

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: 21419 OF 2023

**Between:**

1. G Hari Krishna, Son of Narasimha rao, aged about 54 years, Occupation: Private Employee, Resident of 402, Meenakshi Enclave, Bandari Layout, Near Hanuman Temple, Quthbullapur Mandal, Nizampet, Hyderabad, Telangana-500090.
2. Gunturu Amrutharashmi, Daughter of G.Hari Krishna, aged about 17 years, Occupation: Student, resident of 402, Meenakshi Enclave, Bandari Layout, Near Hanuman Temple, Quthbullapur Mandal, Nizampet, Hyderabad, Telangana- 500090.

Represented by her father Mr.G.Hari Krishna, Son of Narasimha rao, aged about 54 years, Occupation Private Employee, Resident of 402, Meenakshi Enclave, Bandari Layout, Near Hanuman Temple, Quthbullapur Mandal, Nizampet, Hyderabad, Telangana-500090

...PETITIONERS

**AND**

1. The State Of Telangana, represented by its Principle Secretary, Health, Medical and Family Welfare (C1) Department Secretariat, Hyderabad, Telangana State.
2. Kaloji Narayana Rao University Of Health And Sciences, Represented by its Registrar, Nizamarpura, Warangal, Telangana-506007.
3. The Department Of Higher Education, State Of Telangana Represented by its Principal Secretary, Secretariat, Hyderabad.
4. Sports Authority Of Telangana, Represented by its Vice Chairman and Managing Director, Lal Bahadur Stadium, Hyderabad-1.
5. The State Of Telangana, Represented by its Principal Secretary, Youth Advancement, Tourism and Culture (Sports) Department, Telangana Secretariat, Hyderabad.
6. Directorate Of Medical Education State Of Telangana, Represented by its Director, Koti, Sulthanbazar, Hyderabad - Telangana.

7. Union Of India, Rep by its Secretary, Ministry of Education, Health and Family Welfare, Department of Education, Health and Family Welfare, Shastri Bhavan, New Delhi - 110001.

**...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 declare the G.O.Ms.No.75 Health, Medical and Family Welfare (C1) Department dated 04.07.2023, to the extent of removing the Horizontal Reservation of 0.5percent,for Sports and Games in Admissions in MBBS and BDS courses in the State of Telangana, as arbitrary, illegal, unconstitutional and violative of the judgment of this Hon'ble Court dated 04.08.2018 in W.P.No.22700 of 2018 and set aside the same, b. Consequently, direct the Respondents to implement Rule 3 sub rule IV (d) of the Telangana Medical and Dental Colleges Admission (Admissions into MBBS and BDS Courses) Rules, 2017 issued under G.O.Ms.No.114 Health, Medical and Family Welfare (C1) Department dated 05.07.2017 in the Admission in the State of Telangana in Medical and Dental Courses for the Academic Year 2023-24 onwards, c. To call for the report of the Committee constituted under G.O.Rt.No.378 dated 28.09.2019 to enable this Hon'ble Court to pass appropriate orders in the present Writ Petition, d. And pass

**IA NO: 1 OF 2023**

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 operation of G.O.Ms.No.75 dated 04.07.2023, only in respect of substituting and removing the Horizontal Reservations of seats for Sports and Games of 0.5percent for the Medical and Dental Admissions in the State of Telangana.

**IA NO: 2 OF 2023**

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.1 and 2 to continue to implement Rule 3 sub-rule IV (d)

of G.O.Ms.No.114 Health, Medical and Family Welfare (C1) Department dated 05.07.2017 for the Admission into Medical and Dental courses for Academic Year 2023-24 being conducted by the Respondent No.2.

**IA NO: 3 OF 2023**

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.1 to produce the copy of the report of the Committee constituted in pursuance G.O.Rt.No.378 dated 28.09.2019.

**IA NO: 4 OF 2023**

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 reserve a seat for the Petitioner No.2 in MBBS Courses in any Government College in the State of Telangana for the Academic Year 2023-2024 pending disposal of the above Writ Petition.

