

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

**TUESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

WRIT PETITION NO: 27147 OF 2026

Between:

Dokuparthy Sahasra, D/o D. Kishore Kumar, Age: 18 Years, Occ: Student,
Permanent R/o 2-4-103 Kirana Merchant, Aam Bazar, Yellandu, PO: Yellandu
DIST: Bhadradi Kothagudem, Telangana - 507123

...Petitioner

AND

1. The State of Telangana, Rep by the Principal Secretary, Medical and Health Department, Secretariat, Telangana State, Hyderabad
2. Kaloji Narayana Rao University of Health Sciences, Rep by its Registrar, Warangal, Telangana State
3. The Tahsildar, Yellandu Mandal, Bhadradi Kothagudem District, Telangana

...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 an appropriate Writ Order or Direction more particularly one in the nature of Writ of Mandamus;

A. Declaring Rule 3(a) of the Telangana Medical Dental Colleges Admission (Admission into MBBS BDS Courses) Rules 2017 as amended vide G.O.Ms.No.150 Health Medical Family Welfare (CI) Department ,dated 08-09-2025 in so far as excluding children of parents who are publicly employed outside the State of Telangana, more particularly Central Civil Services/Central Government employees,

as being illegal, unconstitutional, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India;

B. Declare the Petitioner as a Local Candidate for all purposes of admission into MBBS/BDS Courses pursuant to NEET (UG) 2026 under Competent Authority Quota for the Academic Year 2026-27 under the aegis of Respondent No. 2

C. consequently, direct Respondent No.2 to treat the Petitioner as a Local Candidate for admission into MBBS/BDS Courses pursuant to NEET (UG) 2026 under Competent Authority Quota for the Academic Year 2026-27

D. declaring the Prospectus and Notification dated 04/08/2026 issued by Respondent No.2 in so far as they prescribe that a candidate shall study or reside in Telangana for a period of not less than four consecutive academic years for admission into Undergraduate Medical Courses under the Competent Authority Quota as a Local Candidate by applying Rule 3(a) of the Telangana Medical Dental Colleges Admission Rules 2017 as amended by G.O.Ms.No.150 dated 08/09/2025 as being illegal arbitrary and violative of Articles 14 19 and 21 of the Constitution of India.

I.A. 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 Rule 3(a), more particularly the proviso introduced by G.O.Ms.No.150, dated 08/09/2025 in so far as it excludes children of Central Civil Services Central Government employees from being treated as Local Candidates for admissions into MBBS/BDS Courses, under the Competent Authority Quota for the Academic Year 2026-27.

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 direct Respondent No.3 - the Tahsildar Yellandu Mandal Bhadradi Kothagudem District to forthwith issue a Nativity Certificate in favour of the Petitioner pending disposal of the above Writ Petition.

I.A. NO: 3 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 direct the Respondent No.2 to treat the Petitioner as a Local Candidate for the purpose of counseling and admission into MBBS/BDS Courses, under the Competent Authority Quota for the Academic Year 2026-27 pursuant to the Notification dated 04/08/2026 pending disposal of the above Writ Petition.

Counsel for the Petitioner: Sri. K. KIRAN KUMAR

**Counsel for the Respondent No.1: Sri. R. NAGARJUNA REDDY,
AGP For Medical Health & Family Welfare**

**Counsel for the Respondent No.2: Sri. T. SHARATH, Standing Counsel for
Kaloji Narayana Rao University**

Counsel for the Respondent No.3: GP for Revenue

The Court made the following: ORDER

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 PETITION No.27147 of 2026

DATE: 18.08.2026

BETWEEN:

Dokuparthi Sahasra

....Petitioner

AND

The State of Telangana, Represented by
the Principal Secretary, Health, Medical
and Family Welfare (C1) Department and
two others

....Respondents

ORDER:

Heard Mr. K. Kiran Kumar, learned counsel appearing for the petitioner and Mr. R. Nagarjuna Reddy, learned Assistant Government Pleader for Health, Medical and Family Welfare (C1) Department appearing for respondent No.1.

