

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

**TUESDAY, THE FIFTEENTH 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: 28547 OF 2024

Between:

1. Thummalapalli Latha, D/o.Thummalapalli Babu Rao, Aged 21 years, Occ.Student, R/o 9-95, Jamgam Veedi, Pulla, West Godavari, Andhra Pradesh.
2. Narayana Karthika Sai Akshaya, Aged 19 years, Occ.Student, R/o11-67, station Road, Near Venkateshwara swamy Temple, Vetapalem, Bapatla, Andhra Pradesh.

.....PETITIONERS

AND

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

....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 writ, order, direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents, particularly the action of the 2nd respondent university in not considering the petitioners request for on-line registration for admission into MBBS/ BDS course under Management Quota even though she is fully eligible and entitled under Management Quota 'C' (NRI) for the Academic Year 2024-2025 in the next phase of counselling as illegal, arbitrary, unjust, contrary to Right to Education Act and in violation of Article 14,

19(1)(g) and 21 of the Constitution of India and consequently direct the respondents to consider and permit the petitioners to upload online application for admission into MBBS and BDS Courses under Management Quota C (NRI) for the Academic Year 2024-2025 in the next phase of counselling in the interest of justice.

I.A.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 petitioners request for online registration under Management Quota C NRI Category for the Academic Year 2024-2025 for admission into MBBS/BDS Course in next phase of counselling pending disposal of the writ petition.

Counsel for the Petitioners : SRI P.RAVI KIRAN

Counsel for the Respondent No.1 : SRI T.RAMESH, AGP FOR MEDICAL HEALTH AND FAMILY WELFARE

Counsel for the Respondent No.2 : SRI G.RAVI, ADVOCATE FOR SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES

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.28547 of 2024

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

Mr. P.Ravi Kiran, learned counsel for the petitioners.

Mr. T.Ramesh, learned Assistant Government Pleader for Health, Medical and Family Welfare Department appears for respondent No.1.

Mr. G.Ravi, learned counsel representing Mr. A.Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences appears for respondent No.2.

2. With the consent of the parties, the matter is heard finally.

3. In this writ petition, the petitioners *inter alia* have prayed for the following relief:

“For the reasons stated in the accompanying affidavit, the petitioner herein prays that this

Court may be pleased to issue writ, order, direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents, particularly the action of the 2nd respondent university in not considering the petitioners' request for online registration for admission into MBBS/ BDS course under Management Quota even though they are is fully eligible and entitled under Management Quota 'C' (NRI) category for the Academic Year 2024-2025 in the next phase of counseling as illegal, arbitrary, unjust, contrary to Right to Education Act and in violation of Articles 14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondents to consider and permit the petitioners to upload online application for admission into MBBS and BDS Courses under Management Quota 'C' (NRI) category for the Academic Year 2024-2025 in the next phase of counseling in the interest of justice and pass such other order or orders as this Court may deem fit and proper in the circumstances of the case."

4. Learned counsel for the petitioners submitted that even though the petitioners had applied for admission against

management quota seats in B-category, inadvertently they could not upload for C-Category i.e., NRI Category. Therefore, they approached respondent No.2 to consider their request under 'C/NRI' Category, but respondent No.2 is not considering their request to seek admission against Management Quota 'C/NRI' Category seats. He further submitted that the petitioners be granted liberty to submit a representation to the University, and the University be directed to decide the said representation in a time bound manner.

5. Learned counsel for the University submitted that the last date of registration was 23.08.2024 and thereafter, merit list has been prepared, which shall be published at the time of indicating the web option. However, it is fairly submitted by him that, in case the petitioners submit a representation, the same shall be dealt with by the University in accordance with law.

6. In view of the aforesaid submission and in the peculiar facts of the case, the Writ Petition is disposed of with liberty to the petitioners to submit a representation before the University with regard to their grievance. Needless to state that in case such a representation is made, the University shall decide the same within a period of three (03) days thereafter. It is made clear that this Court has not expressed any opinion on the merits of the matter.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

**SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Health, Medical and Family Welfare Department, Secretariat, State of Telangana at Hyderabad.
2. The Registrar, Kaloji Narayana Rao university of Health Sciences, Warangal.
3. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI P.RAVI KIRAN, Advocate [OPUC]
5. One CC to SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES (OPUC)
6. Two CD Copies

SA
BS



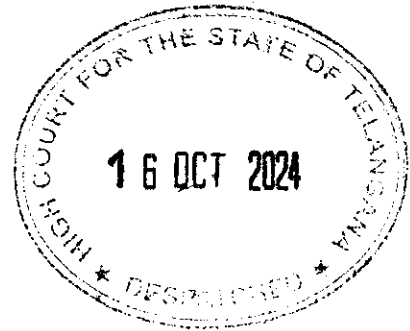
C.C. TODAY

HIGH COURT

DATED:15/10/2024

ORDER

WP.No.28547 of 2024



DISPOSING OF THE W.P
WITHOUT COSTS.

⑨
16/10/24
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