

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

TUESDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE



:PRESENT:
THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 21624 OF 2025

Between:

Sree Sai College Of Education (D.El.Ed), Opp Bramhamgari Matam,
Pagidyala, Nandikotkur Taluk/Mandal, Nandyal Dist, Andhra Pradesh,
Represented by its Correspondent / Authorised Person M.Srinivasulu

Petitioner

AND

1. The State of Andhra Pradesh, Represent by its Principal Secretary,
School Education Department, Secretariat, Velagapudi, Amaravathi,
Guntur District.
2. The Commissioner of School Education, Government of Andhra
Pradesh, Venkatadri Towers, Opp. DGP Office, Besides Happy
Resorts, Atmakur, Managalagiri, Guntur District, Andhra Pradesh -521
456.
3. The State Counsel for Education Research and Training(SCERT),
Government of Andhra Pradesh, Venkatadri Towers, Opp. DGP Office,
Besides Happy Resorts Atmakur, Managalagiri, Guntur District - Andhra
Pradesh -521 456.

4. The Convener, Diploma in Elementary Education Common Entrance Test (DEECET - 2025) & Regional Joint Director of School Education, Guntur, Guntur District, Andhra Pradesh.
5. The Director of Public Examinations, School Education Department, Adjacent to Janasena Party office, NH-16 Service Road, Mangalagiri, Guntur District, Andhra Pradesh.
6. The National Council for Teacher Education, Southern Regional Committee Represent by its Regional Director, G-7, Sector-10, Dwaraka New Delhi 110 075.
7. The National Council for Teacher Education, Appellate Authority, Represent by its Member Secretary, G-7, Sector-10, Dwaraka New Delhi 110075.
8. The District Educational Officer, Kurnool, Kurnool District, Andhra Pradesh.

Respondent/s

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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 6th respondent for the withdrawal of recognition vide order F.NoNCTE-Reg1018/119/2021-RegulationSection-SRC/AP/128711 dated 05.10.2021 without following procedure stipulated under law and subsequently refusing the renewal of affiliation / permission by 1st and 2nd respondents to the institution of the Petitioner for Diploma in Elementary Education as illegal arbitrary discrimination and violation of the natural principles of the justice and violation of the articles 14, 19 and 21 of the constitution of Bharat AND consequently set aside the same withdrawal order issued by the 6th respondent by restoring the recognition, further direct the 1st and 2nd respondents for renewal of

affiliation / permission to the institution of Petitioner for the academic year 2025-26 and onwards for Diploma in Elementary Education and pass such other or further order or orders as deem fit and proper in the circumstances of the case. Prayer is amended as per the Court's Order dt.01.09.2025 in I.A.No.02 of 2025. ✓

(Prayer is amended as per the Court's order dt.01.09.2025 in IA.02 of 2025 in Writ Petition and affidavit.)

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 petition, the High Court may be pleased to direct the 6th respondent to restore the recognition and further direct the 1st and 2nd respondents to renewal of affiliation/permission enabling participate in the second phase / ensuing counselling including left over / management / spot admissions quota for fulfill admissions into the 2 years course of Diploma in Elementary Education for the academic year 2025 - 2026 to the Petitioner's Institution, Pending disposal of WP 21624 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 GUNDALA SIVA PRASADA REDDY Advocate for the Petitioner, GP FOR SCHOOL EDUCATION for the Respondent Nos.1 to 5 & 8; Sri Venna Hemanth Kumar, Standing Counsel for the Respondent Nos.6 & 7 and the Court made the following.

ORDER

“Heard learned counsel for the petitioner institution and Sri Venna Hemanth Kumar, learned Standing Counsel appearing on behalf of respondent Nos.6 and 7. ✓

The present Writ Petition has been filed questioning the action of 6th respondent in derecognizing the recognition of the petitioner institution, vide order F.No.NCTE-Regl018 / 119 / 2021-Regulation Section-SRC / AP / 128711, dated 05.10.2021, without following the procedure stipulated under law and subsequently refusing the renewal of affiliation / permission by 1st and 2nd respondents to the petitioner institution for Diploma in Elementary Education for the academic year 2025-26 and onwards.

