

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

WEDNESDAY, THE THIRTEENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

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

**WRIT PETITION NO: 31530 OF 2024**

**Between:**

Mohammed Ayesha Sadiya, D/o Md Khursheed Hussain, Aged 18 years, Occ Student, R/o H. No. 9- 4- 199, Aziz Street, Kasba Bazar, Khammam Urban.

**...PETITIONER**

**AND**

1. Union of India, Rep by its Principal Secretary, Ministry of Health and Family Welfare, New Delhi.
2. National Medical Commission, Rep by its Secretary, Pocket- 14, Sector- 8, Dwaraka Phase- 1, New Delhi
3. The State of Telangana, Rep. by Principal Secretary (Education Department) Hyderabad.
4. Kaloji Narayana Rao University of Health Sciences, Rep. By Vice Chancellor, Warangal, Telangana
5. Mamatha Medical College, Represented by its Chairman, Admission Wing, (BDS), Khammam.

**...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 pass an order or direction or writ, more particularly in the nature of Mandamus duly declaring the action of the respondents in not considering the petitioners candidature for allotting the seat in BDS, for the reason that she has opted for "A" category (which is for convenor quota) while registering for counselling instead of "B" category (which is for management quota), as illegal, arbitrary and against the principles of natural justice and consequently, direct the 5th respondent to consider the petitioners candidature for the seat in BDS, as

per her eligibility in the NEET Exam 24, with Hall Ticket (roll) No. 4203010994, in the management quota, without taking into account of her opting for "A" category while registering in the web- options, in the interest of justice.

**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 5th respondent to consider the petitioners candidature for the seat in BDS, as per her eligibility in the NEET Exam 24, with Hall Ticket (roll) No. 4203010994, in the management quota, without taking into account of her opting for "A" category while registering in the web- options, in the interest of justice.

**Counsel for the Petitioner: SRI P.RAMA SHARANA SHARMA**  
(appeared through video conferencing)

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR,**  
**Dy. SOLICITOR GEN. OF INDIA**

**Counsel for the Respondent No.2: M/s. GORANTLA SRI RANGA PUNITHA**

**Counsel for the Respondent No.3: M/s. SUJATHA KURAPTI,**  
**GP FOR HIGHER EDUCATION**

**Counsel for the Respondent No.4: SRI G.RAVI, REP. FOR**  
**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.31530 of 2024

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

Mr. P.Rama Sharana Sharma, learned counsel for the petitioner appeared through video conferencing.

Ms. Gorantla Sri Ranga Punitha, learned counsel for the respondent No.2.

Ms. Sujatha Kurapti, learned Government Pleader for Higher Education Department, for the respondent No.3.

Mr. G.Ravi, learned counsel representing Mr. A.Prabhakar Rao, learned Standing Counsel for the Kaloji Narayana Rao University of Health Sciences (hereinafter referred to as, "the University") for the respondent No.4.

2. In this writ petition, the petitioner, *inter alia*, seeks a direction to the respondents to consider her candidature for allotment of seat to her in BDS course.
3. Learned counsel for the petitioner submits that the petitioner had submitted her application for admission to BDS course under the competent authority quota. However, inadvertently, she could not mention that her candidature be also considered against the seat under the management quota as well. It is urged that the petitioner be granted the liberty to submit a representation with regard to her grievance to the University.
4. On the other hand, learned counsel for the University submits that in case any further round of counselling is held, the representation which may be submitted by the petitioner shall be considered on its own merits.
5. In view of the aforesaid submission and in the facts of the case, the writ petition is disposed of with the liberty to the petitioner to submit a representation with regard to her grievance to the University and the University is directed to

consider the representation which may be submitted by the petitioner on its own merits, subject to further round of counselling which may be held for admission to BDS course by the University. It is made clear that this Court has not expressed any opinion on the merits of the matter.

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

**SD/- K.SREERAMA MURTHY  
ASSISTANT REGISTRAR**

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**SECTION OFFICER**

To,

1. The Principal Secretary, Ministry of Health and Family Welfare, New Delhi, Union of India.
2. The Secretary, National Medical Commission, Pocket- 14, Sector- 8, Dwaraka Phase- 1, New Delhi.
3. The Principal Secretary, (Education Department) Hyderabad, State of Telangana.
4. The Vice Chancellor, Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana
5. The Chairman, Mamatha Medical College, Admission Wing, (BDS), Khammam.
6. One CC to SRI P.RAMA SHARANA SHARMA, Advocate [OPUC]
7. One CC to M/s. GORANTLA SRI RANGA PUNITHA, Advocate [OPUC]
8. One CC to SRI A.PRABHAKAR RAO, SC FOR KNRUHS [OPUC]
9. One CC to SRI GADI PRAVEEN KUMAR, Dy. SOLICITOR GEN. OF INDIA, High Court for the State of Telangana at Hyderabad [OPUC]
10. Two CCs to GP FOR HIGHER EDUCATION, High Court for the State of Telangana at Hyderabad [OUT]
11. Two CD Copies

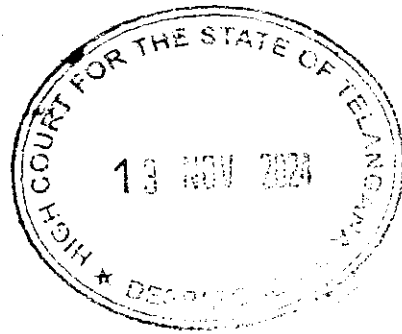
BSR

*Bj*

CC TODAY

HIGH COURT

DATED: 13/11/2024



ORDER

WP.No.31530 of 2024

DISPOSING OF THE WRIT PETITION,  
WITHOUT COSTS

④  
13/11/24  
BKS