



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

[3460]

**FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6854/2025

Between:

1. V SUBHAN BI, W/O MASTHANVALI, EX. COOKING AGENT,
AGED ABOUT 43 YEARS, S.P. GOVT. GIRLS HIGH
SCHOOL, ADDANKI-523 201, ADDANKI MANDAL, BAPATLA
DISTRICT, R/O DOOR NO. 16-60-1, DAMAVARIPALEM,
ADDANKI, ADDANKI MANDAL, BAPATIA DISTRICT, A.P.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS
PRINCIPAL SECRETARY, SCHOOL EDUCATION
DEPARTMENT, SECRETARIAT, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, BAPATLA DISTRICT,
BAPATLA.
3. THE REVENUE DIVISIONAL OFFICER, BAPATLA,
BAPATLA DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER, BAPATLA
DISTRICT, BAPATLA.
5. THE MUNICIPAL COMMISSIONER, ADDANKI
MUNICIPALITY, ADDANKI, BAPATLA DISTRICT.

6. THE CONVENER AND MANDAL EDUCATIONAL OFFICER, ADDANKI MANDAL, ADDANKI, BAPATLA DISTRICT.
7. THE MANDAL PARISHAD DEVELOPMENT OFFICER, ADDANKI MANDAL, ADDANKI, BAPATLA DISTRICT.
8. THE CHAIRMAN AND TAHSILDAR, ADDANKI MANDAL, ADDANKI, BAPATLA DISTRICT.
9. THE SCHOOL MANAGEMENT COMMITTEE SMC, REP.BY ITS CHAIRMAN TALLURI PRAVEEN KUMAR, S.P. GOVT. GIRLS HIGH SCHOOL, ADDANKI, BAPATIA DISTRICT.
10. THE HEAD MASTER, S.P. GOVT. GIRLS HIGH SCHOOL, ADDANKI MANDAL, BAPATIA DISTRICT.
11. SRI K SRINIVASA RAO, HEAD MASTER, S.P. GOVT. GIRLS HIGH SCHOOL ADDANKI, ADDANKI MANDAL, BAPATLA DISTRICT.
12. SMT SHAIK MASTHAN BI, W/O SHAIK KASIM SAHEB PRESENTLY COOKING AGENT, S.P. GOVT. GIRLS HIGH SCHOOL, ADDANKI, ADDANKI MANDAL, BAPATLA DISTRICT.

...RESPONDENT(S):

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 a writ order or direction more particularly one in the nature of writ of Mandamus, to declare the action of the respondents No.6 to 10 (Mandal Level Mid-Day Meal Scheme Committee) issued Proceedings in Rc.No.SPL/MDM/2019, Dated 22-10-2024 removed the petitioner from duties as Cooking agent in implementing the Mid- Day-Meal agency in S.P. Govt. Girls High School, Addanki, Addanki Mandal, Bapatia District and subsequent Proceedings Dated 23-10-2024 issued by the 10th respondent are illegal, arbitrary, violation of rules in G.O.Ms.No.94 Education(SE-PROG-I) Department dated 25-11-2002, also violation of Art. 14, 16 and 21 of the Constitution of India, set-aside the same

and consequently direct the respondents No. 6 to 10 to reinstate the petitioner in service as Cooking agent in S.P. Govt. Girls High School, Addanki, Addanki Mandal, Bapatla District and to pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC 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 No. 6 to 10 to continue the petitioner in service as Cooking agent in S.P. Govt. Girls High School, Addanki, Addanki Mandal, Bapatia District by suspending the Proceedings in Rc.No.SPL/MDM/2019, Dated 22-10-2024 of the respondents No.6 to 10 (Mandal Level Mid-Day Meal Scheme Committee) and subsequent Proceedings Dated 23-10-2024 issued by the 10th respondent pending disposal of the above writ petition and pass such other order.

Counsel for the Petitioner:

1.D KASIM SAHEB

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR SCHOOL EDUCATION

3.VINOD KUMAR PEMMASANI

4.Mattegunta.Sudhir, Standing Counsel For Z.P.Ps, M.P.Ps, Gram Panchayats

WRIT PETITION NO: 6264/2025

Between:

1.ALLU JAYAMMA, W/O SRINIVASA RAO, AGED 41 YEARS, WORKING AS MDM-HEAD WOMEN-COOK-CUM-HELPER IN ZALLA PARISHAD SCHOOL, M.S.R.PURAM, VANGARA MANDAL, VIZIANAGARAM DISTRICT, R/O PEDDA VEEDHI, M.S.R.PURAM, VANGARA MANDAL, VIZIANAGARAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY IT'S PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI VILLAGE, TULLUR MANDAL, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, ERSTWHILE SRIKAKULAM DISTRICT, PRESENTLY VIZIANAGARAM DISTRICT.
3. THE DISTRICT EDUCATIONAL OFFICERCUMMEMBER OF MIDDAY MEALS, ERSTWHILE SRIKAKULAM DISTRICT, PRESENTLY VIZIANAGARAM DISTRICT.
4. THE MANDAL DEVELOPMENT OFFICERCUMMEMBER OF MIDDAY MEALS, VANGARA MANDAL, ERSTWHILE SRIKAKULAM DISTRICT, PRESENTLY VIZIANAGARAM DISTRICT.
5. THE TAHSILADARCUMMEMBER OF MIDDAY MEALS, VANGARA MANDAL, ERSTWHILE SRIKAKULAM DISTRICT, PRESENTLY VIZIANAGARAM DISTRICT.
6. THE MANDAL EDUCATIONAL OFFICER CUMMEMBER OF MIDDAY MEALS, VANGARA MANDAL, ERSTWHILE SRIKAKULAM DISTRICT, PRESENTLY VIZIANAGARAM DISTRICT.
7. THE HEAD MASTERCUMMEMBER OF MIDDAY MEALS, ZILLA PARISHAD HIGH SCHOOL, M.S.R.PURAM, VANGARA MANDAL, VIZIANAGARAM DISTRICT.
8. THE SCHOOL MANAGEMENT COMMITTEE, REP BY ITS CHAIRMAN, ZILLA PARISHAD HIGH SCHOOL, M.S.R.PURAM, VANGARA MANDAL, VIZIANAGARAM DISTRICT.
9. SMT DUPPDA JANIKI, W/O JANARADHAN RAO, AGED ABOUT 35 YEARS, MDM-HEAD WOMEN-COOK-CUM-HELPER IN ZALLA PARISHAD SCHOOL, M.S.R.PURAM, VANGARA MANDAL, VIZIANAGARAM DISTRICT.