2. The present writ petition is filed with the following prayer:

".....issue an appropriate Writ or Order or Direction, more particularly one in the nature of Writ of Mandamus declaring Rule 3(a) of the Telangana Medical Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017 as amended vide G.O.Ms.No.150 Health Medical Family Welfare (C1) Department dated 08.09.2025 in so far as excluding children of parents who are publicly employed outside the State of Telangana more particularly Central Civil Services/Central Government employees, as being illegal

unconstitutional, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India;

declare the Petitioner as a Local Candidate for all purposes of admission into MBBS/BDS Courses pursuant to NEET (UG) 2026 under Competent Authority Quota for the Academic Year 2026-27 under the aegis of Respondent No 2;

consequently direct Respondent No.2 to treat the Petitioner as a Local Candidate for admission into MBBS/BDS Courses pursuant to NEET (UG) 2026 under Competent Authority Quota for the Academic Year 2026-27;

declaring the Prospectus and Notification dated 04082026 issued by Respondent No2 in so far as they prescribe that a candidate shall study or reside in Telangana for a period of not less than four consecutive academic years for admission into Undergraduate Medical Courses under the Competent Authority Quota as a Local Candidate by applying Rule 3(a) of the Telangana Medical Dental Colleges Admission Rules 2017 as amended by GOMsNo150 dated 08092025 as being illegal arbitrary and violative of Articles 14 19 and 21 of the Constitution of India”

Factual Matrix

3. The petitioner, Dokuparthi Sahasra is the daughter of Sri D. Kishore Kumar. She was born on 19.02.2008 at Yellandu, Bhadrachali-Kothagudem District (erstwhile Khammam District), Telangana, and claims to be a permanent resident of Telangana. Petitioner qualified in NEET (UG)-2026, securing 496 marks out of 720 and an All-India Rank of 94753 and thus eligible to seek admission to the MBBS/BDS courses for the Academic Year 2026-27.

4. The petitioner's father was recruited as Deputy Director of Mines Safety (Mining), Government of India, Ministry of Labour & Employment, Directorate General of Mines Safety through UPSC in March, 2015 and, in the course of his employment, has served at different places all over India, due to which, the petitioner studied from class III to Class VIII in Goa, Class IX and X in Gauhati and Intermediate in Hyderabad. Thus, the

petitioner could not complete the requisite four consecutive academic years of study within Telangana on account of her father's transfer outside the State.

5. The petitioner relies upon the Nativity Certificate issued by the Tahsildar, Yellandu, *vide* RC. No.B/573/2026, dated 04.08.2026, certifying that her father is a native of Yellandu, Bhadrachalam, Kothagudem District, Telangana. Notwithstanding the above, the petitioner does not fall within any of the four categories specified in the proviso to Rule 3(a)(iii) of the Telangana Medical & Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017 (for short 'the Rules'), as her father is Central Government employee and does not belong to any of the categories enumerated therein. Consequently, the petitioner is not being treated as a 'local candidate' under the impugned Rule.

6. Aggrieved by the petitioner's exclusion from the benefit of the said proviso, despite her having pursued education outside the State solely on account of her father's official transfer, the petitioner has approached this Court challenging the validity of the impugned provision and seeking consequential relief.

Submissions on behalf of the petitioner:

7. The learned counsel for the petitioner advanced the following submissions:

- i) That the classification made under the proviso to Rule 3(a)(iii) is wholly arbitrary and unreasonable. The very object of the exception is to protect candidates who could not pursue their education within Telangana for the requisite period, not by choice, but on account of the transferable nature of their parent's employment. Having recognised such hardship in respect of four categories of employees, there is no justification for excluding children of Central Government employees and employees of Central Government Corporations/Undertakings.
- ii) That there is no rational or *intelligible differentia* between children of Telangana State Government employees and children of Central Government employees, such as employees of Directorate General of Mines Safety, under Ministry of Labour and Employment, Government of India, insofar as the hardship arising from transfer is concerned. In both cases, the child is required to relocate outside the State on account of the parent's official transfer. The distinction based solely on the nature of the employer has no rational nexus with the object sought to be achieved by the Rule.
- iii) That the classification is manifestly under-inclusive, as it excludes an identifiable class of similarly situated persons, namely, children of Central Government employees and employees of Central

Government Corporations/Undertakings, who are equally liable to be transferred outside the State in the course of their employment and consequently suffer the same disability.

