

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

MONDAY, THE EIGHTEENTH DAY OF NOVEMBER .
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HON'BLE SRI JUSTICE J. SREENIVAS RAO**

WRIT PETITION NO: 27803 OF 2024

Between:

Niba Fathima T, D/o. Abbas T Hassan, Aged about 18 Years, Occ: Student
R/o 14-152, Killuru, Khamman-507209, Telangana.

...PETITIONER

AND

1. The State of Telangana, represented by its Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad
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 writ, order, or direction more particularly one in the nature of Writ of Mandamus to a) Declare G.O.Ms No 114 86 Amended G.O.Ms. No. 33 Rule 3(a) as unconstitutional and in violation of Articles 14, 19 and 21 of the Constitution of India and orders of this Hon'ble Court b) declare the petitioner as a Local Candidate for all the purposes of Admission into MBBS and BDS Courses for the Academic Year 2024-2025 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 direct Respondent No.2 to receive and process the application of the petitioner for online Registration for MBBS/BDS Course Under Competent Authority Quota 2024-25 under aegis of Respondent No. 2 without insisting Residence Certificate by considering him as a Local Candidate in the Telangana State as per his Rank shown in the merit list, pending disposal of this Writ Petition.

**Counsel for the Petitioner: SRI L. RAM SINGH FOR
SRI ABDUL KABEER**

**Counsel for the Respondent No.1: SRI A. SUDARSHAN REDDY,
ADVOCATE GENERAL FOR THE STATE**

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

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. 27803 of 2024 ✓

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

Mr. L. Ram Singh, learned counsel appears for Mr. Abdul Kabeer, learned counsel for the petitioner.

Mr. A. Sudarshan Reddy, learned Advocate General appears for the State.

Mr. A. Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences appears for respondent No.2.

2. In this Writ Petition, the petitioner *inter alia* assails the validity of Rule 3(a) of Telangana Medical & Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017, as amended *vide* G.O.Ms.No.33, Health, Medical & Family Welfare (C1) Department, dated 19.07.2024, and prays for a direction to the respondent University to treat her as a local candidate for the purpose of admission to MBBS and BDS Courses for the academic year 2024-25.

3. Learned counsel for the respondent University submits that the process of admissions to MBBS and BDS Courses has been completed and the course has commenced. It is further

submitted that the issue with regard to validity of Telangana Medical & Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017, is pending before the Supreme Court in Special Leave Petition (C) Nos.21536-21588 of 2024 in which the Supreme Court by an order dated 20.09.2024 has stayed the common order dated 05.09.2024 passed by a Division Bench of this Court in Writ Petition No.21910 of 2024 and batch.

4. Therefore, in the facts and circumstances of the case, the Writ Petition is disposed of with liberty to the petitioner to take recourse to such remedy as may be available to her in law in the light of the order dated 20.09.2024 passed by the Supreme Court in Special Leave Petition (C) Nos.21536-21588 of 2024.

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

Sd/- L. LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

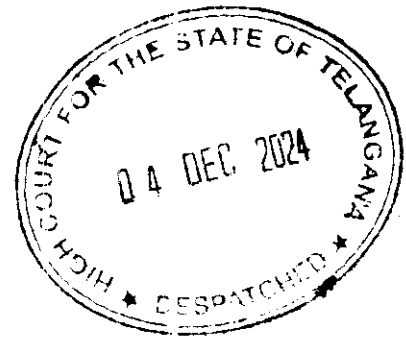
1. The Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, The State of Telangana, Hyderabad
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal
3. One CC to Sri Abdul Kabeer, Advocate [OPUC]
4. One CC to Sri A. Prabhakar Rao, S.C. for Kaloji Narayana Rao University of Health Sciences [OPUC]
5. Two CCs to The Advocate General, High Court for the State of Telangana, at Hyderabad [OPUC]
6. Two CD Copies

T J
MP



HIGH COURT

DATED:18/11/2024



ORDER

WP.No.27803 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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LKS