10. THE ANDHRA PRADESH CORPORATION FOR OUTSOURCED SERVICE APCOS, REP BY ITS CHIRPERSON, 2ND FLOOR, NTR ADMINISTRATIVE BUILDING, PANDIT NEHRU BUS STATION, KRISHNALANKA, VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH - 520002.

...RESPONDENT(S):

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 a writ, order or direction more in the nature of Mandamus declaring the action respondents particularly the 2nd to 8th respondents in removing the Petitioner from MDM-Head Women-Cook-cum- Helper from the 7th respondent School in Zalla Parishad School, M.S.R.Puram, Vangara Mandal, Vizianagaram District in pursuance of the 8th respondent in SMC Resolution dated 17-02-2025, is illegal, arbitrary, violation of Principal of Fundamental Rights under Articles 311(2), 14 and 16 of the Constitution of India and violation of the vide G.O. Ms. No. 126, dated 18-10-2019 and G.O.Ms.No.136,04-11-2019 and guidelines for engaging Out-Sourced Manpower under Guidelines vide Circular Memo No.GADOL-SUOMIC/31/2019-SU-I, dated 20-11-2029 and also contrary to the G.O.Ms.No.41, dated 19-06-2013 and consequently to set-aside the Resolution dated 17-02-2025 of the 8th respondent and pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay the Resolution dated 17-02-2025 of the 8th respondent by directing the respondents Continue the Petitioner as MDM-Head Women-Cook-cum-Helper in Zilla Parishad High School, M.S.R.Puram, Vangara Mandal, Vizianagaram District in the 7th respondent School pending disposal of the above writ petition and pass such other order.

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the counter copies on record by allowing the leave petition Writ Petition No.6264 of 2025 in the above writ petition and pass such other order.

Counsel for the Petitioner:

1.G SIMHADRI

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR SCHOOL EDUCATION
3. K BHEEMA RAO

WRIT PETITION NO: 2914/2025**Between:**

- 1.PALLA CHINNA NARASIMHA REDDY, S/O PULLAREDDY
AGED 59 YEARS OCC. COOK (MDM) O/O ZPHS
NARAHARIPURAM CHAPADU (M) KADAPA R/O
NARAHARIPURAM (V) CHAPADU (M) KADAPA

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP BY ITS
PRINCIPAL SECRETARY SCHOOL EDUCATION
DEPARTMENT SECRETARIAT VELAGAPUDI AMARAVATHI
GUNTUR DISTRICT PETITIONER
- 2.THE DISTRICT EDUCATIONAL OFFICER, KADAPA, YSR
KADAPA DISTRICT

3.THE REVENUE DIVISIONAL OFFICER, KADAPA REVENUE
DIVISION KADAPA YSR DISTRICT

4.THE TAHSILDAR, CHAPADU MANDAL, YSR KADAPA
DISTRICT

5.THE MANDAL EDUCATIONAL OFFICER, CHAPADU
MANDAL, YSR KADAPA DISTRICT

6.THE HEAD MASTER, ZPHS NARAHARIPURAM CHAPADU
(M) KADAPA

...RESPONDENT(S):

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 an order, writ or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents not consider petitioner candidature for continuing his service as Cook for Mid-day meal agent at ZPHS Naraharipuram Chapadu (M) Kadapa and forcing the petitioner to drop out from Cooking duties for Mid-day meal programme without any show cause notice or proceeding is illegal arbitrary unjust and violative of Art 14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner service as Cook for Mid-day meal agency at ZPHS Naraharipuram Chapadu (M) Kadapa and direct the 5TH and 6TH respondent to follow due procedure of law before removing the petitioner from duties and pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC 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 continue the petitioner service as Cook for Mid-day meal agency at ZPHS Naraharipuram Chapadu (M) Kadapa pending disposal of the above writ petition in the interest of justice and pass such other order.

Counsel for the Petitioner:

1.PAMARTHY RATHNAKAR

Counsel for the Respondent(S):

1. GP FOR EDUCATION
2. GP FOR REVENUE

WRIT PETITION NO: 6477/2025

Between:

1.A. CHITTAMMA, W/O. A. GANGADHAR, AGED ABOUT 39 YEARS, OCC. SCHOOL AYAH, R/O. 2-32, SC COLONY, BRAHMANAPALLI VILLAGE, PUTTAPARTHI MANDAL, SRI SATHYA SAI DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY EDUCATION DEPARTMENT GOVERNMENT OF ANDHRA PRADESH.

2.THE DISTRICT COLLECTOR, SRI SATHYA SAI DISTRICT.

3.THE DISTRICT EDUCATIONAL OFFICER, SRI SATHYA SAI DISTRICT.

4.THE MANDAL EDUCATIONAL OFFICER, PUTTAPRTHI MANDAL, SRI SATYA SAI DIST.,

5.THE MANDAL PRAJA PARISHADS SCHOOL, BRAHMANAPALLI VILLAGE, PUTTAPARTHI MANDAL, REP. BY ITS HEAD MASTER

...RESPONDENT(S):

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 a writ order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the Respondent NO. 5 in removing the petitioner from the post of Ayah without giving notice to the petitioner and not considering the representation dated 04.01.2025 and 17.01.2025 by the respondent No. 2 to 4 is arbitrary unjust and violative of Articles 14 16 and 21 of the Constitution of India unconstitutional and consequently to direct the respondent authorities to consider the case of the petitioner for reinstate for the post of Ayah.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No. 2 to 4 to consider the representation dated 04.01.2025 made by the Petitioner pending disposal of the above writ petition.

Counsel for the Petitioner:

1.CH VENKAT RAMAN

Counsel for the Respondent(S):

1. GP FOR EDUCATION

WRIT PETITION NO: 21842/2024

Between:

1.KADIVETI VAJRAMMA, W/O DASARADHA RAMI REDDY,
AGED ABOUT 57 YEARS, OCC- HELPER, MID DAY MEAL
SCHEME, R/O. BETHULAPALLI VILLAGE, PODALAKURU
MANDAL S.P.S.R.NELLORE DISTRICT.

