

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

**TUESDAY, THE EIGHTH DAY OF SEPTEMBER
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: 964 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order
Dated 16/06/2026, in W.P. No. 16072 of 2026 on the file of the High Court.

Between:

Indian Nursing Council, Rep. by its Secretary 8th Floor NBCC Centre Plot No 2
Community Centre Okhla Phase I New Delhi 110 020.

...APPELLANT

AND

1. St. Marys Rehabilitation University, a private University established under the Telangana State Private Universities Establishment and Regulation Act 2018 Act No 11 of 2018 as amended by the Telangana Private Universities Establishment and Regulation Amendment Act 2026 Act No 10 of 2026 having its campus at Deshmukhi Village Pochampally Mandal Yadadri Bhongir District Telangana 508 284 sponsored by the Joseph Sriharsha and Mary Indraja Educational Society represented by its Registrar Dr M Satyya Nanarayana S/o Late M Jaggaiah, Aged about 68 years and Ors.
2. The State of Telangana, Represented by its Principal Secretary, Higher Education UE Department, Secretariat Hyderabad 500 022.
3. The State of Telangana, Represented by its Principal Secretary Health Medical and Family Welfare Department, Secretariat Hyderabad 500 022.
4. The Registrar, Telangana Nurses Midwives Auxiliary Nurse Midwives and Health Visitors Council TGNMC Sultan Bazar Koti Hyderabad Telangana 500 095.

...RESPONDENTS

I.A. NO: 2 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 stay the

operation of the impugned order in WP No.16072 of 2026, Dt.16/06/2026 passed by the learned judge Smt Justice Juvvada Sridevi.

Counsel for the Appellant: SRI V.HARI HARAN FOR SRI T.PRADYOTH
Counsel for the Respondent No.1: SRI YEMMIGANUR SOMA SRINATH REDDY
Counsel for the Respondent Nos.2 TO 4: SRI S.RAHUL REDDY, SPL. GP FOR
THE ADDL. ADVOCATE GENERAL

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.964 of 2026
(CNR No. HBHC010493282026)

Dated:08.09.2026

Between:

Indian Nursing Council

...Appellant

and

St. Mary's Rehabilitation University
and 3 others.

...Respondents

JUDGMENT:

Learned Senior Counsel Sri V.Hari Haran, representing learned counsel Sri T.Pradyoth, appears for the appellant.

Learned counsel Sri Y.Soma Srinath Reddy appears for respondent No.1.

Sri S.Rahul Reddy, learned Special Government Pleader attached to the office of learned Additional Advocate General, appears for respondents No.2 to 4.

2. The appellant – Indian Nursing Council, who is respondent No.4 in W.P.No.16072 of 2026, is aggrieved by the interim order dated 16.06.2026 passed in the said writ petition, whereby the learned writ court observed as under:

“In view of the above, learned counsel for the petitioner prayed to restrain respondent Nos.2 and 4 from taking any action, issuing any direction or otherwise dealing with the impugned letters, dated 27.04.2026 issued by respondent No.3 during the pendency of the present writ petition as the said impugned letters being ultra vires the parent statute and to direct respondent No.3 to forthwith permit the petitioner-University to conduct admissions and commence courses/programmes for the academic year 2026-27 in respect of all the 14 UG and PG Nursing specializations approved by G.O.Ms.Nos.14 and 15, dated 28.03.2026 and to publish the name of the petitioner-University on the website of respondent No.3.

On the other hand, learned Assistant Government Pleader for Medical and Health Department and the learned counsel representing the Office of learned Deputy Solicitor General of India opposed the same and seeks time to file counters.

In view of the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioner, respondent No.3 is directed to forthwith permit the petitioner-University to conduct admissions and commence courses/ programmes for the academic year 2026-27 in respect of all the 14 UG and PG Nursing specializations, which were approved by the Government: *vide* G.O.Ms.Nos.14 and 15, dated 28.03.2026 and to publish the name of the petitioner-University on the website of respondent No.3 in the list of Nursing colleges in the State of Telangana, so as to enable the students admitted to the said specializations to become eligible for professional registration upon successful completion of their courses. Respondent Nos.2 and 4 are further directed not to take any action in pursuance of or otherwise deal with the impugned letters, dated 27.04.2026, till 22.07.2026. Further, respondent No.3 shall display the name of the petitioner-University in the list of Nursing Colleges in the State of Telangana within three (3) days from the date of receipt of a copy of this order.

List on 22.07.2026.”

