

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

**WEDNESDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR**

:PRESENT:

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 17169 OF 2024**



Between:

1. Sree Sarada Vidya Nilayam Elementary School,
Rep., by its Correspondent, K. Srinivas,
No. 20-6-3/19/E, Ayodhya Nagar, Vijayawada,
N.T.R. District - A.P.
2. Sree Sarada Vidya Nilayam High School,
Rep., by its Correspondent, K. Srinivas,
No. 20-6-3/19D, Ayodhya Nagar, Vijayawada,
N.T.R. District - A.P.
3. Sri Munnagi Jaipal Minority Christian Aided Primary School,
Rep. by its Correspondent, M. John Mohan,
Ranigari Thora, Krishna Lanka, Vijayawada,
N.T.R. District - A.P.
4. Vivakanandha Centenary High School,
Rep., by its Correspondent, V. Durga Prasad,
No. 43-17-29, Azith Singh Nagar, Vijayawada,
N.T.R. District - A.P.
5. Sri Telaprolu Bapanaiah E M High School,
Rep., by its Correspondent, Telaprolu Jairam Prasad,
Bhavannarayana Street, Vijayawada,
N.T.R. District - A.P.
6. Sri Telaprolu Bapanaiah E M Primary School,
Rep., by its Correspondent, Telaprolu Jairam Prasad,
Bhavannarayana Street, Vijayawada,
N.T.R. District - A.P.
7. S K PV V Hindu High School.
Rep. by its, Correspondent, Gopisetty Mallaiah,
K.T. Road, Kothapet, Vijayawada, N.T.R. District - A.P.
8. L P C T Gujarati Vidyalaya E M High School
Rep., by its Correspondent, Alpesh P Barodia
No. 12-11-21, R.R. Apparao Street, Vijayawada,
N.T.R. District - A.P.

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9. L P C T Gujarati Vidyalaya E M Primary School
Rep., by its Correspondent, Alpesh P Barodia
No. 12-11-21, R.R. Apparao Street, Vijayawada,
N.T.R. District - A.P.
 10. Jai Kisan S C E M - High School,
Rep., by its, Correspondent, Konakalla Vasudeva Surya Shankar,
No. 11-25-369, Main Bazar, Samarangam Chowk,
Vijayawada, N.T.R. District - A.P.
 11. Jai Kisan S C E M - Primary School,
Rep., by its, Correspondent, Konakalla Vasudeva Surya Shankar,
No. 11-25-369, Main Bazar, Samarangam Chowk,
Vijayawada, N.T.R. District - A.P.
 12. Sri Telaprolu Raja High School,
Rep., by its Correspondent, Telaprolu Rupeswara Gupta,
K.T. Road, Kothapet, Vijayawada, N.T.R. District - A.P.
 13. Rajasthani Telugu Vidyalaya High School,
Rep., by its Correspondent, Balkishan Loya,
No. 10-16-20, Arjun Street, Vijayawada, N.T.R. District - A.P.
 14. Rajasthani Hindi Vidyalaya Primary School,
Rep., by its Correspondent, Balkishan Loya,
No. 10-2-47, Arjun Street, Vijayawada, N.T.R. District - A.P.
 15. R S M R H V (E.M.) U P School,
Rep., by its Correspondent, Balkishan Loya,
No. 10-2-68 B, Arjun Street, Vijayawada, N.T.R. District - A.P.
 16. R H V High School, Rep., by its Correspondent,
Balkishan Loya, No. 10-2-47, Arjun Street,
Vijayawada, N.T.R. District - A.P.
 17. S D M Y R R High School, Rep., by its, Correspondent,
Yanduri Siva Krishna Kishore, Jojinagar, Vijayawada,
N.T.R. District - A.P.
 18. Sarvodaya Upper Primary School,
Rep., by its Correspondent, Y S S B V R Murthy,
Cheerala Center, Tiruvuru, N.T.R. District -A.P.
 19. National Aided Primary School.
Rep. by its Manager and Correspondent,
Dasari Rama Krishna, Repalle, Repalle Mandal,
Bapatla District. A.P-522265.

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20. Jaihind Upper Primary School,
Rep. by its Manager and Correspondent,
V.V.Koteswara Rao, Peddapalli, Nagaram Mandal.
 21. Sri Atchyuta Upper Primary School,
Rep. by its Correspondent Yarlapragada Sama Sundaram,
Pudivada, Nagaram Mandal, Bapatla District.
 22. Aided Hindu Elementary School (M.V.K),
Rep. by its Manager and Correspondent
Manchala Sai Vijaya Kumar, Ponnur (Vil & Post),
Ponnur Mandal, Guntur Dist.
 23. Sri Vivekananda Vidya Vihar Oriental Aided Elementary School,
Rep. by its Correspondent T. Prasada Rao, 7-232, Balaji Revenue
Colony, Mangamoor Donka, Ongole-523002, Prakasam Dist.
 24. Sree Satyanarayana & Srinivasa Aided Primary School,
Rep. by its Correspondent Smt O.Subbamma,
Cumbum, Cumbum Mandal, Prakasam Dist.
 25. SBNRM Aided Primary and High Schools,
Rep. by its Correspondent Sri B.Narayana Reddy,
Komarole Mandal, Prakasam Dist.
 26. Sree Satyanarayana & Srinivasa Aided Primary School,
Rep. by its Correspondent Smt O.Subbamma,
Ravipadu Cumbum Mandal, Prakasam Dist.