...PETITIONER

AND

1. THE UNION OF INDIA, MINISTRY OF HUMAN RESOURCE DEVELOPMENT, (DEPARTMENT OF SCHOOL EDUCATION AND LITERACY), REP BY ITS DIRECTOR (MID DAY MEALS), SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD, NEW DELHI.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY SCHOOL EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.
3. THE COMMISSIONER OF SCHOOL EDUCATION, IBRAHIMPATNAM, VIJAYAWADA, ANDHRA PRADESH.
4. THE DISTRICT COLLECTOR, SPSR NELLORE DISTRICT, NELLORE.
5. THE DISTRICT EDUCATIONAL OFFICER, NELLORE, SPSR NELLORE DISTRICT.
6. THE TAHSILDAR, PODHALAKUR MANDAL, PODHALAKUR, SPSR NELLORE DISTRICT.
7. THE MANDAL EDUCATION OFFICER, PODHALAKUR MANDAL, SPSR NELLORE DISTRICT.
8. THE HEAD MASTER, M.P.P SCHOOL, BATHULAPALLI VILLAGE PODHALAKUR MANDAL, SPSR NELLORE DISTRICT.
9. PONGULRU RAMADEVI, W/O. LT MOHAN, AGED MAJOR. R/O. BATHULLAPALLI VILLAGE, PODALAKURU MANDAL, SPSR NELLORE DISTRICT.

...RESPONDENT(S):

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 Writ order or direction more particularly one in the nature of Writ of Mandamus questioning the action of Respondent No.7 and 8 in removing the petitioner from the

service without notice and order is illegal, arbitrary and violation of principles of natural justice and Article 14, 16 and 21 of Constitution of India and consequently direct the respondents to continue the petitioner as cook helper at Respondent No.8 school and pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the respondents to continue the petitioner as cook helper in Respondent No.8 school, pending disposal of the above Writ Petition and pass such other order.

Counsel for the Petitioner:

1.HARINATH REDDY SOMA

Counsel for the Respondent(S):

1. GP FOR SCHOOL EDUCATION
2. B APPA RAO
- 3.

WRIT PETITION NO: 28035/2024

Between:

- 1.BYRI LAKSHMI, W/O B.SIMHACHALAM, AGED ABOUT 43 YEARS, OCC. WORKING AS A MID-DAY MEAL IMPLEMENTING AGENCY, R/O.1-11 COLONY, DANTHA VILLAGE, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT.
- 2.LAVETI VASANTHI,, W/O LAVETI SIMHACHALAM, AGED ABOUT 42 YEARS, OCC. WORKING AS HELPER IN MID-DAY MEAL, R/O. D.NO. 1-335, KONDA VEEDHI, DANTHA VILLAGE, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT
2. THE DISTRICT COLLECTOR, SRIKAKULAM DISTRICT, ANDHRA PRADESH.
3. THE DISTRICT EDUCATIONAL OFFICER, SRIKAKULAM, SRIKAKULAM DISTRICT, A.P.
4. THE TAHSILDAR, KOTABOMMALI MANDAL SRIKAKULAM DISTRICT, A.P
5. THE MANDAL EDUCATION OFFICER, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT, A.P.
6. MANDAL PARISHAD DEVELOPMENT OFFICER, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT, A.P.
7. THE HEAD MASTER, MANDAL PARISHAD UPPER PRIMARY (MPUP) SCHOOL, DANTHA VILLAGE, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT.
8. THE SCHOOL EDUCATION COMMITTEE, REP BY ITS CHAIRMAN, MANDAL PARISHAD UPPER PRIMARY (MPUP) SCHOOL, DANTHA VILLAGE, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT.
9. DUNGA CHINNAMMI, W/O SIMHACHALAM, AGED ABOUT 47 YEARS, R/O DANTHA VILLAGE, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT.
10. NAKKA NARASAMMA, W/O JAGGARAO, AGED ABOUT 52 YEARS, R/O DANTHA VILLAGE, KOTABOMMALI MANDAL, SRIKAKULAM DISTRICT.

...RESPONDENT(S):

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 pass an order or orders or direction more particularly one in the nature of a WRIT OF MANDAMUS declaring the action of the Three Members Committee (Trisabhya Committee) comprising Respondents 4 to 6 for terminating the

petitioners from the services vide proceedings dated 27.09.2024 in terminating the petitioners Mid-Day-Meal implementing agency and helper of the mid-day meals program at Mandal Parishad Upper Primary (MPUP) School, Dantha Village, Kotabommali Mandal, Srikakulam District, is violation of principles of natural justice contrary to Proc.Rc.No.27021/MDM-II/2020 dated 29.01.2020 issued by the Commissioner of School Education, Andhra Pradesh, as illegal, arbitrary and also violation of Articles 14 and 21 of the Constitution of India and Consequently direct the respondents to continue the petitioner's Mid-Day-Meal Implementing Agency of Mandal Parishad Upper Primary School (MPUP School), by setting aside the proceedings dated 27.09.2024 issued by the Respondent No.4 to 6 and pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct Respondent No.4 to 6 to allow the Petitioners to discharge their duties as implementing authority of Mid Day Meal Programme in MPUP School, Dantha Village, Kotabommali Mandal, Srikakulam District, A.P, pending disposal of the writ petition and to pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased receive the counter copies on record by allowing the leave petition in the above writ petition and pass such other order.

Counsel for the Petitioner(S):

1.CKR ASSOCIATES

Counsel for the Respondent(S):

1. GP FOR EDUCATION
2. GP FOR REVENUE

WRIT PETITION NO: 28697/2024**Between:**

1.T NAGAMANI, W/O. T.MADHUSUDHAKAR, AGED ABOUT 41 YEARS, R/O H.NO.6-105, B.C. COLONY, GADIVEMULA VILLAGE AND MANDAL NANDYAL DISTRICT - 518 508.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.

2.DISTRICT COLLECTOR, NANDYAL DISTRICT.

3.MID DAY MEALS IMPLEMENTATION COMMITTEE, GADIVEMULA MANDAL, NANDYAL DISTRICT REPRESENTED BY ITS CHAIRMAN AND TAHSILDAR, NANDYAL DISTRICT.

4.MANDAL EDUCATIONAL OFFICER AND MEMBER, MID DAY MEALS IMPLEMENTATION COMMITTEE GADIVEMULA MANDAL, NANDYAL DISTRICT.

5.MANDAL PRAJA PARISBAD DEVELOPMENT OFFICER, GADIVEMULA MANDAL, NANDYAL DISTRICT.

6.TAHSILDAR, GADIVEMULA MANDAL NANDYAL DISTRICT.

7.PRINCIPAL, A.P. MODEL SCHOOL, GADIVEMULA MANDAL, NANDYAL DISTRICT.

