

IN THE 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: 24243 OF 2023

Between:

Medepalli Harshini, D/o. Medepalli Subhakara Rao, Aged 17 years, R/o Flat No. 503 Fortune Green Grace Apartments, Swarnadhama Nagar, Bowenpally, Secunderabad-500015. Represented by her father Medepalli Subhakara Rao, S/o Brahmaiah, Aged 45 yrs., OccPrivate Employee R/o Flat No. 503, Fortune Green Grace Apartments, Swarnadhama Nagar, Bowenpally, Secunderabad-500015

...PETITIONER

AND

1. State of Telangana, Department of Health and Family Welfare, Secretariat, Hyderabad. Represented by its Secretary
2. Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana 506007. Represented by its Registrar.
3. The Director of Medical Education Telangana State, DM and HS Campus, Kutbi Guda Koti, Hyderabad, Telangana-500001.
4. The Director, Sainik Welfare Department, 2nd Floor, Sainik Aramghar Complex, Raj Bhavan Road Somajiguda, Hyderabad, Telangana 500001.
5. The Director, National Cadet Corps (NCC) Head Office at New Delhi.
6. The Director, National Cadet Corps (NCC) Telangana and Andhra Pradesh.

...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 Mandamus declaring the action of the 1st respondent in issuing GO.M.S No. 75 dated 04/07/2023, thereby unilaterally scrapping the 1 percent quota for NCC Cadets for admissions in MBBS and BDS Courses in the state of Telangana as arbitrary and illegal apart from being violative of Article 14, 21 of the Constitution

of India and consequently to quash part of the G.O.M.S No 75 dated 04/07/2023 pertaining to NCC candidates admissions into MBBS and BDS courses, issued by the respondent no 1 thereby restoring the one percent NCC quota for admission into MBBS and BDS courses.

IA 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 2nd Respondent to stay the admission process of MBBS and BDS courses in respect of NCC candidates/ students or in the alternative suspend the G.O.M.S No 75 dated 04/07/2023 thereby considering the petitioners candidature under NCC Quota pursuant to G.O.Ms 114 dated 05.07.2017 issued by the 1st respondent.

Counsel for the Petitioner : M/S INDUS LAW FIRM

Counsel for the Respondents No.1&3 : GP FOR MEDICAL HEALTH FW

**Counsel for the Respondent Nos.2 : SRI A.PRABHAKAR RAO,
SC FOR KNRUHS**

Counsel for the Respondent Nos.4to6 : --

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.24243 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 a writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent action in issuing G.O.Ms.No.75 dated 04.07.2023, thereby, unilaterally

scrapping the 1% quota for NCC Cadets for admissions in MBBS and BDS Courses in the state of Telangana as arbitrary and illegal apart from being violative of Articles 14 and 21 of the Constitution of India and consequently, to quash part of the G.O.Ms. No.75 dated 04.07.2023 pertaining to NCC candidates admissions into MBBS and BDS courses issued by the respondent no.1 thereby restoring the one percent NCC quota for admission into MBBS and BDS courses and to pass such other order or orders as are deemed 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.

//TRUE COPY//

SD/-A.V.S. PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, State of Telangana, Department of Health and Family Welfare, Secretariat, Hyderabad.
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana 506007.
3. The Director of Medical Education Telangana State, DM and HS Campus, Kutbi Guda Koti, Hyderabad, Telangana-500001.
4. The Director, Sainik Welfare Department, 2nd Floor, Sainik Aramghar Complex, Raj Bhavan Road Somajiguda, Hyderabad, Telangana 500001.
5. The Director, National Cadet Corps (NCC) Head Office at New Delhi.
6. The Director, National Cadet Corps (NCC) Telangana and Andhra Pradesh.
7. One CC to M/S INDUS LAW FIRM, Advocate. [OPUC]
8. Two CCs to GP FOR MEDICAL HEALTH FW, High Court for the State of Telangana. [OUT]
9. One CC to SRI A.PRABHAKAR, SC for Kaloji Narayan Rao University of Health Sciences, Warangal. [OPUC]
10. Two CD Copies.

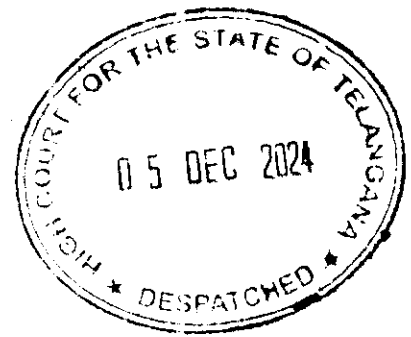
BSK

LS

K.P.

HIGH COURT

DATED:28/10/2024



ORDER

WP.No.24243 of 2023

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

13 Copies
[Signature]
13/11/24.