

[3418]

**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 HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO**

WRIT PETITION NO: 27286 OF 2024

Between:

Aayushi Parida, D/o Smaranika Mohanty, aged about 20 years, occ. Student,
R/o Flat No. 705, Block No. 11, My Home Vihanga, Gopanpally,
Serilingampally, Ranga Reddy District Telangana State.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Medical and Health Department, Secretariat Buildings, Hyderabad.
2. KalojiNarayanaRao University of Health Sciences, Rep by its Vice Chancellor, Nizampura, Warangal, Telangana State.
3. KalojiNarayanaRao University of Health Sciences, Rep by its Registrar, Nizampura, Warangal, Telangana State.
4. The National Testing Agency, Through its Chairperson First Floor, NSIC-MDBP Building, Okhla Industrial Estate, New Delhi 110 020.

...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,

A. declaring Rule 3(a) of Telangana Medical and Dental Colleges Admission (Admission into MBBS and BDS Courses) Rules, 2017 as amended vide GO.MS.No.33 Health, Medical and Family Welfare (C1) Department, dt.19/07/2024 as being manifestly arbitrary, illegal, unconstitutional, with malafide intention to over-rule the judgment of Division Bench of this Hon'ble Court in WP.No.21268 of 2023 and batch, dt.29/08/2023 and

B. to suspend the Letter dated 27/09/2024 and declare the petitioner as local candidate for all purposes of admission into MBBS/BDS pursuant to NEET (UG)

2024 for MBBS/BDS Admissions under Competent Authority Quota 2024-25 under aegis of Respondent No.2 and 3.

C. Consequently direct the 2nd respondent to treat the petitioner as Local Candidate pursuant to NEET (UG) 2024 for MBBS/BDS Admissions under Competent Authority Quota 2024-25 under aegis of Respondent No.2 and 3.

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 Letter dated 27/09/2024 and declare the petitioner as local candidate for all purposes of admission into MBBS/BDS pursuant to NEET (UG) 2024 for MBBS/BDS Osmania University (OU) for 2024-25 admission into MBBS Course under competent authority quota and include the petitioner as a Local Candidate in the ensuring merit list.

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 respondents pending the disposal of the writ petition, to suspend the Rule 3(a) more particularly Rule 3(a)(iii) of Telangana Medical 86 Dental Colleges Admission (Admission into MBBS and BDS Courses) Rules, 2017 as amended vide GO.MS.No.33 Health, Medical and Family Welfare (C1) Department, dt. 19/07/2024, pending disposal of the writ petition.

Counsel for the Petitioner: M/s. K.ANNAPURNA REDDY (NOT PRESENT)

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

**Counsel for the Respondent No.2 & 3: SRI A.PRABHAKAR RAO,
SC FOR KNRUHS**

**Counsel for the Respondent No.4: 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. 27286 of 2024

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

None 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 Nos.2 and 3.

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/- A. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Vice Chancellor, Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana State.
3. The Registrar, Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana State.

Contd.

4. The Chairperson, National Testing Agency, First Floor, NSIC-MDBP Building, Okhla Industrial Estate, New Delhi 110 020.
5. One CC to M/s. K.ANNAPURNA REDDY, Advocate [OPUC]
6. One CC to SRI A.PRABHAKAR RAO, SC FOR KNRUHS [OPUC]
7. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
8. Two CCs to ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT]
9. Two CD Copies

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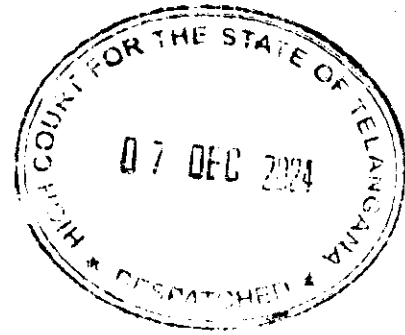
LS *CRP*

HIGH COURT

DATED: 18/11/2024

ORDER

WP.No.27286 of 2024



DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

② CLR
5/12/24