

[3418]

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

MONDAY, THE TWENTY FIRST 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: 29174 OF 2024

Between:

Ms. Choppakatla Gayathri, D/o.Choppakatla Venkataphani, Aged 19 years,
Occ Student, R/o.H.No.2-2-770, Pochamma Basthi Amberpet, Hyderabad -
500 013

...PETITIONER

AND

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

...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 to declaring the action of the respondents No.2 in not considering the representation dated 18/10/2024 and in not allowing the petitioner to join in allotted seat in Neelima Institute of Medical Sciences, Ghatkesar and in not permitting the petitioner for further counseling in TS UG Medical MBBS/MQ Admission 2024 - 25 as arbitrary illegal bad in law and violative of Article 14 and 21 A of the Constitution of India and consequently direct the respondents to consider the petitioner in the further rounds Counseling for Admission into MBBS Course in the interest of justice

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 No.2 to permit the petitioner to join in MBBS / MQ in Neelima Institute of Medical Sciences, Ghatkesar, by receiving the fee pending disposal of the above writ petition

Counsel for the Petitioner: Ms. D. JYOTHI

**Counsel for the Respondent No.1: GP FOR MEDICAL HEALTH
AND FAMILY WELFARE**

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

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.29174 of 2024

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

Ms. D. Jyothi, learned counsel for the petitioner.

Mr. A. Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences (hereinafter referred to as 'the University') representing respondent No.2.

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

3. In this writ petition, the petitioner is aggrieved by the action on the part of respondent No.2 University in not considering the representation dated 18.10.2024 and in not permitting the petitioner to join in the seat allotted under NRI category in the second round of counselling in Neelima Institute of Medical Sciences, Ghatkesar.



4. Facts giving rise to filing of this petition briefly stated are that the petitioner has appeared in the NEET UG Examination and was allotted a seat under NRI category in the second round of counselling in Neelima Institute of Medical Sciences, Ghatkesar. The petitioner did not pay the requisite fee and therefore she was not given admission.

5. Learned counsel for respondent No.2 University, on instructions, submits that in case the petitioner deposits the fee by 4:00 p.m., today, the petitioner will be given admission in the MBBS course against the seat allotted to her under NRI category in Neelima Institute of Medical Sciences, Ghatkesar.

6. Learned counsel for the petitioner submits that the petitioner shall deposit the fee by 4:00 p.m. today.

7. In view of the aforesaid submission and in the facts of the case, the writ petition is disposed of with the direction that in case the petitioner deposits the prescribed fee for admission into MBBS course under

NRI category by 4:00 p.m., today, the petitioner shall be given admission to MBBS course in Neelima Institute of Medical Sciences, Ghatkesar. Needless to state that if the petitioner fails to make payment of the fee today by 4:00 p.m., it will be open for respondent No.2 University to fill up the aforesaid seat in the third round of counselling.

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

SD/- K. SREERAMA MURTHY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Family Welfare Department , Secretariat, T.S.,Hyderabad
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal
3. One CC to Ms. D. JYOTHI , Advocate [OPUC]
4. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE ,High Court for the State of Telangana at Hyderabad [OUT]
5. One CC to SRI. A. PRABHAKAR RAO, SC [OPUC]
6. Two CD Copies

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CC TODAY

HIGH COURT

DATED:21/10/2024



ORDER
WP.No.29174 of 2024

DISPOSING OF THE WRIT PETITION WITHOUT
COSTS

PA
21/10/24
3 copies.