

**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: 6624 OF 2020**

**Between:**

Dr. Pilligundla Bhavana, W/o Sri Mandala Dinakar Kiran, Age. 38 yrs, Occ. Medical Officer, Primary Health Centre, Ralkode, R/o H.no.3-1-66, Subhash Road, Sadasivpet, Sanga Reddy District, Telangana.

**...PETITIONER**

**AND**

1. Union of India, Rep by its Secretary, Ministry of Health and Family Welfare, Government of India.
2. Medical Council of India, Rep by the Board of Governors through its Joint Secretary, Pocket- 14 , Sector - 8, Dwarka Phase -1, New Delhi - 110077, INDIA.
3. National Board of Education, Rep by its Joint Director, Medical Enclave, Ansari Nagar, Ring Road, New Delhi - 110 029.
4. State of Telangana, Rep by the Principal Secretary, Department of Health, Medical and Family Welfare, Hyderabad.
5. Kaloji Narayanarao University of Health Sciences, Rep by its Registrar, Nizampura, Warangal, Telangana 506007. (Email - knruhswg115orgmall.com)
6. Nizam's Institute of Medical Science, Rep by its Director Panjaguta Hyderabad – 500082 Telangana.
7. Basavatarakram Indo American Cancer Hospital, C/o Research Institute Rep by its Chief Executive Officer Road No 10 Banjara Hills Hyderabad 500034 Telangana

(RR 6 and 7 are Impleaded as per Court Order Dated 05/05/2020 in IA No 2 of 2020)

8. Kakatiya Medical Collage, Rep by its Principal Warangal.
9. Kamineni Medical College, Marketpalli Nalgonda District Represented by its Principal
10. Pratima Medical College, Karimnagar Represented by its Principal
11. MNR Medical College, Medak Represented by its Principal
12. Gandhi Medical College, Secunderabad Represented by its Principal

(RR 8 To 12 are Suo Moto Impleaded as per COourt Order Dated 07/05/2020 In WP No 6624 of 2020)

**...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 a writ, order or direction more particularly one in the nature of writ of mandamus i) declaring the action of the respondents in causing invalidation of Regulation 9(1)(b) and 9(7) of the Post Graduate Medical Education Regulations, 2000 by converting all the Diploma seats into Degree seats and in so doing depriving the petitioner from pursuing her Post Graduation Medical education in DMRD (Diploma in medical radio diagnosis), as illegal, arbitrary, without jurisdiction and in gross violation of principles of natural justice and in gross violation of the petitioners fundamental right guaranteed under Article 14 of the Constitution of India, and ii) further be pleased to declare that the petitioner having served as a Medical Officer in rural/difficult area is entitled to a Diploma/Degree seat on account of the incentive/reservation as provided under Regulation 9(1)(b) and 9(7) of the Post Graduation Medical Education Regulations, 2000 and consequently direct respondents 1, 2, 4 and 5 to provide a seat to the petitioner in Nizams Institute of Medical Sciences in the branch of DMRD (Diploma in Medical Radio Diagnosis), and iii) further be pleased to alternatively declare that the petitioner is entitled to a Diplomate in National Board seat (Radio Diagnosis) in Indo American Cancer Institute, Hyderabad and consequently direct the 3rd respondent to provide a Diplomate in National Board seat (Radio Diagnosis) in Indo American Cancer Institute, Hyderabad.

**IA NO: 1 OF 2020**

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 5th respondent to allow the petitioner to participate in the ongoing NEETPG counseling and accordingly reserve a Post Graduate Diploma/Degree seat in Nizams Institute of Medical Sciences in the branch of Radiology.

**Counsel for the Petitioner: SRI P.THIRUMALA RAO (NOT PRESENT)**  
**Counsel for the Respondent Nos.1 & 3: SRI GADI PRAVEEN KUMAR, Dy.**  
**SOLICITOR GENERAL OF INDIA**

**Counsel for the Respondent No.2: M/s. GORANTLA SRI RANGA PUJITHA, SC**  
**FOR MCI**

**Counsel for the Respondent No.4: GP FOR MEDICAL HEALTH & FW**

**Counsel for the Respondent No.5: SRI A.PRABHAKAR RAO, SC FOR KNRUHS**

**Counsel for the Respondent Nos.6 & 7: SRI G.ANANDAM**

**Counsel for the Respondent Nos.8 TO 12: --**

**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.6624 of 2020

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

None for the petitioner.

Ms. Gorantla Sri Ranga Pujitha, learned Standing Counsel for Medical Council of India appears for respondent No.2.

Mr. A.Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences appears for respondent No.5 (for short 'the University').

2. In this writ petition, the petitioner *inter alia* has prayed for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that the Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus,

(i) declaring the action of the respondents in causing invalidation of Regulation 9(1)(b) and 9(7) of the Post Graduate Medical Education Regulations, 2000, by converting all the Diploma seats into Degree seats and in so doing depriving the petitioner from pursuing her Post Graduation Medical education in DMRD (Diploma in medical Radio Diagnosis) as illegal, arbitrary, without jurisdiction and in gross violation of principles of natural justice and in gross violation of the petitioner's fundamental right guaranteed under Article 14 of the Constitution of India; and

(ii) further be pleased to declare that the petitioner having served as a Medical Officer in rural/difficult area is entitled to a Diploma/Degree seat on account of the incentive/reservation as provided under Regulation 9(1)(b) and 9(7) of the Post Graduation Medical Education Regulations, 2000 and consequently direct respondents 1, 2, 4 and 5 to provide a seat to the petitioner in Nizam's Institute of Medical Sciences in

the branch of DMRD (Diploma in Medical Radio Diagnosis) and

(iii) further be pleased to alternatively declare that the petitioner is entitled to a Diplomat in National Board seat (Radio Diagnosis) in Indo American Cancer Institute, Hyderabad; and

(iv) further be pleased to pass such other further order or orders as deemed fit and proper in the circumstances of the case.”

3. The grievance of the petitioner pertains to conversion of Post Graduate Diploma seats into Degree seats for the academic year 2020-21.

4. The aforesaid academic year is over. No interim order was passed in the writ petition. Therefore, no relief can be granted to the petitioner at this point of time. The issue involved in the writ petition has been rendered academic.

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5. The Writ Petition is, therefore, dismissed as infructuous. No costs.

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

SD/- K. AMMAJI  
ASSISTANT REGISTRAR  
SECTION OFFICER

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To

1. One CC to SRI P. THIRUMALA RAO, Advocate [OPUC]
2. One CC to SRI GADI PRAVEEN KUMAR, Dy. SOLICITOR GENERAL OF INDIA [OPUC]
3. One CC to M/s. GORANTLA SRI RANGA PUJITHA, SC FOR MCI [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, at Hyderabad. [OUT]
6. One CC to SRI G. ANANDAM, Advocate [OPUC]
7. Two CD Copies

PSK.

LS 

**HIGH COURT**

**DATED:21/10/2024**

**ORDER**

**WP.No.6624 of 2020**



**DISMISSING THE WRIT PETITION  
AS INFRACTUOUS WITHOUT COSTS.**

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of  
4/11/24