

ITEM NO.14

COURT NO.5

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 16149/2024

(Arising out of impugned judgment and order dated 02-07-2024 in WA No. 790/2024 passed by the High Court for the State of Telangana at Hyderabad)

RAMESH CHOUDHARY & ORS.

Petitioner(s)

VERSUS

SATAVAHANA CO. EDUCATION ACADEMY & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 30-07-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. L.Narasimha Reddy, Sr. Adv.
Ms. Aswathi M.k., AOR
Mr. Parnam Prabhakar, Adv.
Mr. Tarun Chauhan, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Heard Mr. L. Narasimha Reddy, learned senior counsel appearing for the petitioner.

2. The counsel would submit that the petitioners are the parents of the students of class IX and X in the Sathavahana High School, HMT Sathavahana Nagar, K.P.H.B. Colony, Medchal, Malkajgiri District. While the lease on the land on which the school building was located expired on 30.11.2019 and the Division Bench dismissed the Writ Appeal, the interest of the students pursuing their education was totally overlooked by the High Court.

3. The counsel would submit that proper arrangement for either

enabling the students to complete their school education until the board examination should have been made or the District Education Officer, Malkajgiri District could have been asked to distribute the students to nearby schools having recognition.

4. The senior counsel refers to Andhra Pradesh Educational Institutions (Establishment, Recognition, Administration and Control of Schools Under Private Managements) - Rules, 1993 to say that the Court should have considered the interest of the students under Rule 10(16) which requires permission of the competent authority for closure of a class in a school in the middle of the academic year but instead the Court has erred in applying the provisions of Rule 6(2)(F), which speaks of ownership/lease over the land of the school building for according permission for opening the school. In the meantime, the status quo insofar as the education of the students of class IX and X of the school, be maintained.

5. Issue notice, returnable in four weeks.

(GEETA JOSHI)
SENIOR PERSONAL ASSISTANT

(KAMLESH RAWAT)
ASSISTANT REGISTRAR