**Counsel for the Petitioners: SRI P. SANDEEP KUMAR, LEARNED COUNSEL  
REPRESENTS SRI DHARMESH D.K.JAISWAL**

**Counsel for the Respondent No.1: SRI T. RAMESH, LEARNED  
AGP FOR MEDICAL HEALTH FW**

**Counsel for the Respondent No.2: SRI A. PRABHAKAR RAO,  
SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES**

**Counsel for the Respondent No.3: MS. SUJATHA KURAPATI,  
GP FOR HIGHER EDUCATION DEPARTMENT**

**Counsel for the Respondent No.4 : <sup>SA</sup> GUDI SATISH REDDY**

**Counsel for the Respondent No.5: SRI G. PRAVEEN KUMAR,  
AGP FOR TOURISM DEPARTMENT**

**Counsel for the Respondent No.6: SRI N. PRAVEEN KUMAR,  
GP FOR MEDICAL HEALTH AND FAMILY WELFARE**

**Counsel for the Respondent No.7: SRI GADI PRAVEEN KUMAR,  
DEPUTY SOLICITOR GENERAL OF INDIA**

**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.21419 of 2023

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

Mr. P.Sandeep Kumar, learned counsel represents Mr. Dharmesh D.K.Jaiswal, 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. A.Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences appears for respondent No.2 (for short 'the University').

Ms. Sujatha Kurapati, learned Government Pleader for Higher Education Department appears for respondent No.3.

Mr. G.Praveen Kumar, learned Assistant Government Pleader for Tourism Department appears for respondent No.5.

2. In this petition, the petitioners have assailed the validity of G.O.Ms.No.75, Health, Medical and Family Welfare (C1)

::2::

Department dated 04.07.2023, insofar it removes reservation of 0.5% prescribed for sports and games quota for admission to MBBS/BDS course.

3. Petitioner No.2, who is daughter of petitioner No.1, is seeking admission to MBBS/BDS course for the academic year 2023-24, which is over. No interim relief was granted to petitioner No.2. Therefore, it is not possible for us to grant any relief to petitioner No.2 at this point of time. However, the issue of validity of G.O.Ms.No.75 dated 04.07.2023, is kept open to be agitated in an appropriate proceeding.

4. The Writ Petition is, accordingly, disposed of. No costs.

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

//TRUE COPY//

SD/-N. SRIHARI  
ASSISTANT REGISTRAR  
SECTION OFFICER

- To,
1. The Principle Secretary, Health, Medical and Family Welfare (C1) Department Secretariat, Hyderabad, The State Of Telangana, Telangana State.
  2. The Registrar, Kaloji Narayana Rao University Of Health And Sciences, Nizamarpura, Warangal, Telangana-506007.
  3. The Principal Secretary, The Department Of Higher Education, State Of Telangana Secretariat, Hyderabad.
  4. The Vice Chairman and Managing Director, Sports Authority Of Telangana, Lal Bahadur Stadium, Hyderabad-1.
  5. The Principal Secretary, The State Of Telangana, Youth Advancement, Tourism and Culture (Sports) Department, Telangana Secretariat, Hyderabad.
  6. The Director, Directorate Of Medical Education State Of Telangana, Koti, Sulthanbazar, Hyderabad - Telangana.

7. The Secretary, Union Of India, Ministry of Education, Health and Family Welfare, Department of Education, Health and Family Welfare, Shastri Bhavan, New Delhi - 110001.
8. One CC to Sri Dharmesh D.K.Jaiswal, Advocate [OPUC]
9. One CC to Sri Gudi Satish Reddy, Advocate[OPUC]
10. One CC to Sri A. Prabhakar Rao, SC for Kaloji Narayana Rao University and Family Welfare[OPUC]
11. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India[OPUC]
12. Two CCs to The GP for Education Department, High Court for the State of Telangana, at Hyderabad[OPUC]
13. Two CCs to The GP for Tourism Department, High Court for the State of Telangana, at Hyderabad[OPUC]
14. Two CCs to GP for Medical Health Family Welfare, High Court for the State of Telangana, at Hyderabad [OUT]
15. Two CD Copies

TJ  
BS

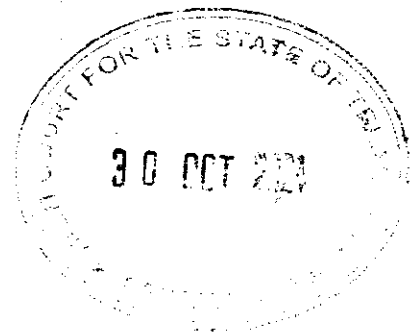
§

HIGH COURT

DATED:28/10/2024

ORDER

WP.No.21419 of 2023



DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS

20 Copies

S/m  
30/10/24