8.T JAYAMMA, W/O. VEERANNA AGED ABOUT NOT KNOWN IO THE PETITIONER R/O. NEAR RAJARAJESWARI SCHOOL, BC COLONY, GADIVEMULA (V AND M) NANDYAL DISTRICT

...RESPONDENT(S):

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 a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the Proceedings in Rc.No. Spl.1/MDM/2024, dated 31-07-2024 issued

by the 3rd Respondents wholly illegal, arbitrary, violative of Articles 14, 19 and 21 of the Constitution of India apart from being violative of principles of natural Justice and consequently declare that the Petitioner is entitled to be continued in A.R Model School, Gadivemula, Nandyat District for implementation of Mid Day Meals Scheme and pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the Proceedings in Rc.No.Spl 1/MDM/2024, dated 31-07-2024 issued by the Respondent with a direction to the Respondents to continue the petitioner in A.P. Model School, Gadivemula, Nandyal District for implementation of Mid Day Meals Scheme and pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner to file additional documents i.e., termination notices dated 06-07- 2024, 20-07-2024 and 27-07-2024 along with postal acknowledgments and pass

Counsel for the Petitioner:

1.MADHAVI LATHA KATASANI

Counsel for the Respondent(S):

1. GP FOR EDUCATION
2. GP FOR REVENUE
3. KHAJA KHUTUBUDDIN SHAIK

WRIT PETITION NO: 30422/2024**Between:**

1. ORSU JYOTHI, W/O YESURATNAM , EX.COOKING AGENT, AGED ABOUT 44 YEARS, Z.P.H SCHOOL, PEDANAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT, R/O PEDANAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM, DISTRICT, A.P.

...PETITIONER**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, PRAKASAM DISTRICT, ONGOLE.
3. THE SUBCOLLECTOR, MARKAPUR DIVISION, MARKAPUR, PRAKASAM DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER, PRAKASAM DISTRICT AT ONGOLE.
5. THE MANDAL PARISHAD DEVELOPMENT OFFICER, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
6. THE MANDAL EDUCATIONAL OFFICER, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
7. THE TAHSILDAR AND CHAIRMAN MANDAL LEVEL MIDDAYMEAL PROGRAMME, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
8. THE HEAD MASTER, Z.P.H. SCHOOL, PEDDANAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT.
9. SCHOOL MANAGEMENT COMMITTEE SMC, REP. BY ITS CHAIRMAN REPANIYEDUKONDALU, S/O CHINA VENKATESWARLU, AGE 40 YEARS, Z.P.H SCHOOL,

PEDANAGULAVARAM VILLAGE, MARKAPUR MANDAL,
PRAKASAM DISTRICT.

10.SMT VALLEPUUMADEVI, W/O RAJU, AGED ABOUT 35 YEARS,
Z.P.H SCHOOL,PEDANAGULAVARAM VILLAGE, MARKAPUR
MANDAL, PRAKASAMDISTRICT

...RESPONDENT(S):

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 a writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 7th respondent removing the petitioner in Proceedings vide R.C.A/199/2024 dated. 14-10-2024 from duties by passing the resolution in implementing the Mid Day Meal Programme in Z.P.H School, PedaNagulavaram Village,Markapur Mandal, Prakasam District without following the prescribed procedure is illegal, arbitrary, violation of rules in G.O.Ms.No.94 Education(SE-PROG-I) Department dated 25-11-2002, also violation of Art.16 AND 21 of the constitution of the India, set aside the same and consequently direct the respondents to reinstate the petitioner in service as Cooking agent in Z.P.H School, PedaNagulavaram Village,Markapur Mandal, Prakasam District and to pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC 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 continue the petitioner in service as Cooking agent in Z.P.H School, PedaNagulavaram Village, Markapur Mandal, Prakasam District by suspending the Proceedings vide R.C.A/199/2024 dated 14-10-2024 pending disposal of the above writ petition and pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the counter copies on record by allowing the leave petition in Writ Petition No. 30422 of 2024 in the above writ petition and pass such other order.

Counsel for the Petitioner:

1.D KASIM SAHEB

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR SCHOOL EDUCATION

WRIT PETITION NO: 30423/2024**Between:**

1. ORSU VENKATAMMA, W/O VENKATESWARLU, EX. COOKING AGENT, AGED ABOUT 39 YEARS, MANDALA PARISHAD PRIMARY SCHOOL, PEDA NAGULAVARAM VILLAGE, DISE CODE. 28180900302 MARKAPUR MANDAL, PRAKASAM DISTRICT, R/O PEDA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM, DISTRICT, A.P.

...PETITIONER

AND

1. THE STATE OF A P, REP. BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, PRAKASAM DISTRICT, ONGOLE.
3. THE SUBCOLLECTOR, MARKAPUR MANDAL, PRAKASAM DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER, PRAKASAM DISTRICT AT ONGOLE.

5. THE MANDAL PARISHAD DEVELOPMENT OFFICER, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
6. THE MANDAL EDUCATIONAL OFFICER, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
7. THE TAHSILDAR AND CHAIRMAN MANDAL LEVEL MIDDAYMEAL PROGRAMME, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
8. THE HEAD MASTER, MANDALA PARISHAD PRIMARY SCHOOL, PEDANA NAGULAVARAM VILLAGE, DISE CODE. 28180900302, MARKAPUR MANDAL, PRAKASAM DISTRICT
9. SCHOOL MANAGEMENT COMMITTEESMC, REP.BY.ITS CHAIRMAN PYDI BALAIAH, S/O NOT KNOWN TO THE PETITIONER, AGE 48 YEARS, MANDALA PARISHAD PRIMARY SCHOOL, PEDANA NAGULAVARAM VILLAGE, DISE CODE. 28180900302, MARKAPUR MANDAL, PRAKASAM DISTRICT.
10. CHALLA VANAMMA, W/O LAKSHMAIAH, AGED ABOUT 35 YEARS, MANDALA PARISHAD PRIMARY SCHOOL, PEDANA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT.

...RESPONDENT(S):

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 a writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 7th respondent removing the petitioner in Proceedings vide R.C.A/199/2024 dated. 14-10-2024 from duties by passing the resolution in implementing the Mid Day Meal Programme in Mandala Parishad Primary School, Pedana Nagulavaram Village, DISE CODE. 28180900302, Markapur Mandal, Prakasam District without following the prescribed procedure is illegal, arbitrary, violation of rules in G.O.Ms.No.94 Education(SE-PROG-I) Department dated 25-11-2002, also violation of Art. 16 and 21 of the constitution of the India, set aside the same and consequently direct the respondents to reinstate the petitioner in service as Cooking agent in Mandala Parishad Primary School, Pedana Nagulavaram Village, DISE CODE.28180900302, Markapur Mandal, Prakasam District, and to pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC 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 continue the petitioner in service as Cooking agent in Mandala Parishad Primary School, Peda Nagulavaram Village, DISE CODE: 28180900302, Markapur Mandal, Prakasam District by suspending the Proceedings vide R.C.A/199/2024 dated: 14-10-2024 pending disposal of the above writ petition and pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the counter copies on record by allowing the leave petition Writ Petition No. 30423 of 2024 in the above writ petition and pass such other order.