Learned counsel for the petitioner submits that in similar circumstances, when some of the educational institutions filed WP No.7002 of 2022, this Court, while admitting the said Writ Petition on 29.03.2022, suspended the impugned proceedings and subsequently vide orders dated 11.08.2022 passed in IA No.4 of 2022 in WP No.7002 of 2022 directed that subject to outcome of the Writ Petition the petitioners' institutions therein shall be included in DEECET-2022 counselling, if necessary by extending the schedule for consideration of admissions into the petitioners' institutions pending further orders.

He further submits that in similar circumstances, some of the educational institutions filed WP No.18251 of 2024 and batch challenging the de-recognition proceedings and, this Court, vide common order, dated 01.10.2024, disposed of the said Writ Petitions directing the respondents therein to issue fresh show cause notice to the institutions calling for their explanation and further permitting them to pass appropriate orders in accordance with law. He submits that against the said order, the respondents therein preferred Writ Appeal No.426 of 2025 and batch and a Division Bench of this Court, vide common judgment dated 04.08.2025, disposed of the Writ Appeals with the following directions.

"4. The present set of appeals have been filed to a limited extent that while disposing of the Writ Petitions and directing issuance of fresh show cause notices, the learned

single Judge had not specifically said anything as to whether the orders of de-recognition passed in individual cases of the writ petitioners had been set aside or not.

5. Considering the limited controversy, we hold that the very factum of directing the issuance of a fresh show cause notice to the petitioners by the learned single Judge would have meant that the order of de recognition was set aside. However, with a view to put an end to this controversy, we hold that by virtue of the judgment and order impugned, the orders of de-recognition would be deemed to have been set aside.

The appellants would therefore proceed to issue fresh show cause notices to the petitioner institutions calling for the explanation and would pass reasoned orders in the case of each of the petitioners – respondent No.1 herein in accordance with law and the directions issued by the learned single Judge.

As is prayed by learned counsel for the appellant, it would be open to the appellant to drop the proceedings against the petitioner institutions if it so desires, if there was otherwise compliance with the requirements of the National Council for Teacher Education Act, 1993.

6. The Writ Appeals are accordingly disposed of. No order as to costs."

In view of the said orders passed by the Division Bench of this Court, there shall be an interim suspension of the impugned order dated 05.10.2021. However, the respondents herein are at liberty to issue fresh show cause notice to the petitioner institution calling for the explanation, and after receipt of explanation, if any, pass reasoned orders in accordance with law.

List the matter after three (3) weeks."

//TRUE COPY//

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, School Education Department, The State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.[By Special Messenger]
2. The Commissioner of School Education, Government of Andhra Pradesh, Venkatadri Towers, Opp. DGP Office, Besides Happy Resorts, Atmakur, Managalagiri, Guntur District, Andhra Pradesh -521 456.
3. The State Counsel for Education Research and Training(SCERT), Government of Andhra Pradesh, Venkatadri Towers, Opp. DGP Office, Besides Happy Resorts Atmakur, Managalagiri, Guntur District - Andhra Pradesh -521 456.
4. The Convener, Diploma in Elementary Education Common Entrance Test (DEECET - 2025) & Regional Joint Director of School Education, Guntur, Guntur district, Andhra Pradesh.
5. The Director of Public Examinations, School Education Department, Adjacent to Janasena Party office, NH-16 Service Road, Mangalagiri, Guntur District, Andhra Pradesh.
6. The National Council for Teacher Education, Southern Regional Committee Represent by its Regional Director, G-7, Sector-10, Dwaraka New Delhi 110 075.
7. The National Council for Teacher Education, Appellate Authority, Represent by its Member Secretary, G-7, Sector-10, Dwaraka New Delhi 110075.
8. The District Educational Officer, Kurnool, Kurnool District, Andhra Pradesh. (2 to 8 by RPAD)
9. One CC to SRI. GUNDALA SIVA PRASADA REDDY Advocate [OPUC]
10. One CC to Sri Venna Hemanth Kumar, Standing Counsel [OPUC]
11. Two CCs to GP FOR SCHOOL EDUCATION ,High Court Of Andhra Pradesh. [OUT]
12. One spare copy

HIGH COURT

SRK,J

DATED:14/10/2025

LIST THE MATTER AFTER THREE (3) WEEKS

ORDER

WP.No.21624 of 2025

INTERIM SUSPENSION