- iv) That the petitioner is denied the benefit of local candidature solely on the basis of the nature of her parent's employer, which is wholly unrelated to her educational hardship or her genuine connection with the State of Telangana. The relevant consideration ought to be the reason for studying outside the State and not whether the parent is employed by the State Government or the Central Government.
- v) That having recognized the hardship caused by compulsory transfer of parents in the specified categories, it is arbitrary and unjustified to deny the same benefit to the petitioner merely because her father is employed by a Central Government Corporation.
- vi) That this Court in the interim order dated 11.09.2025 passed in W.P.No.27511 of 2025, wherein, in an identical challenge, it was *prima facie* found the exclusion of children of Central Government employees to be arbitrary and violative of Article 14 and granted interim relief. The facts of the present case, according to the learned counsel, are materially similar and, therefore, the petitioner is entitled to similar protection.

Submissions on behalf of the respondents:

8. The learned Assistant Government Pleader appearing for respondent No.1 has contended that while framing the proviso to Rule 3(a)(iii) pursuant to the judgment of the Hon'ble Supreme Court dated 01.09.2025 in Civil Appeal Nos.21536-21588 of 2024 and connected batch, the State Government had confined the exception to categories of employees having a direct nexus with the State Government. However, it is submitted that the rationale underlying the exception, namely, protecting children who were compelled to pursue their education outside the State on account of their parents' official transfers, would equally apply to children of Central Government employees. It is also assured that the issue is under active consideration of the State Government and that appropriate amendment or clarification is likely to be issued.

9. We have taken note of the respective submissions urged and perused the material on record.

Consideration by this Court

10. The challenge in the instant writ petition is the Sub-Rule (a)(iii) of Rule 3 of Telangana Medical and Dental Colleges Admission (Admission into MBBS & BDS Courses), Rules, 2017, as amended *vide* G.O.Ms.No.150, Health, Medical & Family Welfare (C1) Department, dated 08.09.2025.

11. The challenge primarily is so far excluding the Central Government Employees posted out of the State of Telangana and their children by virtue of their parents' employment could not study in the State of Telangana for the last four years within the state of Telangana solely on account of her father's official transfer outside the State from the year 2015 to 2023, and for which reason they are getting excluded from participating in the medical Entrance Admission both for the MBBS & BDS Courses.

12. Perusal of the Rules would show that the Government, in fact, has carved out certain exceptions for certain category of candidates, which for ready reference are reproduced hereunder:

(a) A candidate for admission into undergraduate courses under Competent Authority Quota' in Telangana should be Indian National/Person of Indian Origin (PIO)/Overseas Citizens of India (OCI) card holder and shall fulfil the following provisions:

i) If the candidate has studied in educational Institutions in such local area for a period of not less than four consecutive academic years ending with the academic year in which he appeared or as the case may be first appeared in the relevant qualifying examination.

(or)

ii) Where during the whole or any part of the four consecutive academic years ending with the academic year in which he appeared, or as the case may be, first appeared for the relevant qualifying examination, he has not studied in any educational institutions, if he has resided in that local area for a period of not less than four years immediately preceding the date of commencement of

the relevant qualifying examination which he appeared or as the case may be first appeared.

iii) Local area herein means the State of Telangana. Further, in case the candidate has not studied in any educational institution and has resided in the local area as stated at (ii) above, to be eligible for admission into undergraduate courses under 'Competent Authority Quota', the candidate should have appeared for the relevant qualifying examination in the State of Telangana:

1. Provided that a candidate who studies outside Telangana for any period during the requisite four consecutive academic years ending with the academic year in which he appeared, or as the case may be, first appeared in the relevant qualifying examination will be eligible to be considered if they fall under any of the below categories:

- 1. Children of employees of the Telangana State Government who have served or are serving outside Telangana corresponding to the candidate's year/s of study outside Telangana.*
- 2. Children of serving or retired officers belonging to the Telangana cadre of All India Services (IAS/IFS/IPS) who have served or are serving outside Telangana corresponding to the candidate's year/s of study outside Telangana.*
- 3. Children of defence personnel/ex-servicemen/Central Armed Police Force service who, at the time of joining service, have declared their hometown to be in the State of Telangana and who have secured or are serving outside Telangana corresponding to the candidate's year/s of study outside Telangana.*
- 4. Children of employees of a Corporation/ Agency/ Instrumentality under Government of Telangana, liable to be transferred anywhere in India as per the terms and conditions of his/her employment, who have served or are serving outside Telangana corresponding to the candidate's year/s of study outside Telangana."*