Counsel for the Petitioner:

1.D KASIM SAHEB

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR SCHOOL EDUCATION

WRIT PETITION NO: 30426/2024**Between:**

1.TURAKA LAKSHMI TIRUPATAMMA, W/O ADINARAYANA EX.COOK-CUM HELPER, AGED ABOUT 26 YEARS, Z.P.H SCHOOL,PEDA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT, R/O B.C COLONY, PEDA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM, DISTRICT, A.P.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY SCHOOL EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, PRAKASAM DISTRICT, ONGOLE.
3. THE SUBCOLLECTOR, MARKAPUR DIVISION, MARKAPUR, PRAKASAM DISTRICT.
4. THE DISTRICT EDUCATIONAL OFFICER, PRAKASAM DISTRICT AT ONGOLE.
5. THE MANDAL PARISHAD DEVELOPMENT OFFICER, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
6. THE MANDAL EDUCATIONAL OFFICER, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
7. THE TAHSILDAR AND CHAIRMAN MANDAL LEVEL MIDDAYMEAL PROGRAMME, MARKAPUR MANDAL, MARKAPUR, PRAKASAM DISTRICT.
8. THE HEAD MASTER, Z.P.H. SCHOOL, PEDDA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT.
9. SCHOOL MANAGEMENT COMMITTEE SMC, REP.BY.ITS CHAIRMAN REPANI YEDUKONDALU, S/O CHINA VENKATESWARLU, AGE 40 YEARS, Z.P.H SCHOOL, PEDA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT.
10. ORSU VENKATA LAKSHMAMMA, W/O CHINA RAJAIAH, AGED ABOUT 40 YEARS, Z.P.H SCHOOL, PEDA NAGULAVARAM VILLAGE, MARKAPUR MANDAL, PRAKASAM DISTRICT.

...RESPONDENT(S):

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 a writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 7th respondent removing the petitioner in Proceedings vide R.C.A/199/2024 dated. 14-10-2024 from duties by passing the resolution in implementing the Mid Day Meal Programme in Z.P.H

School, Peda Nagulavaram Village, Markapur Mandal, Prakasam District without following the prescribed procedure is illegal, arbitrary, violation of rules in G.O.Ms.No.94 Education(SE-PROG- I) Department dated 25-11-2002, also violation of Art.16 and 21 of the constitution of the India, set aside the same and consequently direct the respondents to reinstate the petitioner in service as Cooking agent in Z.P.H School, Peda Nagulavaram Village, Markapur Mandal, Prakasam District and to pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the respondents to continue the petitioner in service as Cooking agent in Z.P.H School, Peda Nagulavaram Village, Markapur Mandal, Prakasam District by suspending the Proceedings vide R.C.A/199/2024 dated: 14-10-2024 pending disposal of the above writ petition and pass such other order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive the counter copies on record by allowing the leave petition Writ Petition No. 30426 of 2024 in the above writ petition and pass such other order.

Counsel for the Petitioner:

1.D KASIM SAHEB

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR SCHOOL EDUCATION

WRIT PETITION NO: 31329/2024**Between:**

1. GUDDETI YESAMMA, W/O RAMAKOTI AGE. ABOUT 45 YEARS, OCC AAYA AND SWEEPER, RESIDENT OF GUMMANAMPADU VILLAGE, BOLLAPALLI MANDAL, PALNADU DISTRICT EARSWHILE GUNTUR DISTRICT. ANDHRA PRADESH.
2. VEERADASU ADILAXMI, W/O. KOTESWARA RAO AGE. 35 YEARS, OCC. AAYA AND SWEEPER NOTE. BOTH ARE RESIDENT OF GUMMANAMPADU VILLAGE, BOLLAPALLI MANDAL, PALNADU DISTRICT EARSWHILE GUNTUR DISTRICT. ANDHRA PRADESH.

...PETITIONER(S)**AND**

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY SCHOOL EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI.
2. THE COMMISSIONER SCHOOL EDUCATION, VTPS ROAD, BHIMARAJU GUTTA, IBRAHIMPATNAM, NTR DISTRICT, EARSTWHILE KRISHNA DISTRICT.
3. THE DISTRICT EDUCATIONAL OFFICER, PALNADU DISTRICT, NARASARAOPET, EARSTWHILE GUNTUR DISTRICT.
4. THE MANDAL EDUCATIONAL OFFICER, BOLLAPALLI MANDAL, BOLLAPALLI PALNADU DISTRICT, EARSTWHILE GUNTUR DISTRICT.
5. THE HEAD MASTER/ HEAD MISS, ZILLA PARISHAD HIGH SCHOOL GUMMANPADU VILLAGE, BOLLAPALLI MANDAL, PALNADU DISTRICT, EARSTWHILE GUNTUR DISTRICT.
6. THE VIDYA COMMITTEE CHAIRMAN, ZILLA PARISHAD HIGH SCHOOL GUMMANPADU VILLAGE, BOLLAPALLI MANDAL, PALNADU DISTRICT, EARSTWHILE GUNTUR DISTRICT.

...RESPONDENT(S):

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 an appropriate Writ, order or direction more particularly, one in the nature of WRIT OF

MANDAMUS to declare the action of the 4th, 5th and 6th Respondents for not responding / considering on the Petitioners representation dated 26-02-2022, and Legal Notice dated 09-01-2023 and also oral requests and not paying their due salaries and the amounts incurred for the cleaning work, and also highhandedly removed from the post of Aaya in the 5th Respondent School, without any prior notice, information and without following the due process of law is illegal, arbitrary and unconstitutional and consequently direct the 4th, 5th and 6th Respondents to pay the Petitioners entire dues of salary and the amount incurred to purchase the Phenyl bottles. Acid Bottels, Brooms (Cheepuru), Brushes etc to do cleaning work, forthwith and pass such other order.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to direct the 4th, 5th & 6th Respondents to pay the entire dues of salary and the amounts incurred for the cleaning work forthwith and pass such other order.

