

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

THURSDAY, THE SEVENTEENTH 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: 31754 OF 2016

**Between:**

Ikram Khan, S/o. Mukarram Khan, aged about 17 years, being minor rep. by his father and Natural guardian Mukarram Khan, S/o. Dastagiri Khan, aged about 39 years, r/o. H.No. 12-2-355/7, MK Apartments, Arab Lane, Sabernagar, Mehadipatnam, Hyderabad.

...PETITIONER

**AND**

1. The Telangana State, rep. by its Secretary, Higher Education Department, Secretariat Buildings, Hyderabad.
2. The Convenor, Telangana State Engineering and Medical Common Entrance Test-3, Hyderabad.
3. The Registrar, Kaloji Health University, 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 in the nature of Writ of Mandamus, declaring the action of the respondents 2 and 3 in denying opportunity to the petitioner to participate in the Counseling by not granting the Code on the pretext that he is underaged by 31 days even though he has secured 5th rank in the State in the entrance examination conducted for admission into MBBS Degree Course, as being illegal, arbitrary and is in violation of principles of natural justice and fair play apart from being in violative of Articles 14, 19 and 21 of the Constitution of India, and consequently direct the respondents to permit the petitioner to participate in the Counseling scheduled to be held on 19.09.2016

and 20.9.2016 by allotting the necessary code to choose his choicest college as per his rank.

**I.A. NO: 1 OF 2016(WPMP. NO: 39271 OF 2016)**

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 2 & 3 herein permit the petitioner to participate in the Counseling for admission into 1st year MBBS Degree Course scheduled to be held on 19.09.2016 and 20.09.2016 by allotting the necessary code to enable him to choose his choicest college, pending disposal of the above Writ Petition.

**Counsel for the Petitioner : SRI IMMANENI RAMA RAO**

**Counsel for Respondent No.1 : Ms.K.SUJATHA, GP FOR HIGHER EDUCATION**

**Counsel for the Respondent Nos.2&3 : 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.31754 of 2016**

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

None for the petitioner.

Ms. Sujatha Kurapati, learned Government Pleader for Higher Education appears for respondent No.1.

Mr. A. Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences (hereinafter referred to as 'the University') appears for respondent No.3.

2. In this Writ Petition, the petitioner *inter alia* seeks a direction to respondent Nos.2 and 3 to permit him to participate in the counselling for admission to MBBS Degree Course which was scheduled to be held on 19.09.2016 and 20.09.2016.

3. Facts giving rise to filing of this Writ Petition briefly stated are that the petitioner had participated in Telangana State Engineering, Agriculture and Medical Common Entrance Test (TS EAMCET) for prosecuting MBBS Degree Course. The petitioner had secured 5<sup>th</sup> rank in the State of Telangana. The counselling was scheduled to be held on 19.09.2016 and 20.09.2016. The petitioner was not permitted to participate in the aforesaid counselling on the ground that he is under-aged by 31 days.

4. A Bench of this Court while entertaining the Writ Petition had passed an interim order on 20.09.2016, by which, the University was directed to treat the petitioner's date of birth as 02.02.1999 and issue a code and accept the certificates of the petitioner.

5. Learned counsel for the University fairly submits that in pursuance of the aforesaid interim order, the petitioner was permitted to participate in the counselling and he was allotted a seat. It is further pointed out by the learned

counsel for the University that the petitioner has completed MBBS Degree course.

6. In view of aforesaid submission made by the learned counsel for the University, the issue involved in the Writ Petition has been rendered academic. Therefore, no further orders are required to be passed in the Writ Petition.

7. Accordingly, the Writ Petition is disposed of.

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

//TRUE COPY//

SD/- T. TIRUMALA DEVI  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, State of Telangana, Higher Education Department, Secretariat Buildings, Hyderabad.
2. The Convenor, Telangana State Engineering and Medical Common Entrance Test-3, Hyderabad.
3. The Registrar, Kaloji Health University, Warangal.
4. One CC to SRI IMMANENI RAMA RAO, Advocate. [OPUC]
5. Two CCs to GP FOR HIGHER EDUCATION, High Court for the State of Telangana. [OUT]
6. One CC to SRI A. PRABHAKAR, SC for Kaloji Narayan Rao University of Health Sciences, Warangal. [OPUC]
7. Two CD Copies.

BSK

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**HIGH COURT**

**DATED:17/10/2024**



**ORDER**

**WP.No.31754 of 2016**

**DISPOSING OF THE WRIT PETITION  
WITHOUT COSTS**

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29/10/24