[3418]

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

#### MONDAY, THE TWENTY EIGHTH 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: 30156 OF 2024

#### Between:

Abiya Mariyam, D/o. Mohammed Ashfaq Ahmed, Age- 20 years, Occ-Student, R/o. 23-1-823/2, Moghalpura, Hyderabad, Telangana-502002

#### AND

#### ...PETITIONER

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

#### 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 pleased to direct the 2nd respondents to consider the petitioner 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 Petitioner: SRI L.RAM SINGH Counsel for the Respondent No.1: SRI T.RAMESH, AGP FOR MEDICAL HEALTH & FW

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 <u>AND</u> THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

## WRIT PETITION No.30156 of 2024

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

Mr. L.Ram Singh, learned counsel for the petitioner.

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

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 writ petition is heard finally.

3. The petitioner in this writ petition has prayed for the following relief:

"For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble 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 petitioner for counselling and admission into MBBS/BDS course under Management Quota "C" NRI category for the

academic year 2024-25 illegal. as arbitrary, unconstitutional consequently and direct the respondents to consider and include the name of the petitioner for admission into MBBS/BDS course under Management Quota "C" NRI Category for the academic year 2024-25 in the counselling and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

4. Learned counsel for the petitioner submitted that even though the petitioner had applied for admission against management quota seats in B-category, she could not upload for C-Category i.e., NRI Category as she could not get sponsor letter and NRI documents. Therefore, she approached respondent No.2 to consider her request under C-Category, but respondent No.2 is not permitting her to seek admission against Management Quota in 'C/NRI' Category seats. He further submitted that the petitioner 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 petitioner submits a representation, the same shall be dealt with by the University in accordance with law.

In view of the aforesaid submission and in the б. peculiar facts of the case, the Writ Petition is disposed of with liberty to the petitioner to submit a representation before the University with regard to her grievance. Needless to state that in case such a representation is made, the University shall decide the same within a period It is made clear that this of three (03) days thereafter. Court has not expressed any opinion on the merits of the matter. No order as to costs.

Miscellaneous petitions, pending if any, stand closed.

### SD/-A.V.S. PRASAD ASSISTANT REGISTRAR SECTION OFFICER

То

1. The Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad, State of Telangana -500 055
The Registrar, Kaloji Nararayana Rao University of Health Sciences,

//TRUE COPY//

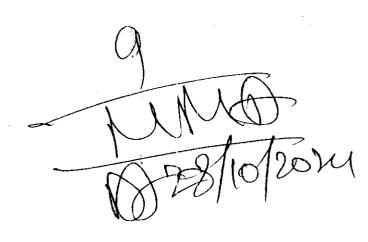
Warangal.

3. One CC to SRI L.RAM SINGH, Advocate [OPUC] 4. Two CCs to GP FOR MEDICAL HEALTH & FW, High Court for the State of

Telangana, at Hyderabad. [OUT] One CC to SRI A.PRABHAKAR RAO, SC FOR KNRUHS [OPUC] 5.

6. Two CD Copies

PSK. BS



# DISPOSING OF THE WRIT PETITION WITHOUT COSTS.

ORDER WP.No.30156 of 2024



CC TODAY

# DATED:28/10/2024

HIGH COURT