

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: 21676 OF 2023

Between:

Gujarathi Shreya, S/o Gujarathi Srinivas, Age 20 years, Occ ; Student, R/o. 7-48/A/1,
Macherla Village, Aloor Mandal, Nizambad, Telangana.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Secretary Medical Health and Family Welfare (C1) Department Secretariat, Hyderabad.
2. The Registrar, Kaloji Narayana Rao University of Health and Sciences Telangana State, Warangal.
3. The Director of Medical Education, Telangana State, Hyderabad.
4. The Director, Sainik Welfare Department, Telangana State, Hyderabad.
5. The Director, National Cadets Corps (NCC) Head Office at New Delhi.
6. The Director, National Cadets Corps (NCC) Andhra Pradesh and Telangana State Secunderabad.

.....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 quash part of the G.O. M.S. No. 75 dt. 04/07/2023, pertaining to NCC candidates/ student admissions into MBBS and BDS courses issued by the respondent no. 1, as illegal, arbitrary, colorable exercise of power and contrary to article 14 and 21 of constitution beside violation

of principle of natural justice and consequently direct to restore 1% NCC quota for admission into MBBS and BDS courses.

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 direct the respondent no. 2/university to stay on admission process of MBBS and BDS courses only in respect of NCC candidates/students, pending disposal of the main writ petition.

Counsel for the Petitioner : SRI ZULFAQUAR ALAM (NOT PRESENT)

Counsel for the Respondent Nos.1: SRI T.RAMESH, AGP FOR MEDICAL HEALTH AND FAMILY WELFARE

Counsel for the Respondent No.2 : SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES

Counsel for the Respondent No.4 : G.P FOR HOME

Counsel for the Respondent Nos.5 & 6 : SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA

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.21676 of 2023

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

None 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 respondent No.2 (for short 'the University').

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

“For the reasons stated in the accompanying affidavit, 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 to quash part of the G.O.Ms. No.75 dt.04.07.2023, pertaining to NCC candidates/student admissions into MBBS and BDS courses issued by the respondent No.1 as illegal, arbitrary, colorable exercise of power and contrary to Articles 14 and 21 of constitution

beside violation of principle of natural justice and consequently direct to restore 1% NCC quota for admission into MBBS and BDS courses to grant such other relief or reliefs as this Court deems fit and proper in the circumstances of the case.”

3. The petitioner is seeking relief of admission to MBBS course for the academic year 2023-24.

4. The academic year 2023-24 is over. No interim relief was granted to the petitioner. Therefore, at this point of time, it is not possible to grant any relief to the petitioner. However, the issue of validity of G.O.Ms.No.75 dated 04.07.2023, 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.

**SD/- A. SRINIVASA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Secretary, Medical Health and Family Welfare (C1) Department Secretariat, State of Telangana at Hyderabad.
2. The Registrar, Kaloji Narayana Rao University of Health and Sciences Telangana State, Warangal.
3. The Director of Medical Education, Telangana State, Hyderabad.
4. The Director, Sainik Welfare Department, Telangana State, Hyderabad.
5. The Director, National Cadets Corps (NCC) Head Office at New Delhi.
6. The Director, National Cadets Corps (NCC) Andhra Pradesh and Telangana State Secunderabad.
7. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad [OUT]
8. One CC to SRI ZULFAQUAR ALAM, Advocate [OPUC]
9. One CC to SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA (OPUC)
10. One CC to SRI A.PRABHAKAR RAO, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTHSCIENCES (OPUC)
11. Two CD Copies

SA
LS

V.P.

HIGH COURT

DATED:28/10/2024

ORDER

WP.No.21676 of 2023



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

74 Copies
[Signature]
13/11/24.