Counsel for the Petitioner(S):

1.CH VIDYASAGAR

Counsel for the Respondent(S):

1.GP FOR SCHOOL EDUCATION

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

**W.P.Nos.6854, 6264, 2914, 6477 of 2025, W.P.Nos.21842, 28035,
28697, 30422, 30423, 30426 and 31329 of 2024**

COMMON ORDER:

1. These Writ Petitions were filed questioning the removal of respective Petitioners as Cook-cum-Helpers and the posts associated thereto from the Respondent-Schools pursuant to the School Management Committee (SMC) resolution, as illegal and violative of principles of natural justice. As the issues involved in all these Writ Petitions are same, all the Writ Petitions have been heard together and are being disposed of by this Common Order.
2. In **W.P.No.6854 of 2025** the Petitioner was removed as Cook-cum-Helper, Addanki, Addanki Mandal, Bapatla District after being dissatisfied with the explanation to the show-cause notice. The show-cause notice was with regard to unsatisfactory work of Petitioner on various counts.
3. In **W.P.No.6264 of 2025** the Petitioner was removed as Cook-cum-Helper on 10.09.2024 from Zilla Parishad School, MSR Puram, Vangara Mandal, Vizianagaram District after being dissatisfied with the explanation to the show-cause notice. The show-cause notice was with regard to unsatisfactory work of Petitioner on various counts.

4. In **W.P.No.2914 of 2025** the Petitioner was removed as Cook on 05.11.2012 from Z.P.H.S. Naraharipuram, Chapadu Mandal, Kadapa District after being dissatisfied with the Petitioner's work. Respondent Nos.5 and 6 forced the Petitioner to drop out from the duties without any notice.

5. In **W.P.No.6477 of 2025** the Petitioner was removed as Ayah on 01.01.2025 from Bhramanapalli Primary School, Brahmanapalli Village, Puttaparthi Mandal, Sri Satya Sai District after being dissatisfied with the Petitioner's work, without issuing any notice on various counts.

6. In **W.P.No.21842 of 2024** the Petitioner was removed as Helper on 05.09.2024 from Mandal Praja Parishad School, Bathullapalli Village, Podalakuru Mandal, SPSR Nellore District after being dissatisfied with Petitioner's work and without issuing any notice the Petitioner was removed from service.

7. In **W.P.No.30426 of 2024** the Petitioner was removed as Cook-cum-Helper on 14.10.2024 from Z.P.H. School, Peda Nagulavaram Village, Markapuram Mandal, Prakasam District after being dissatisfied with the explanation to the show-cause notice. The show-cause notice was with regard to unsatisfactory work of Petitioner on various counts.

8. In **W.P.No.30423 of 2024** the Petitioner was removed as Cook on 14.10.2024 from Mandala Parishad Primary School, Peda Nagulavaram Village, Markapuram Mandal, Prakasam District after being dissatisfied with the explanation to the show-cause notice. The show-cause notice was with regard to unsatisfactory work of Petitioner on various counts.

9. In **W.P.No.30422 of 2024** the Petitioner was removed as Cook on 14.10.2024 from Z.P.H. School, Peda Nagulavaram Village, Markapur Mandal, Prakasam District after being dissatisfied with the explanation to the show-cause notice. The show-cause notice was with regard to unsatisfactory work of Petitioner on various counts.

10. In **W.P.No.28697 of 2024** the Petitioner was removed as Head Cook on 31.07.2024 from A.P. Model School, Gadivemula Mandal, Nandyal District after being dissatisfied with the explanation to the show-cause notice. The show-cause notice was with regard to unsatisfactory work of Petitioner on various counts.

11. In **W.P.No.31329 of 2024** the Petitioner was removed as Ayah-cum-Sweeper on 06.12.2021 from Zilla Parishad High School, Gummanpadu Village, Bollapalli Mandal, Palnadu District after being dissatisfied with the explanation to the show-cause notice. The show-

cause notice was with regard to unsatisfactory work of Petitioner on various counts.

12. **W.P.No.6854 of 2025** is taken as the lead case for narration of facts.

13. In the year 2002, the State Government had taken a policy decision to introduce Mid Day Meals in Schools and G.O.Ms.No.94, Education (SE-PROG-I) Department, dated 25.11.2002, was issued specifying the mechanism for implementation. As per the said G.O., an Implementing Agency was entrusted with the job of providing Mid Day Meals in rural areas i.e. DWCRA/Self-help Groups/SEC/Other Agencies like Temple, NGOs of Proven Track Record and Charitable Trusts/Group of parents as identified by the Mandal Revenue Officer/Tahsildar. As regards Urban Areas Community Development Societies/NGO/Urban SHGS etc., headed by the Mandal Revenue Officer, would be the Implementing Agencies.

14. A Monitoring Committee was constituted at the State Level, District Level, Municipal and Municipal Corporation Level etc., to oversee the implementation of the Mid Day Meals Scheme of the State Government. The Petitioner was said to be appointed as Cook-cum-Helper in S.P. Girls High School, Addanki as per the procedure prescribed under G.O.Ms.No.94, dated 25.11.2002. While so, after long

years of service, the Petitioner was sought to be terminated from service without issuing any prior notice. Hence, the Petitioner filed W.P.No.13851 of 2024 before this Court challenging the action of the Respondents therein.

15. This Court disposed of the said Writ Petition *vide* Order dated 15.11.2024 directing the Respondents therein to follow the procedure as per law by issuing a show-cause notice and pass appropriate orders, if they do not intend to continue the Petitioner.

16. Pursuant thereto, a show-cause notice was issued against the Petitioner on 05.09.2024 by Respondent No.10, stating that Sambarbath was not cooked properly and that the plates of the students were not cleaned with hot water. It is also stated that the students suffered from stomach pain after consuming the same. Thereupon, the Petitioner submitted his explanation, denying the allegations and stating that he has been on the job since 2007 and that no allegations have been made during all these years. It is also stated that the food that was supplied to the children on that day was checked by Respondent No.10 before serving to the children and therefore the said show-cause notice cannot be sustained. Another show-cause notice was issued by the Respondent-authorities against the Petitioner on 25.09.2024 stating that the food supplied by the Petitioner on

11.09.2024, 19.09.2024, 20.09.2024, 23.09.2024 and 23.09.2024 was not properly cooked, which was checked by the Members of the School Management Committee and also by the Municipal Commissioner, Addanki. Thereupon, without reference to the explanation offered by the Petitioner, the impugned order dated 22.10.2024 was passed, removing the Petitioner from the post of Cook-cum-Helper and appointing Respondent No.12 in his place. Questioning the same, W.P.No.6854 of 2025 is filed.

17. Respondent No.6/Mandal Education Officer filed a Counter-Affidavit on behalf of himself, the State and the Headmaster of the Respondent-School i.e., Respondent Nos.1 and 11. In the Counter-Affidavit, reliance was placed on the Judgments of this Court stating that the Petitioner do not have any vested right enforceable under Article 226 of the Constitution. It is further stated that the Petitioner did not dispute the allegations in the reply to the show-cause notice with reference to food not being tasty and as the Petitioner failed to perform her duty, the impugned orders need not be interfered with.

