

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**MONDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 214 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order
Dated 30-01-2026 in W.P.NO 25986 of 2025 on the file of the High Court.

Between:

M/s. Sri Lakshmi Narasimha Swamy (SLNS), Diagnostic Centre R/o.H.No.3-1-32/A, AMR Nagar, opp District Hospital, Bhongir, Yadadri Bhuvanagiri District, Rep. by its Managing Director Dr.D.Pandu Goud @ Pandu, S/o.Sathaiah, aged about 36 years.

**...APPELLANT/
WRIT PETITIONER**

AND

1. The State of Telangana, Rep. by its Principal Secretary, Department of Health, Medical and Family Welfare (D1), Dr.B.R.Ambedkar Telangana Secretariat at Hyderabad.
2. The Director of Public Health and Family Welfare, Telangana State, Hyderabad.
3. The District Level Appropriate Authority Committee Under PC and PNDDT Act-1994, Yadadri Bhuvanagiri District at Bhongir, Rep.by its District Collector and District Magistrate/Chairman and District Registering Authority and Appropriate Authority
4. The District Medical and Health Officer, Yadadri Bhuvanagiri District at Bhongir.
5. Prudhviraaj Gayapaka, S/o. Jahangir Gayapaka, aged about 31 years, Occ Social Worker, R/o. H.No. 2-8-36/2, Indra Nagar, Town Bhongir, Bhongir Nalgonda District 508116.
6. Sadam Shirisha, D/o. Shankar, aged about 26 years, Occ Social Worker, R/o. H.No. 3-11-206, Ram Nagar, Bhongir (VandM) Yadadri Bhuvanagiri

...RESPONDENTS

IA NO: 1 OF 2026

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 impugned proceedings issued by the 3rd respondent

in Order No.1112/FIR.No.266/2025/PC&PNDT/DRA/DM&HO/YDB/2025 dated
07.11.2025/735, pending disposal of the Writ Appeal in this Hon'ble Court.

**Counsel for the Appellant: SRI P.VENUGOPAL, SENIOR COUNSEL FOR
SRI T.VASANTHA RAO**

**Counsel for the Respondent Nos.1 TO 4: SRI R.NAGARJUNA REDDY,
AGP FOR MEDICAL HEALTH & FW**

**Counsel for the Respondent Nos.5 & 6: Ms. CHENAGONI MOUNIKA FOR
Ms. SAHITHI SRI KAVYA M**

The Court made the following: JUDGMENT

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.214 of 2026

DATED: 30.03.2026

Between:

M/s. Sri Lakshmi Narasimha Swamy (SLNS) Diagnostic Centre,
R/o. H.No.3-1-32/A, AMR Nagar, opp: District Hospital,
Bhongir, Yadadri Bhuvanagiri District,
Rep. By its Managing Director Dr. D.Pandu Goud @ Pandu,
S/o. Sathaiah, aged about 36 years.

... Appellant

AND

The State of Telangana,
Rep. by its Principal Secretary,
Department of Health, Medical & Family Welfare (D1),
Dr. B.R.Ambedkar Telangana Secretariat
at Hyderabad & 5 others

... Respondents

JUDGMENT:

Heard Mr. P.Venugopal, learned Senior Counsel representing
Mr. T.Vasanth Rao, learned counsel appearing for the appellant,
Mr. R.Nagarjuna Reddy, learned Assistant Government Pleader for Health,
Medical and Family Welfare Department appearing for respondent Nos.1 to 4

and Ms. Chenagoni Mounika, learned counsel representing Ms. Sahithi Sri Kavya M., learned counsel appearing for respondent Nos.5 and 6.