3. The impugned directions have been, *inter alia*, assailed on the ground that the Indian Nursing Council constituted under the Indian Nursing Council Act, 1947 (hereinafter referred to as, “the Act of 1947”), has been empowered to grant recognition of qualifications, but on the basis of G.O.Ms.Nos.14 and 15, dated 28.03.2026, whereby the First Statute and First Ordinance of respondent No.1 – University, who is the writ petitioner, were approved under Sections 26 and 28 of the Telangana State Private Universities (Establishment and Regulation) Act, 2018 (hereinafter referred to as, “the Act of 2018”), the writ petitioner has been allowed to commence the academic year 2026-27 in respect the 14 UG and PG Nursing specialization courses without approval of the qualifications by the Indian Nursing Council.

4. By the letters impugned in the writ petition dated 27.04.2026, one of which is addressed to the appellant and the other addressed to respondent No.3, respondent No.4 - the Telangana Nurses, Midwives, Auxiliary Nurse-Midwives and Health Visitors Council, sought direction on the representation of the writ petitioner seeking grant of formal recognition for commencement of UG and PG Nursing Programmes from the academic year 2026-27 and to include its name on the website so as to enable the admitted students to be eligible for

professional registration, whereupon the inspection team would inspect the writ petitioner as per the Indian Nursing Council norms to grant suitability to commence the Nursing Programmes.

5. By the impugned interim order, the statutory regime under the Act of 1947, which is a Parliamentary Act, covered under Entry 66 of List I read with Entry 25 of List III of the Seventh Schedule of the Constitution of India, has been allowed to be superseded by the Act of 2018, which is not inconsonance with the Constitution of India. The interpretation accorded by the learned writ court to allow the writ petitioner to conduct admissions and commence the courses for the academic year 2026-27 in respect of the aforesaid 14 UG and PG Nursing specializations would not be proper in the eye of law.

6. Learned Special Government Pleader appearing for respondents No.2 to 4 has opposed the prayer of the writ petitioner before the learned writ court and has supported the stand of the appellant herein.

7. Learned counsel for the writ petitioner submits that the courses which have been approved by the State authorities are those which are already approved qualifications. Therefore, the writ petitioner was not required to seek recognition of qualification at the stage of

commencement of academic courses and admitting the students. He has referred to Section 10(2) of the Act of 1947. He, therefore, prays that this court may not interfere in the impugned interim order. However, he also submits that since the writ petition is posted tomorrow i.e., 09.09.2026, the learned writ court may be requested to hear the matter on merits. He submits that the writ petitioner undertakes not to conduct admissions and commence the courses of those 14 UG and PG Nursing specializations for the academic year 2026-27 in the meantime. The learned writ court may be requested to decide the writ petition expeditiously.

8. We have heard the learned counsel for the parties, taken note of the relevant materials placed on record, the provisions of the Act of 1947 and the Act of 2018 and also perused the impugned interim order.

9. Since the writ petition is posted for tomorrow and the matter is required to be decided on merits, it would not be proper for this court to comment on the case of the parties at this stage in the present writ appeal which is directed against the impugned interim order.

10. In view of the undertaking given by the writ petitioner, it would be in the fitness of things that the writ petition, which is posted for

tomorrow, be decided expeditiously. Pleadings are complete in the writ petition as per the submission of the learned counsel for the parties. Therefore, we request the learned writ court to decide the matter on merits finally in an expeditious manner.

11. The writ appeal is disposed of accordingly with the aforesaid observation. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

**SD/- N.SRIHARI
DEPUTY REGISTRAR**

SECTION OFFICER

To

1. The Principal Secretary, Higher Education UE Department, Secretariat Hyderabad, State of Telangana 500 022.
2. The Principal Secretary Health Medical and Family Welfare Department, Secretariat Hyderabad, State of Telangana 500 022.
3. The Registrar, Telangana Nurses Midwives Auxiliary Nurse Midwives and Health Visitors Council TGNMC Sultan Bazar Koti Hyderabad Telangana 500 095.
4. One CC to SRI T.PRADYOTH, Advocate [OPUC]
5. One CC to SRI YEMMIGANUR SOMA SRINATH REDDY, Advocate [OPUC]
6. Two CCs to THE ADDL. ADVOCATE GENERAL, High Court for the State of Telangana, at Hyderabad. [OUT]
7. Two CD Copies

PSK.

TKS

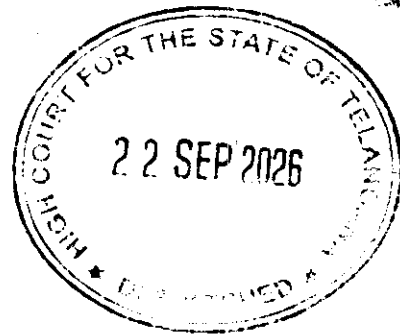


HIGH COURT

DATED: 08/09/2026

JUDGMENT

WA.No.964 of 2026



**DISPOSING OF THE WRIT APPEAL
WITHOUT COSTS.**

⑩ NT

17/9/26.