



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

MONDAY, THE TWELFTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 17796 OF 2024

Between:

S M R M High School, Nagaram, Nagaram Mandal ,Guntur District,
Represented by it's Secretary AND Correspondent, M.D. Ratna
Prasad,S/oVenkata Narasimha Rao,age 54 years, S.M.R.M, High School,
Nagaram Nagaram Mandal, Bapatla District

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi, A.P.
2. The Director of School Education, , Government of Andhra Pradesh, Mangalagiri, Guntur District.
3. The State Project Director, Samagra Shiksha, State of Andhra Pradesh, High School Road, Patamata, Vijayawada.
4. The Regional Joint Director of School Education, Guntur, Guntur District.
5. The District Educational Officer, Bapatla, Bapatla 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 3rd respondents issuing Proceedings Rc. No. SSA-16021/54/2023-SEC-CMO SS Dated. 30-07-2024 purporting to have been issued as per the Government

Memo No. 977203/Prog.II/A2/2019-8 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 the private aided School and thereby changing the nomenclature of the petitioner's school is highly illegal, arbitrary, Violating Article 14,19, and 30(1) of the constitution of India and Contravention of the A.P. Education Act., 1982, consequently set aside the same.

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 petition, the High Court may be pleased to direct the respondents to stay the conducting of elections to the School Management Committees in the petitioner's school as per the Proceedings Rc. No. SSA-16021/54/2023-SECCM0 SS Dated. 30-07-2024, Pending disposal of WP 17796 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 SMT. MARELLA RADHA Advocate for the Petitioner, GP FOR SCHOOL EDUCATION for the Respondent Nos.1 to 3 & 5, and the Court made the following.

ORDER

"The present writ petition is filed assailing the memo, dated 30.07.2024 issued by the 3rd respondent directing all the educational officers and additional project coordinators in the State are aware that School Management Committees formed on 22.09.2023 in the State are completed two years by 21.09.2025 and have been continued till reopen

of the schools for the academic year 2024-2025 and also stated to give schedule and give directions to conduct elections on 08.08.2024.

Now the present memo is under challenge on the ground that the aided schools will have governing body under G.O.Ms.No.1, Education Department, dated 01.01.2019 and if any elections conducted to the School Management Committees by the 3rd respondent that would be in derogatory of the G.O.Ms.No.1, dated 01.01.1994 may be a conflict and usurp the power of the governing body.

It is also submitted by the learned counsel for the petitioner that some of the aided schools are accepted to conduct elections to the School Management Committees.

Learned Standing Counsel would submit that the Government has conducted elections to almost all the schools except the present school.

In view of the same, the respondents are at liberty to conduct the elections. However, the elected committee functions subject to the result of the writ petition.

List the matter along with W.P.No.17169 of 2024."

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi, A.P.
2. The Director of School Education, , Government of Andhra Pradesh, Mangalagiri, Guntur District.
3. The State Project Director, Samagra Shiksha, State of Andhra Pradesh, High School Road, Patamata, Vijayawada.
4. The Regional Joint Director of School Education, Guntur, Guntur District.(1 to 4 by Special Messenger)
5. The District Educational Officer, Bapatla, Bapatla District. (by RPAD)

6. One CC to SRI. MARELLA RADHA Advocate [OPUC]
7. Two CCs to GP FOR SCHOOL EDUCATION ,High Court Of Andhra Pradesh. [OUT]
8. **One spare copy**

ksr

HIGH COURT

TRR, J

DATED:12/08/2024

List the matter along with W.P.No.17169 of 2024

ORDER

WP.No.17796 of 2024

DIRECTION

