

**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: 28583 OF 2024

Between:

1. Ibrahim Mohammed Bin Mahfooz, S/o. Mohammed Bin Mahfooz, Age 20 years, Occ. Student, R/o.18-8-244/C/1/21/A, Fateh Shah Nagar, Moin Bagh, Edi Bazar, Hyderabad, Telangana-500023.
2. Syed Faraaz, S/o. Syed Yaseen, Age 20 years, Occ ; Student, R/o. 6-4-248, Pothuluvuri Street, Kavali, Nellore, A.P.-524201.

.....PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad-500 055.
2. Kaloji Nararayana 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 an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents particularly the 2nd respondent in not considering the petitioners for counseling and admission into MBBS/BDS course under Management Quota C NRI Category for the academic year 2024-25 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and include the name of the

petitioners for admission into MBBS/BDS course under Management Quota. C NRI category for the academic year 2024-25 in the counseling.

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 2nd respondents to consider the petitioners request under Management Quota "C" NRI Category for admission into MBBS/BDS course in the counseling for the academic year 2024-25, pending disposal of writ petition.

Counsel for the Petitioners : SRI L.RAM SINGH

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.28583 of 2024

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

Mr. L.Ram Singh, 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. The petitioners in this writ petition have prayed for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this 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 respondents particularly the 2nd respondent in not considering the petitioners for counseling and admission into MBBS/BDS course under Management Quota "C" NRI category for the academic year 2024-25 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and include the name of the petitioners for admission into MBBS/BDS course under Management Quota "C" NRI Category for the academic year 2024-25 in the counseling 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, they could not upload for C-Category i.e., NRI Category as they could not get sponsor letter and NRI documents. Therefore, they approached respondent No.2 to consider their request under C-Category, but respondent No.2 is not permitting them to

seek admission against Management Quota in '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 Standing 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

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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. No order as to costs.

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

**SD/-K. SREE RAMA MURTHY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, State of Telangana at Hyderabad-500 055.
2. The Registrar, Kaloji Nararayana 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 L.RAM SINGH, Advocate [OPUC]
5. One CC to SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES (OPUC)
6. Two CD Copies

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C.C. TODAY

HIGH COURT

DATED:15/10/2024

ORDER

WP.No.28583 of 2024



**DISPOSING OF THE W.P
WITHOUT COSTS.**

9 copies
for
16/10/24