

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

**THURSDAY, THE SEVENTEENTH 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: 27692 OF 2017

Between:

Dr. D.Gopal Rao, S/o Late D.Rama Rao, Aged 51 years, Occ P.G. in M.Ch.Genito Urinary Surgery, Mamata Medical College, Khammam, R/o H.No.105, Cheruvu Bazar, Abdul Kalam Nagar-4, Khammam, Telangana.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Health, Medical and Family Welfare (AI) Department Secretariat, Hyderabad.
2. The Director of Medical Education, Telangana, Hyderabad.
3. Medical Council of India, rep. by its Secretary, Pocket-14, Sector-8, Dwaraka, New Delhi-110 077.
4. Kaloji Narayan Rao University of Health Sciences, rep. by its Registrar, K.M.C.Campus, Warangal.
5. Mamata Medical College, (under the Management of Mamata Educational Society) Rep. by its Principal, Rotary Nagar, Khammam 507 002, Telangana.

...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 appropriate writ, order or direction, more particularly, one in the nature of Writ of Mandamus by declaring the action of the 3rd Respondent in not taking proper steps on my complaint dated 8-4-2017 through speed post and also e-mail complaint dated 17-4-2017 by conducting surprise inspection and properly monitoring the visit of faculty of 5th Respondent College to maintain the standards as being illegal, arbitrary and unsustainable in law consequently, direct the 3rd and 4th Respondents to consider migration / transfer of the petitioner from the 5th Respondent College to any of the Medical Colleges within the 4th Respondent University in State of Telangana where Super Specialty in

M.Ch. Genito Urinary Surgery course with adequate clinical material and proper teaching faculty are available or in the alternative, repatriate the petitioner to the parent department by relieving the petitioner from the 5th Respondent College without insisting for the payment of Bond amount forthwith

I.A. NO: 1 OF 2017(WPMP. NO: 34391 OF 2017)

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 3rd and 4th Respondents to consider migration / transfer of the petitioner from the 5th Respondent College to any of the Medical Colleges within the 4th Respondent University in the Telangana State where Super Specialty in M.Ch. Genito Urinary Surgery course with adequate clinical material and proper teaching faculty is available forthwith

Counsel for the Petitioner: SRI. K. V. SIMHADRI

**Counsel for the Respondent Nos. 1&2: GP FOR MEDICAL HEALTH &
FAMILY WELFARE**

Counsel for the Respondent No.3: Ms. GORANTLA SRI RANGA PUJITHA, SC

Counsel for the Respondent No.4: SRI A. PRABHAKAR RAO, SC

**Counsel for the Respondent No.5: Ms. K. KALPANA REP
SRI K.K. MAHENDER REDDY**

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.27692 of 2017

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

None for the petitioner.

Ms. Gorantla Sri Ranga Pujitha, learned Standing Counsel for Medical Council of India appears for respondent No.3.

Mr. A.Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences appears for respondent No.4 (for short 'the University').

Ms. K.Kalpana, learned counsel represents Mr. K.K.Mahender Reddy, learned counsel for respondent No.5.

2. 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 court may be pleased to issue appropriate writ, order or direction, more particularly, one in the nature of

Writ of Mandamus by declaring the action of the 3rd respondent in not taking proper steps on my complaint dated 8-4-2017 through speed post and also e-mail complaint dated 17-4-2017 by conducting surprise inspection and properly monitoring the visit of faculty of 5th respondent-College to maintain the standards as being illegal, arbitrary and unsustainable in law; consequently, direct the 3rd and 4th respondents to consider migration/transfer of the petitioner from the 5th respondent-College to any of the Medical Colleges within the 4th respondent-University in State of Telangana where Super Specialty in M.Ch.Genito Urinary Surgery course with adequate clinical material and proper teaching faculty are available; or in the alternative, repatriate the petitioner to the parent department by relieving the petitioner from the 5th respondent-College without insisting for the payment of Bond amount forthwith and pass such other order or orders as this Court deems fit and proper in the interest of justice.”

3. The grievance of the petitioner relates to inaction on the part of the Medical Council of India in not taking action on the complaint submitted by him on 08.04.2017 and e-mail

dated 17.04.2017 with regard to his transfer from respondent No.5- college to any other medical college under respondent No.4- University.

4. The grievance pertains to the academic year 2017-18. No interim order was passed in the writ petition. The issue involved in the Writ Petition has been rendered academic on account of efflux of time. Therefore, no relief can be granted to the petitioner at this point of time.

5. The Writ Petition is, therefore, dismissed. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

SD/- P. CH. NAGABHUSHAMBA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. One CC to SRI. K. V. SIMHADRI, Advocate [OPUC]
2. One CC to Ms. GORANTLA SRI RANGA PUJITHA, SC [OPUC]
3. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. A. PRABHAKAR RAO, SC [OPUC]
5. One CC to SRI. K. K. MAHENDER REDDY, Advocate [OPUC]
6. Two CD Copies

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HIGH COURT

DATED:17/10/2024



ORDER

WP.No.27692 of 2017

DISMISSING THE WRIT PETITION WITHOUT COSTS

⑨ Copies

S.M.
25/10/24