18. Learned counsel for the Petitioners contended that the allegations are simple in nature and the imposition of a major penalty would affect the livelihood of the Petitioners. It is also stated that the Petitioners have been continuing as Cook-cum-Helper from 2007

onwards without any complaint. Apart from that, it is stated that as per G.O.Ms.No.94, dated 25.11.2002, the SMC or the Head Master have no power to remove the Petitioners and that the Mandal Revenue Officer alone is entitled to do so as per the G.O.Ms.No.94, dated 25.11.2002. A reference was also made to the Andhra Pradesh Mid Day Meals Scheme, the 2015 Rules, contending that the concerned authority is mandated to refer samples to a laboratory to test the quality of the food without adhering to the procedure prescribed removing the Petitioners based on unreasoned SMC resolution is unsustainable.

19. The learned counsel for the Respondents while relying on the Judgments in ***Sri Kodanda Ramaswamy Oriental Educational Committee v. The District Level Committee for Mid Day Meals Scheme, Cuddapah***¹, ***Rudramamba Mahila DWCRA Group, Shiva Nagar, Warangal v. Principal Secretary, Education Department***², ***Rachakonda Nagaiah v. Government of Andhra Pradesh , rep. by the District Collector, Nalgonda***³, ***D. Ameena Bee Vs Ananthapur Municipality***⁴ and ***W.P.No.8037 and Batch 31.10.2019*** rendered by a Coordinate Bench after referring to the above mentioned case law, to the effect that the Petitioners, who were appointed under the Mid Day Meals Scheme do not have vested enforceable right for

¹ 2003(2) APLJ 323

² 2004(6) ALD 157

³ 2013(3) ALT 377

⁴ 2005(2)ALT 576(DB)

continuation as Cook-cum-Helper. It is also contended that the removal of the Petitioners was after the issuance of a show-cause notice and a decision taken by the School Management Committee, who were not satisfied with the quality of food that was cooked by the Petitioners and therefore the impugned order can be sustained.

20. **Reasoning:** Initially, the State Government has taken a policy decision to implement the Mid Day Meals Programme as directed by the Supreme Court in W.P.No.196 of 2001 dated 17.09.2001 by giving hot cooked food for the children of Classes I to VII in Government Schools and Government Aided Primary and Upper Primary Schools in the State with a minimum 300 calories and 8-12 gms. of protein content for every child. In the Annexure thereto, guidelines for the implementation of the Mid Day Meals Programme were specified. The Implementing Agency was to be engaged for lifting rice from the fair price shops as per allotment issued by Mandal Revenue Officer, purchase the other required ingredients, procure cooking vessels and arrange for cooking of food by its members and supply cooked meal to children. The Implementing Agency was also supposed to maintain Cash Book, Stock Register and Issue Register.

21. A Monitoring Committee was constituted to supervise the implementation of Mid Day Meals Programme at State Level, District Level, Municipal and Municipal Corporation Level. The Petitioners claimed to be appointed under the said G.O., as Cook-cum-Helper by the respective schools.

22. Subsequently, the Union Government framed the ***National Food Security Act, 2013*** with intent to provide food and nutritional security in a human life cycle approach, by ensuring access to adequate quantities of quality food at affordable prices to people to live a life with dignity and for matters connected therewith or incidental thereto. Under Section 39 thereof, the Union Government was empowered to frame Rules for various schemes specified thereunder.

23. The Union Government had framed the ***Mid-Day Meal Rules, 2015*** vide GSR 743(E), dated 30.09.2015. As per the said Rules, the children studying in Classes I to VIII were entitled for Mid-Day Meals having nutritional standards as specified in Schedule-II of the Act, free of charge every day except on school holidays.

24. Rule 5 thereof specifies the preparation of meals and maintenance of standards and quality. As per Rule 5(2), every school shall have the facility for hygienically cooking meals and the schools in urban areas and in identified rural areas which have good road and

connectivity and viable cluster of schools, for the purpose of leveraging efficiency gains, may use the facility of centralized kitchens. The School Management Committee constituted under the ***Right to Free and Compulsory Education Act, 2009*** shall monitor the implementation of the Mid-Day Meal Scheme and shall oversee quality of meals provided to the children, the cleanliness of the place of cooking and the maintenance of hygiene in the implementation of Mid Day Meal Scheme.

25. Rule 8 provides for testing of hot cooked meal provided to children to be evaluated and certified by the Government Food Research Laboratory or any laboratory accredited or recognized by law, so as to ensure that the meal meets with nutritional standards and quality specified in Schedule-II of the Act. Rules 5, 7 and 8 thereof are extracted below;

“5. Preparation of meals and maintenance of standards and quality

(1) The meal shall be prepared in accordance with the Mid Day Meal guidelines issued by the Central Government from time to time and in accordance with the provisions of Schedule II of the Act.

(2) Every school shall have the facility for cooking meal in hygienic manner and the schools in urban areas and in identified rural areas which have good road connectivity and viable cluster of schools, for the purpose of leveraging efficiency gains, may use

the facility of centralised kitchens for cooking meals wherever required in accordance with the guidelines issued by the Central Government and the meal shall be served to children at respective school only.]

7. Role of School Management Committee (SMC) for monitoring Mid-day Meals Scheme

1) The School Management Committee mandated under Right to Free and Compulsory Education Act, 2009 shall also monitor implementation of the Mid-day meal Scheme and shall oversee quality of meals provided to the children, cleanliness of the place of cooking and maintenance of hygiene in implementation of mid day meal scheme.

(2) The Headmaster or Headmistress of the school shall be empowered to utilise any fund available in school for the purpose of continuation of Mid Day Meal Scheme in the school in case of temporary unavailability of food grains, cooking cost, etc., in the school. The utilised fund shall be reimbursed to the school account immediately after receipt of mid day meal funds.

8. Testing of Meals by Accredited Laboratories

(1) Hot cooked meal provided to children shall be evaluated and certified by the Government Food Research Laboratory or any laboratory accredited or recognized by law, so as to ensure that the meal meets with the nutritional standards and quality specified in Schedule II to the Act. The Food and Drugs Administration Department of the State may collect samples to ensure the nutritive value and quality of the meals.

(2) The Department referred to in sub-rule (1) shall collect the samples at least once in a month from randomly selected schools or centralised kitchens and send such samples for examination to the laboratories referred to in sub-rule (1)."

