

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

WEDNESDAY, THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT PETITION NO: 6 OF 2025

Between:

Minna Koushik, S/o. Minna Siva Rama Krishnaiah, Age 24 Years, Occ:
Doctor, H.No.1-2-270/43/A, Vijaya Krishna Multi Specialty, Hospital, MG
Road, Suryapet, Suryapet District.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary to Government,
Health, Medical and Family Welfare (C1) Department, Dr.B.R.Ambedkar
Telangana State Secretariat, Hyderabad.
2. Kaloji Narayana Rao University of Health Sciences Telangana, Warangal,
Rep. by its Registrar.

...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 especially one in the nature of writ of mandamus declaring that a) Rule-VIII of the Telangana Medical Colleges (Admission into PG Medical Courses) Rule 2021 as amended vide G.O.Ms.No.148 dated 28.10.2024 as illegal beyond the power of the rule making authority and ultra virus the (Act 5 of 1983) (A.P. Educational Institutions Regulations of Admission and Prohibition of Capitation Fee) Act 1983. b) Further declare that Rule-VIII(1) & 2) r/w explanation a&b of Telangana Medical Colleges (Admission into Post Graduate Medical Courses) Rules 2021) as amended vide G.O.Ms.No.148 dated 28.10.2024 is violative of Article 371(D) of the Constitution of India. c) Further declare that the Andhra Pradesh Educational Institutions (Regulation of Admissions) Order 1974 is in applicable to State of Telangana. d) Further declare that the impugned is violative of Article 14 of the Constitution of India as the said rule does not achieve the object for which the said rules are made e) Further declare that deletion of Sub Rules (v) and (vi) of Rule-IX makes the Rules unworkable. f) Further declare that the notification dated 30.10.2024 issued by 2nd respondent as is violative of Telangana Medical Colleges

(Admission in to Post Graduate Medical Courses) Rule 2021. And the said notification is violation of The Andhra Pradesh Educational Institutions (Regulation of Admissions) Order 1974 and Article 14 of the Constitution of the India.

IA NO: 1 OF 2025

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 respondents to permit the petitioner to participate in the ongoing counseling for admission into PG Medical Course 2024 based on his rank in NEET PG 2024 pending disposal of the Writ Petition.

**Counsel for the Petitioner: SRI M. SURENDER RAO, SR. COUNSEL REP. FOR
SRI SRINIVASA RAO MADIRAJU**

**Counsel for the Respondent No.1: SRI R. NAGARJUNA REDDY, ASST. GP FOR
MEDICAL, HEALTH & FW**

Counsel for the Respondent No.2: SRI T. SHARATH, 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.6 of 2025

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

Mr. M.Surender Rao, learned Senior Counsel appears for
Mr. Srinivasa Rao Madiraju, learned counsel for the petitioner.

Mr. R.Nagarjuna Reddy, learned Assistant Government
Pleader for Health, Medical and Family Welfare Department
appears for respondent No.1.

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

2. In this writ petition, the petitioner has prayed for the
following reliefs:

“For the reasons stated in the accompanying
affidavit, it is therefore, prayed that this Hon'ble
Court may be pleased to issue a writ, order or
direction, especially, one in the nature of writ of
mandamus declaring that

- a) Rule-VIII of the 'Telangana Medical Colleges (Admission into PG Medical Courses) Rule 2021 as amended *vide* G.O.Ms.No.148 dated 28.10.2024 as illegal, beyond the power of the rule making authority and *ultra vires* the (Act 5 of 1983) (A.P.Educational Institutions Regulations of Admission and Prohibition of Capitation Fee) Act 1983.
- b) Further declare that Rule-VIII(1)&(2) r/w explanation a&b of Telangana Medical Colleges (Admission into Post Graduate Medical Courses) Rules 2021 as amended *vide* G O Ms No 148 dated 28.10.2024 is violative of Article 371(D) of the Constitution of India.
- c) Further declare that the Andhra Pradesh Educational Institutions (Regulation of Admissions) Order 1974 is inapplicable to State of Telangana.
- d) Further declare that the impugned is violative of Article 14 of the Constitution of India as the said rule does not achieve the object for which the said rules are made.
- e) Further declare that deletion of Sub Rules (v) and (vi) of Rule-IX makes the Rules unworkable.

f) Further declare that the notification dated 30.10.2024 issued by 2nd respondent as is violative of Telangana Medical Colleges (Admission in to Post Graduate Medical Courses) Rule 2021 and the said notification is violation of The Andhra Pradesh Educational Institutions (Regulation of Admissions) Order 1974 and Article 14 of the Constitution of the India.

g) And pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

3. Learned Senior Counsel for the petitioner fairly submitted that the issue involved in the writ petition is squarely covered by order dated 17.12.2024, passed by this Court in W.P.No.30771 of 2024, against the petitioner.

4. In view of aforesaid submission and for the reasons assigned by us in the order dated 17.12.2024, passed in W.P.No.30771 of 2024, the Writ Petition is dismissed. No costs.

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

**SD/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI SRINIVASA RAO MADIRAJU, Advocate [OPUC]
2. One CC to SRI T. SHARATH, SC FOR KNRUHS [OPUC]
3. Two CCs to GP FOR MEDICAL, HEALTH & FW, High Court for the State of Telangana. [OUT]
4. Two CD Copies
BN

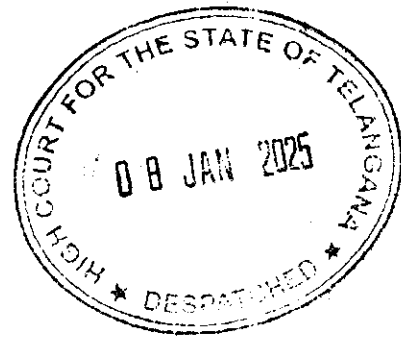
BSR



CC TODAY

HIGH COURT

DATED:08/01/2025



ORDER

WP.No.6 of 2025

DISMISSING THE WRIT PETITION
WITHOUT COSTS

⑦
08/01/25
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