..Petitioner/s

AND

1. The State of Andhra Pradesh,
Represented by its Principal Secretary,
Department of School Education for
the State of Andhra Pradesh, Secretariat Buildings,
Velagapudi, Amaravathi, A.P-522503.
2. The Director of School Education,
Government of Andhra Pradesh,
Mangalagari, Guntur District
3. The State Project Director,
Sarva Siksha Abhiyan, State of Andhra Pradesh,
High School Road, Patamata, Vijayawada -A.P.

4. The Regional Joint Director of School Education,
Guntur
5. The Regional Joint Director of School Education,
Kakinada
6. The District Educational Officer,
N.T.R. District, Vijayawada
7. The District Educational Officer,
Prakasam District, Ongole, Andhra Pradesh-523001.
8. The District Educational Officer, Guntur.
Guntur
9. The District Educational Officer, Bapatla,
Bapatla Dist
10. The Mandal Educational Officer,
Vijayawada North Division, Vijayawada,
N.T.R. District
11. The Mandal Educational Officer,
Vijayawada Central Division, Vijayawada,
N.T.R. District
12. The Mandal Educational Officer,
Vijayawada West Division, Vijayawada,
N.T.R. District
13. The Mandal Educational Officer,
Tiruvuru Division, Tiruvuru,
N.T.R. District
14. The Mandal Educational Officer,
Komarole, Prakasam Dist.
15. The Mandal Educational Officer,
Cumbum, Prakasam Dist.
16. The Mandal Educational Officer,
Ongole, Prakasam Dist.
17. The Mandal Educational Officer,
Repalle, Bapatla Dist.
18. The Mandal Educational Officer,
Nagaram Mandal, Bapatla Dist.

19. The Mandal Educational Officer, Ponnur, Guntur 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 declaring the action of the of the Respondents in issuing Memo No. 977203/Prog.II/A2/2019-8 dated 30-07-2024 in reference to the same the 3rd Respondent in issuing Proceedings Rc. No. SSA-16021/54/2023-SEC-CMO SS Dated 30-07-2024 directing all the District Educational Officers and Additional Project Co- Ordinators in the state to conduct elections on 08-08-2024 to the School Management Committees by issuing the schedule and to take necessary action and issued certain guidelines in conducting elections to Aided Private Management Schools is highly illegal, arbitrary, contravention of law and Contravention of the undertaking that was given by the 1st Respondent in WP No 21368 and Batch, further declaring that the 3rd Respondent has no power to issue such memo to the District Educational Officers and Additional Project Co-Ordinators to conduct such elections that would be in contravention of the A.P. Education Act., 1982, consequently direct the Respondents not to conduct elections of School Management Committees to the Private Aided Management Schools as there is such bodies are in existence under the respective Societies.

IA NO: 1 OF 2024 :

Petition under Section 151 of 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 Respondent to stay the conducting of elections to the School Management Committees as far as the Private Aided Management Schools are conserved in compliance of the Proceedings Rc. No. SSA-16021/54/2023-SEC-CMO SS Dated: 30-07-2024, Pending disposal of WP 17169 of 2024, 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 C

SUNIL KUMAR REDDY Advocate for the Petitioners and of GP FOR SCHOOL EDUCATION for the Respondents, the Court made the following ORDER:

“Post on 09.08.2024 in the motion list.

There shall be stay of conducting election to the School Management Committees, for a period of one week.”

Sd/- G.SRINIVAS REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Department of School Education for the State of Andhra Pradesh, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, A.P-522503.
2. The Director of School Education, Government of Andhra Pradesh, Mangalagari, Guntur District
3. The State Project Director, Sarva Siksha Abhiyan, State of Andhra Pradesh, High School Road, Patamata, Vijayawada -A.P
4. The Regional Joint Director of School Education, Guntur
5. The Regional Joint Director of School Education, Kakinada
6. The District Educational Officer, N.T.R. District, Vijayawada
7. The District Educational Officer, Prakasam District, Ongole, Andhra Pradesh-523001.
8. The District Educational Officer, Guntur. Guntur
9. The District Educational Officer, Bapatia, Bapatia Dist.
10. The Mandal Educational Officer, Vijayawada North Division, Vijayawada, N.T.R. District
11. The Mandal Educational Officer, Vijayawada Central Division, Vijayawada, N.T.R. District

12. The Mandal Educational Officer, Vijayawada West Division,
Vijayawada, N.T.R. District
13. The Mandal Educational Officer, Tiruvuru Division, Tiruvuru,
N.T.R. District
14. The Mandal Educational Officer, Komarole, Prakasam Dist.
15. The Mandal Educational Officer, Cumbum, Prakasam Dist.
16. The Mandal Educational Officer, Ongole, Prakasam Dist.
17. The Mandal Educational Officer, Repalle, Bapatla Dist.
18. The Mandal Educational Officer, Nagaram Mandal, Bapatla Dist.
19. The Mandal Educational Officer, Ponnur, Guntur District.

(Addresses 1 to 19 by RPAD)

20. One CC to SRI. C SUNIL KUMAR REDDY Advocate [OPUC]
21. Two CCs to GP FOR SCHOOL EDUCATION ,High Court of
Andhra Pradesh. [OUT]
22. **One spare copy**

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HIGH COURT

TRR, J

DATED:07/08/2024

Post on 09.08.2024 in the motion list

ORDER

WP.No.17169 of 2024

STAY

