

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

WEDNESDAY, THE THIRTIETH 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: 30337 OF 2024

Between:

Rishitha Srinivas Panatula, D/o. Srinivas Panatula, Age. 20 years, Occ.
Student, R/o. H.No.13-4, Brammangally, Dharmapuri Town and Mandal,
Jagtial District, Telangana State.

...PETITIONER

AND

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

...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 or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 2nd respondent University in notifying the petitioner as Non-Local (NL) candidate in the provisional Final Merit List dated 29.09.2024 for MBBS/BDS Admissions 2024-25 under Management Quota despite petitioner being eligible to be considered as Local candidate as per Rule 3(a) (ii) of Telangana Medical and Dental Colleges Admission, (Admission into MBBS and BDS Courses) Rules 2017 as amended vide G.O. Ms. No.33 Health, Medical and Family Welfare (C1) Department dated 19.07.2024 as being illegal and arbitrary and violation of Article 21 of Constitution of India, consequently direct the respondent No.2 to treat the petitioner as a Local candidate for all the purposes of Admission into MBBS and BDS Courses for the Academic year 2024-25 under the aegis of KNR University of Health Sciences, Telangana State.

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 suspend the Provisional Final Merit List dated 29/09/2024 issued by the respondent No.2 in respect of petitioner pending disposal of this Writ petition, and pass

IA NO: 2 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 to treat the petitioner as a Local candidate in the Telangana State for admission into MBBS/BDS 2024-25 in pursuant to NEET (UG) 2024 in accordance with Rule 3(a)(ii) of Telangana Medical and Dental Colleges Admission, (Admission into MBBS and BDS Courses) Rules 2017 as amended vide G.O. Ms. No.33 Health, Medical and Family Welfare (C1) Department dated 19/07/2024.

**Counsel for the Petitioner: SRI B.MAYUR REDDY, SENIOR COUNSEL FOR
SRI ALLURI DIVAKAR REDDY**

**Counsel for the Respondent No.2: SRI G.RAVI FOR SRI A.PRABHAKAR RAO,
SC FOR KNRUSH**

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. 30337 of 2024

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

Mr. B. Mayur Reddy, learned Senior Counsel represents Mr. Alluri Divakar Reddy, learned counsel for the petitioner.

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

2. With the consent of the learned counsel for 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 accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the 2nd respondent University in notifying the petitioner as Non-Local (NL) candidate in the provisional Final Merit List dated 29.09.2024 for MBBS/BDS Admissions 2024-25 under Management Quota despite petitioner being eligible to be considered as Local candidate as per Rule 3(a)(ii) of Telangana Medical & Dental Colleges Admission

(Admission into MBBS & BDS Courses) Rules 2017 as amended vide G.O.Ms.No.33, Health, Medical and Family Welfare (C1) Department dated 19.07.2024 as being illegal and arbitrary and violation of Article 21 of Constitution of India, consequently direct the respondent No.2 to treat the petitioner as a Local candidate for all the purposes of Admission into MBBS & BDS Courses for the Academic year 2024-25 under the aegis of KNR University of Health Sciences, Telangana State.”

4. Learned counsel for the petitioner submitted that even though the petitioner is a local candidate, in the provisional merit list dated 27.09.2024, the petitioner was shown as a non-local candidate. It is 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 counsel appearing for the respondent University submitted 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 aforesaid submission and in the peculiar facts and circumstances of the case, the Writ Petition is disposed of with liberty to the petitioner to submit a representation to the University with regard to her grievance. Needless to state that

in case such representation is made, the University shall decide the same within a period of three (3) days thereafter. 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.

SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To

1. The Principal Secretary, Medical Health and Family Welfare Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana State.
3. One CC to SRI ALLURI DIVAKAR REDDY, Advocate [OPUC]
4. Two CCs to GP FOR MEDICAL HEALTH & FW, High Court for the State of Telangana, at Hyderabad. [OUT]
5. One CC to SRI A.PRABHAKAR RAO, SC FOR KNRUHS [OPUC]
6. Two CD Copies

PSK.

BS

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CC TODAY

HIGH COURT

DATED:30/10/2024

ORDER

WP.No.30337 of 2024



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

9 Copies

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30/10/24