guntur District.522503
3. The Regional Joint Director of School Education, Kadapa.516001
4. The District Educational Officer, Nandyal District at Nandyal.518501
5. The Mandal Educational Officer, Rudravaram, Nandyal District.518594 (Addressee Nos.2 to 5 by **RPAD**- along with a copy of petition and affidavit)
6. One CC to Sri. K.Jyothi Prasad, Advocate [OPUC]
7. Two CCs to GP for School Education, High Court of Andhra Pradesh. [OUT]
8. One spare copy

HIGH COURT

VN,J

DATED:01/05/2026

POST ALONG WITH W.P.No.11897 OF 2026

NOTICE BEFORE ADMISSION

WP.No.12591 of 2026

INTERIM SUSPENSION