26. With the passage of time and with the advent of the Mid-Day Meal Rules, 2015, the State is now under a statutory obligation to provide quality cooked food to the children in Classes I to VIII and a structured policy decision is required to be taken about the modalities of implementation of the statutory obligation. The case law that was cited by the Respondents was rendered vis-à-vis the G.O.Ms.No.94, dated 25.11.2002, where the Mid-Day Meal was served through an Implementing Agency and on a contract.

27. Though the Petitioners were initially appointed through the Implementing Agency, with changed scenarios and introduction of Mid Day Meal Rules, 2015, they were directly being paid Rs.3,000/- as honorarium from 2019 onwards, which is being shared by the State and Central Governments. In the context here, the term '*honorarium*' is just another word for '*wages/salary*'.

28. Once, the Cook-cum-Helper was directly being paid a monthly honorarium, a relationship of employer and employee is established and consequently, a right is created against feudalistic acts of removal. This view of employee-employer relationship is further bolstered by the

fact that Respondent No.12, an individual, was appointed as Cook-cum-Helper in place of the Petitioner *vide* R.C.No.SPL/MDM/2019 dated 22.10.2024.

29. It is now well settled that even a contract employee or an outsourced employee cannot be terminated on stigmatic grounds without conducting an enquiry in compliance with the principles of natural justice (***See: (i) Swathi Priyadarshini Vs State of Madhya Pradesh*⁵ (ii) UP State Road Transport Corporation Vs Brijesh Kumar and Anr**⁶ (iii) *K.Raghupathi Vs State of UP*⁷ and (iv) *the State of A.P, rep. by its Principal Secretary v. K. Madhu Phani and another*⁸).

30. The manner of conducting an enquiry should not be a formality to put a stamp on the decision already made. The issuance of a show cause notice based on factual allegations against the individual and the determination on the explanation is no enquiry at all, when the allegations are denied by the delinquent. Though the rigour of A.P.C.S. Rules, 1991 or Rules akin thereto may not apply, the procedure adopted while terminating the petitioners engaged with the work of mid-

⁵ 2024 INSC 620

⁶ 2024 INSC 638

⁷ 2022(6) SCC 346

⁸ (2018) 1 ALT 125 (DB)

day meals should be fair and in compliance with the principles of natural justice.

31. The observations of the Hon'ble Supreme Court on the aspect of natural justice in ***Uma Nath Pandey v. State of U.P.***,⁹ would be relevant here. Paragraphs 8 and 15 read as under;

“8. Natural justice is another name for common sense justice. Rules of natural justice are not codified canons. But they are principles ingrained into the conscience of man. Natural justice is the administration of justice in a common-sense liberal way. Justice is based substantially on natural ideals and human values. The administration of justice is to be freed from the narrow and restricted considerations which are usually associated with a formulated law involving linguistic technicalities and grammatical niceties. It is the substance of justice which has to determine its form.

*15. Natural justice has been variously defined by different Judges. A few instances will suffice. In *Drew v. Drew and Leburn*₆ (Macq at p. 8) Lord Cranworth defined it as ‘**universal justice**’. In *James Dunbar Smith v. R.*₇ (AC at p. 623) Sir Robert P. Collier, speaking for the Judicial Committee of the Privy Council, used the phrase ‘**the requirements of substantial justice**’, while in *Arthur John Spackman v. Plumstead District Board of Works*₈ (AC at p. 240), the Earl of Selborne, L.C. preferred the phrase ‘**the substantial requirement of justice**’. In *Voinet v. Barrett*₉ (LJRD at p. 41), Lord Esher, M.R. defined natural justice as ‘**the natural sense***

⁹ (2009) 12 SCC 40

of what is right and wrong’. While, however, deciding *Hopkins v. Smethwick Local Board*⁹ Lord Fasher, M.R. instead of using the definition given earlier by him in *Voinet* case⁸ chose to define natural justice as **‘fundamental justice’**. In *Ridge v. Baldwin*¹⁰ (QB at p. 578), Harman, L.J., in the Court of Appeal countered natural justice with **‘fair play in action’**, a phrase favoured by Bhagwati, J. in *Maneka Gandhi v. Union of India*¹¹. H.K. (an infant), *In re*¹² (QB at p. 530), Lord Parker, C.J., preferred to describe natural justice as **‘a duty to act fairly’**. In *Fairmount Investments Ltd. v. Secy. of State for Environment*¹³ Lord Russell of Killowen somewhat picturesquely described natural justice as **‘a fair crack of the whip’** while Geoffrey Lane, L.J. in *R. v. Secy. of State for Home Affairs, Ex Parte Hosenball*¹⁴ preferred the homely phrase **‘common fairness’** (emphasised).”

32. In the opinion of this court, the minimum fairness that needs to adhere is that the factual allegation in the show cause notice should contain the details of the nature of the complaint with particulars of oral and documentary evidence on how the allegations is sought to be established. The documentary evidence should be enclosed along with the show cause notice. On denial of the allegations, a date for conducting an enquiry with a liberty to the delinquent to cross-examine the witnesses in support of the complaint and also lead counter evidence to deny the allegation. Thereafter, an opportunity to hear and then a decision with requisite reasons would be a fair process.

33. In majority of cases here, the procedure that was followed was that a show cause notice was issued making factual allegations and impugned orders came to be passed on being dissatisfied with the explanation. In the opinion of this court, the process adopted by the respondents is shallow and termination on a show of enquiry cannot be sustained. The procedure adopted does not even come close to the rudimentary requirements of natural justice and it appears to green-light a decision already made. Long years of service cannot be wished away by the authorities with such shallow procedures.

34. The question now is the way forward in the light of individuals having been appointed in place of the petitioners as cook-cum-helpers. The job of Cook-cum-Helpers and posts associated thereto is labour-intensive and mid-day meals require dynamic day-to-day management and the uncertainty of employment would hamper mid-day meals. Therefore, in this scenario, it would be appropriate to direct the Respondents to conduct a post facto enquiry within a specific time frame.

35. In the light of the above, the Writ Petitions are disposed of with following directions;

- (i) The Respondents are directed to conduct an enquiry in compliance with the principles of natural justice as held above and pass appropriate orders;

(ii) The time frame for conclusion of the enquiry is two (2) months from the date of receipt of the copy of this order;

(iii) No order as to costs.

36. As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date: 20.02.2026

IS

HON'BLE SRI JUSTICE NYAPATHY VIJAY

**W.P.Nos.6854, 6264, 2914, 6477 of 2025, W.P.Nos.21842, 28035,
28697, 30422, 30423, 30426 and 31329 of 2024**

Date: 20.02.2026

IS