



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

[3457]

THURSDAY, THE 10th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 23651/2026

Between:

1.R. AIDED ELEMENTARY SCHOOL (CE),, POTHAVARAM VILLAGE,
NAGULUPPALAPADU MANDAL, PRAKASAM DISTRICT, REP. BY
ITS CORRESPONDENT VIJAYA RAJKUMAR JADA, AGED ABOUT
71 YEARS, R/O D.NO. 9-16-239, SRI SRINIVASA PADMAVATHI
NILAYAM,HOUSING BOARD PARK, ONGOLE, PRAKASAM DISTRICT
...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL
SECRETARY, SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.
522237
- 2.THE COMMISSIONER OF SCHOOL EDUCATION, VENKATADRI
TOWERS, BESIDE HAPPY RESORTS. ATMAKURU VILLAGE,
MANGALAGIRI MANDAL, GUNTUR DISTRICTANDHRA PRADESH
522002
- 3.THE REGIONAL JOINT DIRECTOR OF SCHOOL EDUCATION,
,OUTER RING ROAD, GUNTUR. 5220002
- 4.THE DISTRICT EDUCATIONAL OFFICER, PRAKASAM DISTRICT,
ONGOLE 5230002
- 5.THE MANDAL EDUCATIONAL OFFICER, NAGULUPPALAPADU
MANDAL, PRAKASAM DISTRICT 523183

...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 or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not permitting the petitioner school to fill up the vacant secondary grade teacher aided posts as per the staff pattern prescribed under G.O.Ms No.1 dated 01.01.1994 and Section 19 and 25 of Right of Children to Free and Compulsory Education Act, 2009 by considering the petitioners representation/application dated 20.07.2026 as bad, illegal, arbitrary and violative of articles 14, 16 and 21 of Constitution of India and consequently direct the respondents to permit the petitioner school to fill up the vacant aided secondary grade teacher posts as per the staff pattern laid down in G.O.Ms No.1 dated 01.01.1994 and Section 19 and 25 of Right of Children to Free and Compulsory Education Act, 2009

IA NO: 1 OF 2026

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 direct the respondents to consider the petitioner's representations dated 20.07.2026 submitted seeking permission to fill up vacant aided secondary grade teacher posts

Counsel for the Petitioner:

1.D V SASIDHAR

Counsel for the Respondent(S):

1.GP FOR EDUCATION

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION No.23651 of 2026

ORDER:

1. The present writ petition is filed by the petitioner aggrieved by the action of the respondents in not permitting the petitioner-School to fill up the vacant Secondary Grade Teacher (Aided) post.
2. The learned counsel appearing for the petitioner submits that the petitioner-School is an aided school and has been trying to fill up one vacant Secondary Grade Teacher post. It is further submitted that the respondents, being the competent authorities, would have to approve the proposal of the petitioner for filling up the sanctioned and vacant post. It is further submitted that the case of the petitioner is similar to that of the petitioners in W.P.No.9503 of 2005 and batch, which was allowed, and W.A.No.70 of 2014 and batch were also filed against the order of the learned Single Judge, wherein the Hon'ble Division Bench permitted the petitioners to fill up the posts as an interim measure. The matter was carried up to the Hon'ble Supreme Court by filing S.L.Ps., which were dismissed on 04.09.2015. It is further submitted that the petitioner is required to fill up the said vacant post.
3. The learned Government Pleader appearing for the respondents submits that the petitioner-School has a total strength of 42 students and, having regard to the said strength, filling up the post is not warranted. It is further submitted that there are surplus Secondary Grade Teachers available in Prakasam District and that the District Educational Officer would take appropriate steps for deploying one

Secondary Grade Teacher to meet the requirement of the petitioner-School. It is submitted that such action on the part of the respondents would meet the requirement of the petitioner as per G.O.Ms.No.30.

4. Considering the submissions made by the learned counsel appearing for the parties, the writ petition is disposed of, directing the respondents to deploy one Secondary Grade Teacher to meet the immediate requirement of the petitioner-School. This order shall not preclude the petitioner from renewing its efforts to fill up the post of Secondary Grade Teacher as and when the student strength of the School warrants the same.
5. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE HARINATH.N

Dated 10.09.2026

KGM

Whether the order is:

Speaking		Reasoned	☒
Reportable		Non-reportable	☒

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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.23651 of 2026

Dated 10.09.2026

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