

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

**FRIDAY, THE EIGHTEENTH 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: 28974 OF 2024

Between:

Sarkar Lokesh Lakshmiprasanna, D/O sarkar Thulasilingachari Lokesh Aged about 19yrs occ. student R/o1793/3, Durganagar colony, Greampet, chittoor, Chittoor District, Andhrapradesh

...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

...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 any Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents, particularly the action Of the 2nd respondent university in not considering the petitioner's request for on-line registration for admission into MBBS/ BDS course under Management Quota even though she is fully eligible and entitled under Management Quota 'C' (NRI) for the Academic Year 2024-2025 in the next phase of counselling as illegal, arbitrary, unjust, contrary to Right to Education Act and in violation of Article 14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondents to consider and permit the petitioner to upload online application for admission into MBBS and BDS Courses under Management Quota 'C' (NRI) for

the Academic Year 2024-2025 in the next phase of counseling in the interest of justice.

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's request for online registration under Management Quota C NRI Category for the Academic Year 2024-2025 for admission into MBBS/BDS Course in next phase of counselling pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI P. RAVI KIRAN

**Counsel for the Respondent No.1: M/s. SWAPNA MADHURI,
AGP FOR MEDICAL HEALTH FW**

**Counsel for the Respondent No.2: SRI A. PRABHAKAR RAO, SC FOR KALOJI
NARAYANA RAO UNIVERSITY OF HEALTH AND 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.28974 of 2024

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

Mr. P.Ravi Kiran, learned counsel for the petitioner.

Ms. Swapna Madhuri, learned Assistant Government Pleader for Health, Medical & Family Welfare Department for respondent No.1.

Mr. A.Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences (hereinafter referred to as, 'the University') for 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, the petitioner herein prays that this Hon’ble Court may be pleased to issue any Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents, particularly the action of the 2nd respondent university in not considering the petitioner’s request for on-line registration for admission into MBBS/BDS course under Management Quota even though she is fully eligible and entitled under Management Quota ‘C’ (NRI) for the Academic Year 2024-2025 in the next phase of counselling as illegal, arbitrary, unjust, contrary to Right to Education Act and in violation of Article 14, 19(1)(g) and 21 of the Constitution of India and consequently direct the respondents to consider and permit the petitioner to upload online application for admission into MBBS and BDS Courses under Management Quota ‘C’ (NRI) for the Academic Year 2024-2025 in the next phase of counselling in the interest of justice and pass such other order or orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

4. Learned counsel for the petitioner submitted that inadvertently the petitioner could not register for admission under management quota “C” (NRI) category. Therefore, the University is not permitting the petitioner to

seek admission under Management Quota for "C" (NRI) category. 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 Standing 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 three

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(03) days thereafter. It is made clear that this Court has not expressed any opinion on the merits of the matter.

Miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

SD/-V. KAVITHA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The principal secretary Health , Medical and Family Welfare Department, Secretariat, The State of Telangana, Hyderabad
2. The Registrar, Kaloji Narayana Rao university of Health Sciences, Warangal
3. One CC to Sri P. Ravi Kiran, Advocate [OPUC]
4. One CC to Sri A. Prabhakar Rao, SC for Kaloji Narayana Rao University of Health and Sciences [OPOUC]
5. Two CCs to GP for Medical Health Family Welfare, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

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