APHC010292292026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

FRIDAY,THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 15620/2026

Between:

1. ELURU EM SCHOOL, REPRESENTED BY ITS CORRESPONDENT SRI. SOMU SUDHAKAR D. NO. 23B-5-79, TS NO. 2323, DIVISION 36, EDHARAVARI STREET, RR PETA, ELURU, ELURU DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT SCHOOL EDUCATION DEPARTMENT, TULLURU, SECRETARIAT BUILDINGS VELAGAPUDI, GUNTUR DISTRICT.522238
2. THE COMMISSIONER AND DIRECTOR, DEPARTMENT OF SCHOOL EDUCATION GOVERNMENT OF ANDHRA PRADESH VENKATADRI TOWERS, OPP. DGP OFFICE BESIDES HAPPY RESORTS ATMAKUR, MANGALAGIRI, GUNTUR ANDHRA PRADESH.522503
3. THE REGIONAL JOINT DIRECTOR OF SCHOOL EDUCATION ZONE II, KAKINADA, KAKINADA DISTRICT, ANDHRA PRADESH.533001
4. THE DISTRICT EDUCATIONAL OFFICER, ELURU, ELURU DISTRICT, ANDHRA PRADESH.534001
5. THE DEPUTY EDUCATIONAL OFFICER, ELURU, ELURU DISTRICT, ANDHRA PRADESH.534001

...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 declaring the action of the Respondent in not considering and granting approval to the proposal submitted by the Petitioner institution for upgradation of higher classes despite the proposal having been recommended by the 2nd Respondent vide Efile No. ESE01/204/2026-PS, Dated 23-03-2026 and despite the Petitioner having complied with all deficiencies pointed out by the authorities, as illegal, arbitrary, unreasonable violative of Articles 14 and 21-A of the Constitution of India and contrary to provisions of AP Education Act 1982 and Rules framed thereunder and consequently direct the Respondents to forthwith grant approval for upgradation of the Petitioner institution for higher classes for the academic year 2026-27 and pass

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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 forthwith consider the recommendations already made by the 2nd Respondent through Efile No. ESE01/204/2026-PS, Dated: 23-03-2026, and permit the Petitioner institution to proceed with admissions and academic activities, pending final disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP FOR SCHOOL EDUCATION

The Court made the following:

Order:-

The learned counsel appearing for the petitioner school submits that the petitioner school is presently conducting classes for students up to 7th standard and has been running the said school for the last ten (10) years.

2. It is submitted that the petitioner school intends to upgrade and conduct classes up to 10th standard and, as such, the proposal was forwarded to the 4th respondent for duly considering the issuance of appropriate proceedings for upgradation of the school. It is submitted that respondent Nos.3 and 4 have approved the proposal of the petitioner and forwarded the same to the 1st respondent. It is submitted that though respondent Nos.2 to 5 have forwarded the relevant file to the 1st respondent for grant of approval as desired by the petitioner, the file is pending with the 1st respondent.

3. The learned Assistant Government Pleader appearing for the respondents, on written instructions, submits that the Deputy Educational Officer, Eluru, visited the school and submitted remarks to the District Educational Officer, Eluru, and that, as per the remarks, the Deputy Educational Officer, Eluru and the District Educational Officer, Eluru, have recommended to the higher authorities for granting appropriate permission for conducting classes from 8th to 10th standard. It is submitted that the proposals of the petitioner are pending consideration.

4. The learned counsel for the petitioner, in reply, submits that the academic year has started and the students cannot be left in the lurch without issuance of the appropriate proceedings.

5. On these considerations, this Writ Petition is disposed of at the admission stage directing the 1st respondent to issue appropriate proceedings duly permitting the petitioner to conduct classes from 8th to 10th standard, subject to the petitioner meeting all the requirements laid down for running the said classes. The petitioner is permitted to admit students to classes 8th to 10th standard. There shall be no order as to costs.

6. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

19.06.2026
Note: Issue CC by 22.06.2026
B/o
PNS