(Emphasis supplied)

13. From the plain reading of the aforesaid clauses, it is relevant to note that if exceptions can be carved out for those categories, reflected in the aforesaid clauses of exceptions, then is no justifiable reason for excluding the Central Government employees posted outside of State of Telangana and their children from availing benefit of the said exception so carved out.

14. In view of the fair and constructive concession made by the learned Advocate General for the State in W.P. No.23998 of 2026, as recorded by this Court in its order dated 17.08.2026, wherein it has been expressly assured to this Court that appropriate clarification or amendment to G.O.Ms.No.150, dated 08.09.2025, would be issued to include the children of Central Government employees, Central Public Sector Undertakings, and Central Government Corporations within the ambit of the proviso to Rule 3(a), this Court does not deem it necessary to adjudicate upon the constitutional validity of the impugned Government Order at this stage. Instead, adopting a purposive and constructive approach, and in order to prevent irreparable hardship to the petitioner and similarly situated candidates pending finalization of the proposed amendment, this Court issues the following directions.

15. For the reasons recorded hereinabove, and in light of the fair and constructive concession made by the learned Advocate General for the

State in W.P. No.23998 of 2026, as recorded by this Court in its order dated 17.08.2026, this Writ Petition is disposed of with the following directions:

- i. It is hereby declared that the proviso to Rule 3(a)(iii) of the Telangana Medical & Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017, as amended by G.O.Ms.No.150, Health, Medical & Family Welfare (C1) Department, dated 08.09.2025, shall, pending the issuance of a formal amendment, be read to include children of employees of the Central Government, Central Government Corporations, and Central Public Sector Undertakings, who have served or are serving outside Telangana, for the extension of the benefit of the said proviso, on the same terms and conditions as are applicable to the children of State Government employees.
- ii. Consequently, respondent No.2, the Kaloji Narayana Rao University of Health Sciences, is directed to treat the petitioner as a 'local candidate' for the purpose of admission into MBBS/BDS courses for the Academic Year 2026-27 under the Competent Authority Quota, and to permit her to participate in the ongoing counselling process accordingly.

- iii. The 1st respondent-State of Telangana is directed to expeditiously finalize and issue the necessary clarification or formal amendment to G.O.Ms.No.150, dated 08.09.2025, as assured by the learned Advocate General, to incorporate the category of employees of Central Government, Central Government Corporations, and Central Public Sector Undertakings, within the ambit of the exception under the proviso to Rule 3(a) of the Rules.
- iv. It is clarified that the declaration contained in paragraph (i) hereinabove, and the relief granted to the petitioner, shall operate *pro tanto* pending issuance of the formal amendment by the State Government.

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

No costs.

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**SD/- P.C. SULEKHA DEVI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The State of Telangana, Rep by the Principal Secretary Medical and Health Department Secretariat Hyderabad
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal Telangana State
3. The Tahsildar, Yellandu Mandal Bhadrachalam District Telangana
4. One CC to SRI. KONDAPARTHY KIRAN KUMAR, Advocate [OPUC]
5. One CC to SRI. T. SHARATH, Standing Counsel for KALOJI NARAYANA RAO UNIVERSITY, [OPUC]
6. Two CCs to GP FOR MEDICAL HEALTH FAMILY WELFARE, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

PSR 

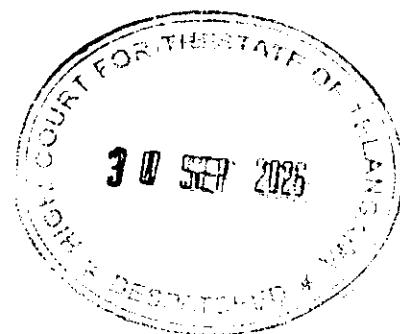
HIGH COURT

DATED: 18/08/2026

ORDER

WP.No.27147 of 2026

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



(12)

NT

28/9/26.