

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

TUESDAY, THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR



PRESENT
THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 7213 OF 2019

Between:

1. G.Krishna Murthy, S/o.Yallappa Aged about 54 years, R/o.D.No.8-141-A, Ravindra Nagar Ponnetipalm, Madhanapally (M) Chittoor District.
2. Royal Lacha Reddy, S/o.Reddappa Reddy Aged about 50 years, R/o.D.No.3-209-A, Gollapally, Madhanapally, Chittoor District.
3. P.Vijaya Kumar Reddy, S/o.Anna Reddy Aged about 56 years, R/o.3-169-13-158-42 Rama Rao Colony, Madhanapally Chittoor District.

...PETITIONER(S)

AND

1. The State of Andhra Pradesh, rep by its Principal Secretary, Education Department A.P Secretariat, Velgapudi , Amaravathi
2. The District Education Officer, Chittoor District, Chittoor.
3. The Mandal Education Officer, Madanapalle Mandal, Chittoor District.
4. Deputy Education Officer, Madanapalle Mandal, Chittoor District
5. Sapthagiri English Medium High School, Society Colony, Madanapalle, Chittoor District Rep by its Correspondent Sri.Srinivasalu S/o.Rajagopal

...RESPONDENTS

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 in declaring the action of the respondents in granted permission to the 5th Respondent vide Proceedings No. Lr. Rc.No. Sple/I/B4/2018 dated 01-05-2019 to shift school from existing place to C.T.M.Road, Behind Power Office, Gollapalle, Madanapalle Mandal, Chittor district without considering petitioner's representation is illegal, arbitrary, unconstitutional, unjust and contrary to the provisions of Sub Section 3 of Section 20 of A.P.Education Act 1982 and also Rules framed under G.O.Ms.No. 1, Education(P.S.2), dated 01-01-1994 A.P. Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) Rules 1993 and consequently quash the same as illegal and ultravires and contrary to the provisions of Sub Section 3 of Section 20 of A.P.Education Act 1982 and also Rules framed under G.O.Ms.No. 1, Education (P.S.2), dated 01-01-1994 A.P. Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) Rules 1993.

IA NO: 1 OF 2019

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 grant interim suspension to the Proceedings No. Lr. Rc.No. Sple/I/B4/2018 dated 01-05-2019 to shift school from existing place to C.T.M.Road, Behind Power Office, Gollapalle, Madanapalle Mandal, Chittor District issued by the 2nd respondent pending disposal of the Writ Petition.

Counsel for the Petitioner(s): SRI. JYOTHI ESWAR GOGINENI

**Counsel for the Respondents Nos. 1 to 4: GP FOR SCHOOL EDUCATION
(AP)**

Counsel for the Respondent No.5: K. RAMA MOHAN

The Court made the following: ORDER



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

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**TUESDAY ,THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 7213/2019

Between:

G.krishna Murthy and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.JYOTHI ESWAR GOGINENI

Counsel for the Respondent(S):

1.GP FOR SCHOOL EDUCATION (AP)

2.K RAMAMOHAN

The Court made the following:

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“....to pass an order or orders or direction more particularly one in the nature of a Writ of MANDAMUS declaring the action of the respondents in granted permission to the 5th Respondent vide Proceedings No Lr.Rc.No.Sple/I/B4/2018 dated 01.05.2019 to shift school from existing place to C.T.M Road Behind Power Office, Gollapalle, Madanapalle Mandal, Chittoor District without maintaining the required distance from school to school is illegal, arbitrary, unconstitutional unjust and contrary to the provisions of Sub Section 3 of Section 20 of A.P. Education Act 1982 and also Rules framed under G.O.Ms.No.1 Education(P.S.2), dated 01.01.1994, A.P. Educational Institutions (Establishment, Recognition, Administration and Control of Schools under Private Managements) Rules 1993 and consequently quash the same as illegal and ultravires and contrary to the provisions of Sub Section 3 of Section 20 of A.P. Education Act 1982 and also Rules framed under G.O.Ms.No.1, Education(P.S.2), dated 01.01.1994 A.P. Educational Institutions (Establishment Recognition Administration and Control of Schools under Private Managements) Rules 1993 and pass.....”

2. When the matter came up on 30.09.2019, this Court passed the following interim order:

“.... In that view of the matter, status quo existing as on date is directed to be maintained by all the parties....”

3. Learned counsel for the petitioners submitted that in pursuance of the interim order dated 30.09.2019 granted by this Court, the cause in the writ petition does not survive.
4. Recording the above submission, no further orders are necessary in this Writ Petition.
5. Accordingly, the Writ Petition is closed. There shall be no order as to costs.

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

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

NB
SECTION OFFICER

To,

1. One CC to SRI. JYOTHI ESWAR GOGINENI Advocate [OPUC]
2. Two CCs to GP FOR SCHOOL EDUCATION (AP) ,High Court Of Andhra Pradesh. [OUT]
3. Three CD Copies

HIGH COURT

DATED:16/04/2024

ORDER

WP.No.7213 of 2019



**CLOSING THE WRIT PETITION
WITHOUT COSTS**