

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: 30197 OF 2024

Between:

Mohammad Wahabuddin, S/o Mohammad Moinuddin Aged about 24 years,
Occ. Student R/o H.No 5-8-288/B, Rahmath Nagar SR Garden Back side
Nalgonda Town 508001

...PETITIONER

AND

1. State of Telangana, Rep by its Principal Secretary, Department of Health and Medical and Family Welfare, Secretariat, Hyderabad.
2. Sri Kaloji Narayan Rao, University of Health Science, Warangal District,
3. The Convenor, Kaloji Narayan Rao University of Health Science Warangal District

...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 writ of Mandamus declare the petitioner is entitled to be given admission into MBBS-2024-2025 academic year as per his NEET-2024 rank/State Rank against B/C category Seats (including NRI seats) available in any one of the Medical Colleges in State of Telangana by holding the action of the respondents in not allotting MBBS and BDS seat under C-category or even NRI category as per his rank though he not applied for both and B,C-Category/NRI as per the web option with a bonafide intention that B-category includes NRI category seats as per the common notification is clearly illegal, unjust and arbitrary.

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 Respondent No. 2 and 3, to permit the petitioner to attend the counseling under B category for the admission in medical sciences.

**Counsel for the Petitioner: SRI N.RANJITH KUMAR FOR SRI LOVANEET
KUMAR SHARMA**

**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

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION No.30197 of 2024

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

Mr. N. Ranjith Kumar, learned counsel represents Mr. Lovaneet Kumar Sharma, learned counsel for the petitioner.

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

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 petitioner *inter alia* has prayed for the following relief:

“For the reasons stated in the affidavit, it is prayed that this Court may be pleased to

issue a writ or order to issue a writ, order or direction, more particularly one in the nature of writ of mandamus declare the petitioner is entitled to be given admission into MBBS-2024-2025 academic year as per his NEET-2024 rank/State Rank against B/C category seats (including NRI seats) available in any one of the Medical Colleges in State of Telangana by holding the action of the respondents in not allotting MBBS and BDS seat under C-category or even NRI category as per his rank though he not applied for both and B,C-category/NRI as per the web option with a bonafide intention that B-category includes NRI category seats as per the common notification is clearly illegal, unjust and arbitrary and to pass such other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case, in the interests of justice."

4. Learned counsel for the petitioner submitted that the petitioner applied for admission into MBBS/BDS course for the academic year 2024-25 under 'A' category, but inadvertently he could not register for admission under management quota for "B & C" category i.e., NRI category.

Therefore, the University is not permitting the petitioner to seek admission under Management Quota for "B & C" category. 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 options. 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.

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 petitioner to submit a representation before the University with regard to his 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.

::4::

It is made clear that this Court has not expressed any opinion on the merits of the matter.

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

SDI-A.V.S. PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To

1. The Principal Secretary, Department of Health and Medical and Family Welfare, Secretariat, Hyderabad, State of Telangana.
2. Kaloji Narayan Rao, University of Health Science, Warangal District,
3. The Convenor, Kaloji Narayan Rao University of Health Science Warangal District
4. One CC to SRI LOVANEET KUMAR SHARMA, Advocate [OPUC]
5. Two CCs to GP FOR MEDICAL HEALTH & FW, High Court for the State of Telangana, at Hyderabad. [OUT]
6. One CC to SRI A. PRABHAKAR RAO, SC FOR KNRUHS [OPUC]
7. Two CD Copies

PSK.
BS



CC TODAY

HIGH COURT

DATED:28/10/2024

ORDER

WP.No.30197 of 2024



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

10
~~REMA~~
~~28/10/2024~~