

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

**TUESDAY, THE SEVENTH 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: 29837 OF 2017

Between:

1. V. Srinivas, S/o. Ayodhya Ramaiah, aged 37 years, Unemployed, H.No. 1-7-913/10/A, Ramnagar, Hyderabad.
2. G. Srinivasa Rao, S/o. Narsinga Rao, aged 33 years, S.G. Teacher, M.P.P.S., Tatipalle, Nyalkal Mandal, Sangareddy District.
3. L. Srinivas, S/o. Veera Narayana, aged 43 years, Unemployed, R/o. H.No. 3-1-516, Nimboliadda, Kachiguda, Hyderabad.
4. J. Mallesham, S/o. Sathaiah, aged 39 years, Unemployed, R/o. H.No. 2-2-1103/9/95, Tilaknagar, Hyderabad.

.....PETITIONERS

AND

1. Telangana State Public Service Commission, represented by its Secretary, Nampally, Hyderabad.
2. The Director of Medical Education, Telangana, Koti, Hyderabad.
3. State of Telangana, represented by its Principal Secretary to Government, Health, Medical and Family Welfare Department, Secretariat, Hyderabad.

.....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 more in the nature of Writ of Mandamus declaring the action of the respondents in prescribing the qualifications for selection and appointment to the post of Lecturer in Radiological Physics / Physicist as (i) must possess 1st Class in M.Sc., in Physics or Nuclear Physics of a University in India established or incorporated by or under a Central Act,

Provincial Act or a State Act or an Institution recognized by the University Grants Commission or an equivalent qualification and (ii) must have passed one year Post Graduate Training Course in Hospital Physics and Radiological Physics from Baba Atomic Research Centre (BARC) vide Para 4 of the impugned Notification No. 43/2017, dated 15-8-2017 issued by the 1st respondent and also the qualifications prescribed in item No. 9 (b) (17) of Annexure-II under Rule 5 of the Andhra Pradesh Medical Education Service Rules issued in G.O.Ms.No. 154, dated 4-5-2002 and its connected G.O.Ms.No. 143, HM and FW., dated 1-8-2017 as being arbitrary, unjust, unconstitutional, ultra vires of Medical Council Regulations and also violative of Articles 14 and 16 of the Constitution of India and consequently set-aside the impugned Notification No. 43/2017, dated 15-8-2017 in so far as prescribing qualifications to the post of Lecturer in Radiological Physics/ Physicist and the qualifications prescribed in item No. 9 (b) (17) of Annexure-II under Rule 5 of the Andhra Pradesh Medical Education Service Rules issued in G.O.Ms.No. 154, dated 4-5-2002 for the said post and consequently direct the respondents to issue fresh Notification by prescribing the qualifications in tune with the regulations of Medical Council of India, 1998 as amended upto 8.6.2017.

I.A.NO:1 OF 2017(WPMP. NO: 37153 OF 2017)

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 receive the applications of the Petitioners for the post of Lecturer in Radiological Physics / Physicist pursuant to Notification No. 43/2017, dated 15-8-2017 and allow the petitioners to participate in the selection process on par with other candidates, pending disposal of the above writ petition.

I.A.NO:2 OF 2017 (WPMP.NO:37154 OF 2017)

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 the qualifications prescribed in item No. 9 (b) (17) of Annexure-II under Rule 5 of the Andhra Pradesh Medical Education Service Rules issued in G.O.Ms.No. 154, dated 4-5-2002 and its connected G.O.Ms.No.

143, HM&FW., dated 1-8-2017 and the consequential impugned Notification No. 43/2017, dated 15-8-2017 issued by the 1st respondent in so far as prescribing the qualifications contrary to the qualifications prescribed M.C.I for the post of Lecturer in Radiological Physics / Physicist.

Counsel for the Petitioners : SRI MOHD NAJEERUDDIN, ADVOCATE FOR SRI K.NARAYANA

Counsel for the Respondent No.1 : SRI D.BALA KISHAN RAO

Counsel for the Respondent Nos.2 & 3 : GP FOR SERVICES-I

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.29837 of 2017

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

Mr. Mohd. Najeeruddin, learned counsel representing Mr. K. Narayana, learned counsel for the petitioners, submits that the issue involved in this petition does not survive for consideration on account of efflux of time.

The writ petition is therefore dismissed as infructuous.

Miscellaneous petitions, pending if any, stand closed.

There shall be no order as to costs.

SD/-N. SRIHARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

- To
1. Two CC's to G.P FOR SERVICES-I, High Court for the State of Telangana at Hyderabad. (OUT)
 2. One CC to SRI K.NARAYANA, Advocate [OPUC]
 3. One CC to SRI D.BALA KISHAN RAO, Advocate [OPUC]
 4. Two CD Copies

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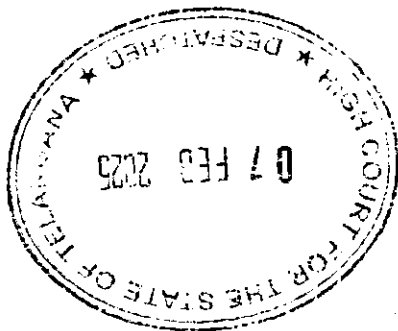
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HIGH COURT

DATED:07/01/2025

ORDER

WP.No.29837 of 2017



DISMISSING THE W.P

AS INFRUCUOUS WITHOUT COSTS.

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7 copies.