2. The appellant/writ petitioner is a Diagnostic Centre whose registration under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (hereinafter referred to as 'the PC& PNDT Act, 1994') was cancelled in exercise of the power under Section 20 of the PC & PNDT Act, 1994 by the impugned order dated 07.11.2025 after issuance of a notice dated 10.09.2025 under Section 20(1) of the PC & PNDT Act, 1994 and upon consideration of the explanation furnished by the appellant dated 16.09.2025. The charges in the show cause notice are enumerated from Serial Nos.(i) till (xxvii), which are extracted hereunder:

- "i) M/s Sri Lakshmi Narasimha Swamy (SLNS) Diagnostic Centre, H.No: 3-1-32/A, AMR Nagar, Opp: District Hospital, Bhongir town, Yadadri Bhuvanagiri district is not maintaining patient register as per the PC&PNDT Act-1994.
- ii) As per online data, 173 physical F-Form are not submitted (Annexure-I enclosed) under PC&PNDT Act-1994.
- iii) 441 referral slips are not submitted (Annexure-II enclosed).
- iv) Scanning Centre Registration number is not entered in 82 F-Forms (Annexure-III enclosed).
- v) Total No. of living children not entered in 5 F-Forms (Annexure-IV enclosed).
- vi) Husband/Wife/Father/Mother name is not entered in 1 F-Form (Annexure-V enclosed).
- vii) Full Postal address is not entered in 2 F-Forms (Annexure-VI enclosed).
- viii) Referral Doctor Name is not mentioned in 688 F-Forms (Annexure-VII enclosed).
- ix) Self referral by Radiologist /Gynaecologist is not mentioned in 50 F-Forms (Annexure-VIII enclosed).
- x) LMP (or) Months of Pregnancy is not mentioned in 13 F-Forms (Annexure-IX enclosed).
- xi) Name of the Doctors performing the procedures is not mentioned in 35 F-Forms (Annexure-X enclosed).
- xii) Indication for diagnostic is not mentioned in 526 F-Forms (Annexure-XI enclosed).
- xiii) Declaration of Pregnant women/Person was not obtained and not mentioned in 18 F-Forms (Annexure-XII enclosed).

- xiv) Date on which declaration of pregnant woman/person was obtained not mentioned in 57 F-Forms (Annexure-XIII enclosed).
- xv) Results of non-invasive procedure carried out not mentioned in 71 F-Forms (Annexure-XIV enclosed).
- xvi) Dates of results of pre-nate diagnostic procedures were not filled for 45 pregnant women of F-Forms (Annexure-XV enclosed).
- xvii) Column of Indication for MTP as per the abnormality detected in the diagnostic procedures is not mentioned for 775 Pregnant Women's F-Forms (Annexure-XVI enclosed).
- xviii) Radiologist is not signed on 944 F-Form's of Section B (Annexure-XVII enclosed)
- xix) Declaration of Pregnant Women not obtained for 3 Pregnant Women (Annexure-XVIII enclosed).
- xx) Signature/Thumb impression is not obtained for 199 Pregnant Women's (Annexure-XIX enclosed).
- xxi) Radiologist is not signed on 38 F-Forms of Section D (Annexure-XX enclosed).
- xxii) Radiologist Signature is missed Matched in 66 F- Forms (Annexure-XXI enclosed).
- xxiii) 23 Physical F-Forms are submitted but not entered in PC&PNDT web portal (Annexure XXII enclosed).
- xxiv) M/s Sri Lakshmi Narasimha Swamy (SLNS) Diagnostic Centre, H.No: 3-1-32/A AMR Nagar, Opp: District Hospital, Bhongir town, Yadadri Bhuvanagiri district is not registered under Clinical Establishment Act-2010.
- xxv) F-Forms entered in online of PC&PNDT Web portal but physical forms not submitted for the months of March-2024, December-2024, January-2025, February-2025 and March-2025 to O/o DM&HO, Yadadri Bhuvanagiri district.
- xxvi) Information pertains to Form-F of Smt. Thimmapuram Srilatha, 24 Years/F, W/o Srinivas accused No: 04 of FIR No: 266/2025 dated 07.07.2025 is not submitted as given below:
 - a) Name & address of the referral Doctor is not mentioned.
 - b) Indications mentioned for diagnosis procures is not mentioned in the F-Form of self referral form of Dr.D. Pandu Goud, Radiologist.
 - c) Procures carried out (Non-Invasive) procedures is not mentioned in F-Form,
 - d) Date on which declaration of pregnant women was not obtained in the F-Form.
 - e) Date on which procedure carried out is not mentioned in the F-Form.
 - f) Result of the Non-invasive procedure carried out (report in brief of the test is not mentioned in F-Form.
 - g) Date of Pre-natal Diagnostic procedure was not conveyed / mentioned in F-Form.
 - h) Column of indication for MTP as per the abnormality detected in the diagnostic procedures/test is not filled in F-Form.
 - i) Smt. Thimmapuram Srilath, 24 Years/F, W/o Srinivas is scanned on 30.06.2025, however, the F-Form was entered with delay in the online PC&PNDT web portal on 25.08.2025.
- xxvii) F-Form of Dharavath Sujatha, 24 Yrs/F, W/o Ramesh, R/o Pedda Thanda Village, Thorkapally (M) Mandal, Yadadri Bhuvanagiri district and accused No: 05 of FIR No: 266/2025, dated: 07.07.2025 is not submitted to the Appropriate Authority under PCSPNDT Act-1994."

