

[3418]

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

MONDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

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

WRIT PETITION NO: 27041 OF 2024

Between:

Komal Gajre, D/o. Narsing, aged about 19 years, Occ. Student, R/o. H.No.8-4-543/14/8, Shankerlal nagar, Erragadda, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Higher Education Department Dr. B.R. Amedekar, Secretariat building, Hyderabad T.S.
2. The Kaloji Narayana Rao University of Health Science, rep by its Vice Chancellor, Nizampura, Warangal.
3. The National Testing Agency, through its Chairperson, 1st Floor, NSICMDBP building, Okhla Industrial Estate, New Delhi.

...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 declaring the action of the respondents in not considering the petitioner representation dt.23.09.2024 and not consider to choose B and C Category by reopen the online portal/website is being illegal, arbitrary and violation of personal liberty and article 21 of Constitution of India and consequently direct the respondents to consider the petitioner representation dt.23.09.2024 and allow the petitioner to choose B and C Category by reopen the online portal/website.

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 respondents to consider the petitioner representation dt.23.09 2024 and allow the petitioner to choose "B" and "C" Category by reopen the online portal/website forthwith pending disposal of the main writ petition.

Counsel for the Petitioner: SRI VENKATARAMANAIK K

**Counsel for the Respondent No.1: MS. SUJATHA KURAPATI
GP FOR HIGHER EDUCATION**

**Counsel for the Respondent No.2: SRI G. RAVI LEARNED COUNSEL
REPRESENTING FOR SRI A. PRABHAKAR RAO, SC FOR THE KALOJI
NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES**

**Counsel for the Respondent No.3: 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.27041 of 2024

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

Mr. K.Venkataramanaiah, learned counsel for the petitioner.

Ms. Sujatha Kurapati, learned Government Pleader for Higher Education Department for the respondent No.1.

Mr. G.Ravi, learned counsel representing 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.2.

2. With the consent of the parties, the matter is heard finally.

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

"For the reasons stated in the accompanying affidavit, petitioner prays that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the

respondents in not considering the petitioner representation dt.23.09.2024 and not consider to choose "B" & "C" Category by reopen the online portal/website is being illegal, arbitrary and violation of personal liberty and Article 21 of Constitution of India and consequently direct the respondents to consider the petitioner representation dt.23.09.2024 and allow the petitioner to choose "B" & "C" Category by reopen the online portal/website and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

4. Learned counsel for the petitioner submitted that the petitioner had applied for admission into MBBS/BDS course under "A" category but inadvertently the petitioner could not register for admission into MBBS/BDS course under Management Quota "B" and "C" categories. Therefore, the University is not permitting the petitioner to seek admission under Management Quota for "B" and "C" categories. He further submitted that the petitioner be granted liberty to submit a representation to the University and the University be directed to decide the said representation in a time bound manner.

5. Learned counsel for the University submitted that the last date of registration was 23.08.2024 and thereafter, merit list has been prepared, which shall be published at

the time of indicating the web options. However, it is fairly submitted by him that in case the petitioner submits a representation, the same shall be dealt with by the University in accordance with law.

6. In view of the aforesaid submission and in the peculiar facts of the case, the Writ Petition is disposed of with liberty to the petitioner to submit a representation before the University with regard to her grievance. Needless to state that in case such a representation is made, the University shall decide the same within a period of two (2) days thereafter. 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/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Higher Education Department Dr. B.R. Amedekar, Secretariat building, The State of Telangana, Hyderabad T.S.
2. The Vice Chancellor, The Kaloji Narayana Rao University of Health Science, Nizampura, Warangal.
3. The National Testing Agency, through its Chairperson, 1st Floor, NSICMDBP building, Okhla Industrial Estate, New Delhi.
4. One CC to Sri Venkataramanaiah K, Advocate [OPUC]
5. One CC to Sri A. Prabhakar Rao, SC for Kaloji Narayana Rao University of Health Sciences[OPUC]
6. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India[OPUC]
7. Two CCs to GP for Higher Education, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

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