

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.3969 of 2001

Between:

The School Education Committee, SDRSA ZP High School, Tatiparthi,

Gollaprolu Mandal, East Godavari District, Rep. by its Chair Person

D. Subrahmanyam S/o.Dorayya, aged about 35 years, R/o.Tatiparthi, Gollaprolu
Mandal, East Godavari District.

..... PETITIONER

AND

- 1 The District Educational Officer, East Godavari District, Kakinada.
- 2 The Mandal Educational Officer, Gollaprolu, East Godavari District.
- 3 The Deputy Educational Officer, Pithapuram, East Godavari District.
- 4 The Head Master, SDRSA ZP High School, Tatiparthi,

East Godavari District.

- 5 The District Collector, East Godavari District, Kakinada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the proceedings RC. No. 13/DPEP/2000 dt.22.2.2001 issued by the District Educational Officer, East Godavari District, Kakinada, 1st Respondent herein as illegal, arbitrary, void, unreasonable, impermissible, without jurisdiction and violative of Article 14 of the Constitution of India and violative of principles of natural justice besides being contrary to the provisions of the Andhra Pradesh School Education (Community Participation) Act, 1998 and the rules made there-under.

Counsel for the Petitioner: MR.A.V.SESHA SAI

Counsel for the Respondent Nos.1 to 5: GP FOR SCHOOL EDUCATION

The Court made the following:

ORDER:

The writ petition is filed seeking declaration that the proceedings dated 22.2.2001 issued by the first respondent directing the Mandal Revenue Officer to conduct re-election for the School committee of Z.P. High School, Tatiparhi village, cancelling the elections conducted on 09.12.2000, as illegal, arbitrary, and contrary to the provisions of the A.P. School Education (Community Participation) Act, 1998 (for brevity, 'the Act'). This Court while admitting the writ petition on 08.03.2001 passed interim orders suspending the Proceedings issued by the first respondent to conduct re-elections to the school committee. As per Section 5 (4) of the Act, the term of elected school committee is two years and in that view of the matter, nothing survives in this writ petition.

The writ petition is therefore dismissed as infructuous.

November 17, 2004. **V.V.S. RAO, J**

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To

- 1 The District Educational Officer, East Godavari District, Kakinada.
- 2 The Mandal Educational Officer, Gollaprolu, East Godavari District.
- 3 The Deputy Educational Officer, Pithapuram, East Godavari District.
- 4 The Head Master, SDRSA ZP High School, Tatiparthi,

East Godavari District.

- 5 The District Collector, East Godavari District, Kakinada.

- 6 Two CCs to the Government Pleader for School Education,

High Court Buildings, Hyderabad, (O.U.T)

- 7 Two C.D. Copies.