3. The appellant claims to have properly answered each of the charges but the competent authority i.e., Collector and District Magistrate, Yadadri

Bhuvanagiri District, in a cryptic manner without dealing with the specific reply furnished on each of these charges proceeded to cancel the registration dated 27.12.2016 in the name of Managing Director of the appellant Dr. Dantoori Pandu issued by Telangana State Medical Council under Sections 11 and 32 of the Clinical Establishments (Registration and Regulation) Act, 2010 (hereinafter referred to as 'the Act of 2010') and Rule 29 of the Telangana State Clinical Establishments (Registration and Regulations) Rules, 2011. Being aggrieved, the appellant approached the writ Court in W.P.No.35986 of 2025. The learned writ Court referred to a complaint of Inspector of Bhongir dated 07.07.2025 on which notice was issued to the appellant on 08.07.2025, which it responded to on 14.07.2025 and based upon an inspection conducted on 20.08.2025, the Collector and District Magistrate, Yadadri Bhuvanagiri District i.e., the Appropriate Authority for PC&PNDT Act, 1994 issued notice under Section 20(1) of the PC & PNDT Act, 1994 on 10.09.2025. Appellant submitted its explanation on 16.09.2025 which was placed before the District Level Advisory Committee and its explanation was found not satisfactory. Therefore, the District Level Appropriate Authority recommended to the District Collector to issue show cause notice and take appropriate action. Thereupon, the impugned order dated 07.11.2025 was passed. It is submitted that the counter affidavit of the 3rd respondent showed that appellant's Diagnostic Centre was registered

under Telangana Allopathic Private Medical Care Establishments (Registration and Regulation) Act, 2002 but not under the Act of 2010 as per the Telangana State Clinical Establishments (Registration and Regulation) Rules, 2011. The impugned order further records that appellant did not refer to the counter filed in W.P.No.31457 of 2025, nor did he mention about the cancellation order dated 07.11.2025. Therefore, the learned writ Court refused to interfere in the impugned order dated 07.11.2025 and dismissed the writ petition. Being aggrieved, the appellant has preferred this appeal.

4. On the previous date, learned Assistant Government Pleader for the State was directed to bring on record the recommendation of the District Level Advisory Committee held on 22.09.2025, which has been brought on record by an additional affidavit dated 16.03.2026.

5. During course of arguments, learned Senior Counsel for the appellant submits that the cancellation of the registration of the appellant is not on the basis of the alleged complaint made by certain persons or the show cause notice dated 08.07.2025. The learned writ Court has erroneously been persuaded by the proceedings under show cause notice dated 08.07.2025, whereas neither the show cause notice nor the impugned order is based upon the charges relating to the complaint dated 03.07.2025. It is submitted that appellant had duly

submitted its explanation dated 16.09.2025 to all the charges contained in the show cause notice dated 10.09.2025 but they have been summarily overruled without any reason or application of mind. Therefore, the learned writ Court has failed to consider this aspect of the matter and dismissed the writ petition.

