

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)**

WEDNESDAY, THE SIXTEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**WRIT PETITION NO: 28024 OF 2024**

**Between:**

Manu Siddharth Motupalli, S/o. M.S.S.N.Srinivas, Aged about 18 years, Occ  
Student, R/o. H.No.6-1-94, Street No-7, Bhagya Lakshmi Colony, Manikonda,  
Hyderabad-500089

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Medical, Health and Family Welfare Department, Secretariat Building, Hyderabad
2. The Kaloji Narayana Rao University of Health Sciences, Rep. by its Registrar, Warangal, Telangana State

**...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 issue a Writ, Order or Direction more particularly one in the nature of (a)Writ of Mandamus declaring the Rule 3(a) of Telangana Medical and Dental Colleges Admission (Admission into MBBS and BDS Courses) Rules, 2017 as amended vide G.O.Ms.No. 33 Health, Medical and Family Welfare (C1) Department dated 19-07-2024 issued by the Respondent No.1 on the ground that it is violative of Articles 14, 19 and 21 of the Constitution of India and the orders of the Hon'ble Division Bench of this Hon'ble Court in W.P.No. 21268 of 2023 and batch dated 29-08-2023 (b)Writ of Mandamus declaring that the petitioner is a Local candidate for all the purposes of Admission into MBBS and BDS Courses for the Academic year 2024-25 under the aegis of KNR University of Health Sciences, Telangana State.

**IA NO: 1 OF 2024**

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 consider the case of the petitioner into the admissions of MBBS & BDS Courses for Academic year 2024-25 under aegis of KNR University of Health Science, Telangana State as local for the State of Telangana pending disposal of the Writ Petition in the interest of justice and equity.

**Counsel for the Petitioner: SRI I.V.RADHAKRISHNA MURTHY**

**Counsel for the Respondent No.1: THE ADVOCATE GENERAL**

**Counsel for the Respondent No.2: SRI A.PRABHAKAR RAO, SC FOR KNRUHS**

**The Court made the following: ORDER**

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Petition No.28024 of 2024

ORDER: (Per the Hon'ble the Chief Justice Alok Aradhe)

Mr. I.V.Radhakrishna Murthy, learned counsel for the petitioner.

Mr. A.Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences (for short 'the University') appears for respondent No.2.

2. In this writ petition, the petitioner has assailed the validity of Rule 3(a) of Telangana Medical and Dental Colleges Admissions (Admissions into Bachelor of Medicine, Bachelor of Surgery and Bachelor of Dental Surgery Courses) Rules, 2017 (for short 'the 2017 Rules'), as amended *vide* G.O.Ms.No.33 dated 19.07.2024 and consequently to declare the petitioner as local candidate for the purpose of admission into MBBS/BDS course for the academic year 2024-25.

3. Facts giving rise to filing of this petition briefly stated are that the petitioner claims to be a permanent resident of State of Telangana and has studied from class I to VIII in Hyderabad. Father of the petitioner is a member of All India Service *viz.*, Indian Revenue Service. The father of the petitioner was transferred to Kolkata due to which the petitioner had pursued his studies *i.e.*, class IX and X in Kolkata. The petitioner has thereafter completed his intermediate from Hyderabad.

4. The petitioner appeared in the NEET (UG) examination and secured an All India Rank of 2,57,084. The petitioner was not treated as local candidate. Thereupon, the petitioner has filed this writ petition.

5. Learned counsel for the petitioner submits that the petitioner, in the facts and circumstances of the case, deserves to be treated as local candidate.

6. On the other hand, learned Standing Counsel for the University opposed the prayer made on behalf of the petitioner and has submitted that the petitioner does not fulfill the criteria under Rule 3(a) of the 2017 Rules. Therefore, he has rightly not been treated as a local candidate.

7. We have considered the submissions made on both sides and have perused the record.

8. It is pertinent to note that a similar writ petition *viz.*, W.P.No.22658 of 2024 was also filed and the father of the petitioner therein was a member of All India Service. A Division Bench of this Court by common order dated 05.09.2024, disposed of the said writ petition with the direction to the University to treat the petitioner therein as local candidate in view of law laid down by the Supreme Court in **Meenakshi Malik v. University of Delhi**<sup>1</sup>.

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<sup>1</sup> (1989) 3 SCC 112

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9. In view of law laid down by Supreme Court in **Meenakshi Malik** (supra), this Writ petition is disposed of with a direction to respondent No.2-University to treat the petitioner as local candidate and to permit him to participate in the third round of counseling, which is scheduled to be held in the next week.

10. Needless to state that the petitioner shall produce the certificate of residence issued by the competent authority.

11. Accordingly, the Writ Petition is disposed of. No costs.

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

**SD/- A.PRATHIMA  
ASSISTANT REGISTRAR**

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**SECTION OFFICER**

- To
1. The Principal Secretary, Medical, Health and Family Welfare Department, Secretariat Building, Hyderabad, State of Telangana.
  2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana State
  3. One CC to SRI I.V.RADHAKRISHNA MURTHY, Advocate [OPUC]
  4. Two CCs to THE ADVOCATE GENERAL, High Court for the State of Telangana, at Hyderabad. [OUT]
  5. One CC to SRI A.PRABHAKAR RAO, SC FOR KNRUHS [OPUC]
  6. Two CD Copies

PSK.



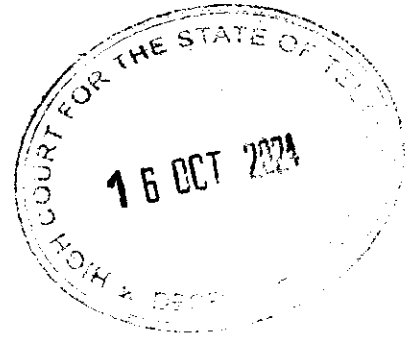
CC TODAY

HIGH COURT

DATED:16/10/2024

ORDER

WP.No.28024 of 2024



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS.

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16/10/2024