

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

MONDAY, THE TWENTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

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

WRIT PETITION NO: 29182 OF 2024

Between:

1. Nayine Mokshitha, D/o, Nayine Ravinder, Aged about 21 years, Occ. Student, Res. 6-311/4, Sri Krishna Nagar, Near St. Mosess High School, Qutubullapur, Rangareddi-500055, A.P.
2. Bijapuri Gopichand, S/o, Bijapuri Parameswar Rao, Aged about 19 years, Occ. Student, Res. 32-1-63, Venugopala Swamy Temple Street, Ongole, Prakasam-523001, A.P.
3. Samia Qudrath Khan, D/o, Qudrath Yar Khan, Aged about 18 years, Occ. Student, Res. 10-2-310, Vijay Nagar Colony, Shah Manzil, Bazar Ghat, Asif Nagar, Hyderabad-57

...PETITIONERS

AND

1. The State of Telangana, represented by its Principal Secretary, Medical and Health Family Ilfis Department, Secretariat Buildings, Hyderabad.
2. Kaloji Nararayana Rao University of Health Sciences, represented by its Registrar, Warangal.

...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 declaring the action of the respondents particularly the 2nd respondent in not considering the petitioners request for online registration for admission into MBBS/BDS course under Management Quota C (NRI) Category in next phase of counseling for the academic year 2024-25 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and permit the petitioners to upload online application for admission into MBBS/BDS course under Management Quota C (NRI) category for the academic year 2024-25 in next phase of counseling

IA NO: 1 OF 2024

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 2nd respondent to consider the petitioners request for online registration under Management Quota C (NRI) Category for admission into MBBS/BDS course in the next phase of counseling for the academic year 2024-25, pending disposal of writ petition

Counsel for the Petitioners: SRI. ABDUL KABEER

Counsel for the Respondent No.1: SRI T. RAMESH AGP FOR MEDICAL HEALTH FW DEPARTMENT

Counsel for the Respondent No.2: SRI A.PRABHAKAR RAO 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.29182 of 2024

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

Mr. Abdul Kabeer, learned counsel for the petitioners.

Mr. T.Ramesh, learned Assistant Government Pleader for Health, Medical and Family Welfare Department appears for respondent No.1.

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

2. With the consent of the parties, the matter is heard finally.

3. In this writ petition, the petitioners *inter alia* have prayed for the following relief:

“For the reasons stated above, it is prayed that this Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus declaring the

action of the respondents particularly the 2nd respondent in not considering the petitioners' request for online registration for admission into MBBS/BDS course under Management Quota "C" (NRI) Category in next phase of counseling for the academic year 2024-25 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and permit the petitioners to upload online application for admission into MBBS/BDS course under Management Quota "C" (NRI) Category for the academic year 2024-25 in next phase of counseling and pass such other order or orders as this Court may deem fit and proper in the circumstances of the case."

4. Learned counsel for the petitioners submitted that the petitioners applied for admission into MBBS/BDS course for the academic year 2024-25 under management quota 'B' category, but inadvertently they could not register for admission under "C" category i.e., NRI category. Therefore, the University is not permitting the petitioners to seek admission under Management Quota for "C" (NRI) category.

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He further submitted that the petitioners be granted liberty to submit a representation to the University and the University be directed to decide the said representation in a time bound manner.

5. Learned Standing Counsel for the University submitted that the last date of registration was 23.08.2024 and thereafter, merit list has been prepared, which shall be published at the time of indicating the web options. However, it is fairly submitted by him that in case the petitioners submit a representation, the same shall be dealt with by the University in accordance with law.

6. In view of the aforesaid submission and in the peculiar facts of the case, the Writ Petition is disposed of with liberty to the petitioners to submit a representation before the University with regard to their grievance. Needless to state that in case such a representation is made, the University shall decide the same within a period of three (03) days thereafter. It is made

clear that this Court has not expressed any opinion on the merits of the matter.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Family Ilfis Department, Secretariat Buildings, Hyderabad.
2. Kaloji Nararayana Rao University of Health Sciences, represented by its Registrar, Warangal.
3. One CC to SRI. ABDUL KABEER Advocate [OPUC]
4. One CC to SRI A.PRABHAKAR RAO SC FOR KNRUHS [OPUC]
5. Two CCs to GP FOR MEDICAL HEALTH FW ,High Court for the State of Telangana. [OUT]
6. Two CD Copies

KKS
BS

RX

CC TODAY

HIGH COURT

DATED:21/10/2024



ORDER

WP.No.29182 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

*PA
22/10/24
9 Copies.*