6. Learned Assistant Government Pleader for the State has defended the impugned order but he has not disputed that the context and the text of the impugned order is unrelated to the incidents in respect of which a show cause notice was issued on 08.07.2025 upon the appellant.

7. Upon hearing learned counsel for the parties and taking note of the relevant materials placed on record, we find that the impugned order is based on a number of allegations, which have been extracted herein above, relating to non-compliance of the statutory requirements under the Act of 2010 and not maintaining register as per the PC & PNDT Act, 1994. Both the Acts provide for a forum of appeal against cancellation of registration. The PC & PNDT Act of 1994 provides for a forum of appeal under Section 20(1) before the concerned Government which is the State Government in the present case, as the impugned order is passed by the State Appropriate Authority. Whether the appellant had submitted proper explanation to the charges contained in the show cause notice dated 10.09.2025, which have been extracted herein above and

whether the explanation dated 16.09.2025 furnished by the appellant had wrongly been ignored or overlooked by the Appropriate Authority is a matter relating to scrutiny on merits of the issue at hand. In such circumstances, we are of the considered view that the appellant should approach the appellate authority within a period of two weeks against the order dated 07.11.2025 passed by the 3rd respondent, which is impugned in W.P.No.35986 of 2025, by taking all such grounds of law and facts as are available to it.

8. Having regard to the facts and circumstances noted above, since the learned writ Court has also observed that the Court cannot sit as an appellate authority over the decision taken by the 3rd respondent, the forum of appeal available to such an aggrieved person cannot be denied. However, the dismissal of the writ petition may come in the way of the appellant in preferring such an appeal and more over observations made therein would prejudice the case of the appellant before the appellate authority.

9. In such circumstances, the impugned order is set aside. Appellant is granted liberty to prefer an appeal in terms of Section 20(1) of the PC & PNDT Act, 1994 before the State Government within a period of two (02) weeks. If such an appeal is preferred, the Appellate Authority would consider it and take a decision thereupon within a period of ten (10) weeks thereafter.

10. The Writ Appeal is, accordingly, allowed. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-K.SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Department of Health, Medical and Family Welfare (D1), Dr.B.R.Ambedkar Telangana Secretariat at Hyderabad, State of Telangana.
2. The Director of Public Health and Family Welfare, Telangana State, Hyderabad.
3. The District Collector and District Magistrate/Chairman and District Registering Authority and Appropriate Authority, District Level Appropriate Authority Committee Under PC and PNDT Act-1994, Yadadri Bhuvanagiri District at Bhongir.
4. The District Medical and Health Officer, Yadadri Bhuvanagiri District at Bhongir.
5. One CC to SRI T.VASANTHA RAO, Advocate [OPUC]
6. Two CCs to GP FOR MEDICAL HEALTH & FW, High Court for the State of Telangana, at Hyderabad. [OUT]
7. One CC to Ms. SAHITHI SRI KAVYA M, Advocate [OPUC]
8. Two CD Copies

PSK./PMK.

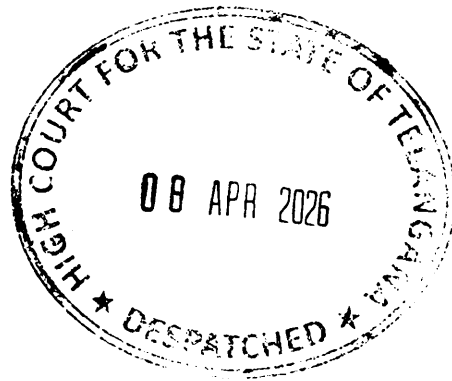


HIGH COURT

DATED:30/03/2026

JUDGMENT

WA.No.214 of 2026



**ALLOWING THE WRIT APPEAL
WITHOUT COSTS**

⑪ MT
8/4/26