

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

**MONDAY, THE TWENTY EIGHTH 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: 21025 OF 2023

Between:

Bandoju Nandini,, D/o. Bandoju Rajendra, aged about 21 years, Occ ; Student, R/o. Main road, DGB Beside, Indurthi, Karimnagar District.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Health, Medical and Family Welfare Department, Secretariat, Hyderabad.
2. Kaloji Narayana Rao University of Health Sciences, Represented by its Registrar, Warangal.
3. Convener, MBBS/BDS 2023-24, C/o Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana 506 007.

.....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 to declare the provision of (xvii) (a) of Rule 4 (Selection process) of G.O.Ms No.114 dt 5-7-2017 as unconstitutional and further listing the name of the petitioner in the list of not eligible candidate for the admission into the M.B.B.S course for the academic year 2022-23 as being arbitrary, illegal, violative of Article 14, of the Constitution of India and consequently delist the name of the petitioner from the list of ineligible candidate for the admission into the M.B.B.S course for the academic year 2023-24 by duly

permitting the petitioner to participate in the NEET counseling for the academic year 2023-24.

I.A.NO:1 OF 2023

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 issue Interim directions to the 2nd and 3rd respondents to permit the petitioner to participate in the NEET counseling for the academic year 2023-24 by duly de-listing the name of the petitioner from the list of the ineligible candidate for the admission into MBBS course for the academic year 2023-24, pending disposal of the writ petition.

Counsel for the Petitioner : SRI RAJAGOPALLAVAN TAYI

Counsel for the Respondent No.1 : SRI T.RAMESH, AGP FOR MEDICAL HEALTH AND FAMILY WELFARE

Counsel for the Respondent Nos.2 & 3 : SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES

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.21025 of 2023

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

Mr. Rajagopallavan Tayi, learned counsel for the petitioner.

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 respondents No.2 and 3 (for short 'the University').

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

"For the reasons stated supra, it is therefore 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 to declare the provision of (xvii)(a) of Rule 4 (Selection process) of G.O.Ms.No.114 dated 05.07.2017 as unconstitutional and further

listing the name of the petitioner in the list of not eligible candidate for the admission into MBBS course for the academic year 2023-2024 as being arbitrary, illegal, violative of Article 14 of the Constitution of India and consequently delist the name of the petitioner from the list of ineligible candidate for the admission into the M.B.B.S. course for the academic year 2023-24 by duly permitting the petitioner to participate in the NEET' counseling for admission into MBBS course for the academic year 2023-24 and pass such other order or orders as this Court may deem fit and proper in the circumstances of the case."

3. In pursuance of the interim granted by this Court on 04.08.2023, the petitioner was permitted to indicate web option for admission into MBBS/BDS course for the academic year 2023-24.

4. The academic year 2023-24 is over. In view of the aforesaid interim order as well as on account of efflux of time, no further orders are required to be passed in the writ petition.

However, the issue involved in the writ petition is kept open to be agitated in an appropriate proceeding.

5. The Writ Petition is, accordingly, disposed of. No costs.

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

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SD/- K. AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Health, Medical and Family Welfare Department, Secretariat, State of Telangana at Hyderabad.
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal.
3. The Convener, MBBS/BDS 2023-24, C/o Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana 506 007.
4. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to SRI RAJAGOPALLAVAN TAYI, Advocate [OPUC]
6. One CC to SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES (OPUC)
7. Two CD Copies

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HIGH COURT

DATED:28/10/2024

ORDER

WP.No.21025 of 2023



**DISPOSING OF THE W.P
WITHOUT COSTS.**

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8/11/24