

[3418]

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

THURSDAY ,THE TWENTY FOURTH 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: 29791 OF 2024

Between:

Nabeel Ahrar Ahmed, S/o. Ahrar Feroz Ahmed , Age 18 years, Occ Student,
R/o. 6-2-5, Kaleem Manzil, Lakdikapul, Hyderabad, Telangana-500004.

...PETITIONER

AND

1. The State of Telangana, represented by its Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad-500 055
2. Kaloji Nararayana 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 an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents particularly the 2nd respondent in not considering the petitioner request for exercising web options for admission into MBBS/BDS course under Management Quota B and C Category in next phase of counseling for the academic year 2024-25 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and permit the petitioner for exercising web options for admission into MBBS/BDS course under Management Quota "B " and "C" category for the academic year 2024-25 in next phase of counseling

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 2nd respondent to consider the petitioner request for exercising web options under Management Quota "B " and "C" Category for admission into MBBS/BDS course in the next phase of counseling for the academic year 2024-25, pending disposal of writ petition

Counsel for the Petitioner: SRI. L. RAM SINGH

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

Counsel for the Respondent No.2: SRI A. PRABHAKAR RAO, SC

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.29791 of 2024

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

Mr. L. Ram Singh, learned counsel for the petitioner.

Mr. T. Ramesh, learned Assistant Government Pleader for Health, Medical and 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') representing 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, it is prayed 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 particularly the 2nd respondent in not considering the petitioner request for exercising web options for admission into MBBS/BDS course under Management Quota “B” & “C” category in next phase of counselling for the academic year 2024-25 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and permit the petitioner for exercising web options for admission into MBBS/BDS course under Management Quota “B” & “C” category for the academic year 2024-25 in next phase of counselling 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 even though the petitioner had applied for admission

against management quota seats in B-category, he could not upload for C/NRI category. Therefore, the petitioner approached respondent No.2 to consider the request of the petitioner under C-category, but respondent No.2 is not considering the request of the petitioner to seek admission against Management Quota C/NRI category seats. 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.

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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 his grievance. Needless to state that in case such a representation is made, the University shall decide the same within a period of three (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/- B.CHANDRA PRAKASH
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, TS., Hyderabad-500 055
2. The Registrar, Kaloji Nararayana Rao University of Health Sciences, Warangal
3. One CC to SRI. L. RAM SINGH, Advocate [OPUC]
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. A. PRABHAKAR RAO, SC [OPUC]
6. Two CD Copies

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B M
PSK



CC TODAY

HIGH COURT

DATED:24/10/2024

ORDER

WP.No.29791 of 2024



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24/10/24