

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE TENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 9646 OF 2023

Between:

M/s.Suma Educational and Rural Development Society, R/o. H.No. 5/657, Osman Sahebpeta, Nellore - 524002, Andhra Pradesh, Rep. by its Secretary-cum-Correspondent, D. Venkateswara Rao, S/o. D. Ramachandra Rao, Aged about 53 years.

...PETITIONER

AND

1. Union of India, Ministry of Health & Family Welfare, Rep. by its Secretary, NirmanBhavan, MoulanaAbulKalam Azad Road, New Delhi - 110011.
2. Dental Council of India, Rep. by its Secretary, Aiwan-E-Galib Marg, Kotla Road, New Delhi - 110002.

...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 of Mandamus or any other appropriate Writ, Order or Orders, Direction or Directions to declare the action of the 1strespondent dated 12.04.2023 in disapproving the application of the petitioner for establishment of new Dental College in the name of Dheera Institute of Dental Sciences and Hospital, Nellore, Andhra Pradesh on the ground that the land possessed by the petitioner was not taken on lease from Govt. or its authorities but was taken from private individual, though such a thing was not applied to the other existing Dental Colleges in the State of Andhra Pradesh, as arbitrary, illegal and unsustainable and to set aside the same and to issue a consequential direction to the respondents to grant approval to the petitioner for the academic year 2023-24 to start a Dental College without insisting for possessing land taken on lease from Govt. or its Authorities;

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 respondents to consider the application filed by the petitioner seeking permission for starting a Dental College in the name of Dheera Institute of Dental Sciences and Hospital at Paddapadugupadu, Kovur Mandal, S.P.S.R. Nellore District, Andhra Pradesh, for the academic year 2023-2024 without insisting for the land to be obtained on lease only from Govt. or its authorities, pending disposal of WP 9646 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and affidavit filed herein and the earlier order of the High Court dated 19.04.2023 & 26.06.2023 made herein and upon hearing the arguments of Smt. Popuri Lakshmi Priyanvita, Advocate for the Petitioner, Sri.Jupudi V.K.Yagnadutt, Standing Counsel for respondent No.1 and Sri. B. Srinivasarao, Standing Counsel for respondent No.2, the Court made the following

ORDER:

“Sri Vikas Chawda, learned secretary to Dental Council of India, appeared before this Court and rendered his unconditional apology for the inconvenience caused to this Court and undertook that he shall be taken due care in sending instructions.

He submitted that he addressed a letter to the Registry informing that Sri B.Srinivasa Rao, learned counsel, is appearing as standing counsel to Dental Council of India.

Taking his submissions into consideration, his appearance is dispensed with.

Post on 17.07.2023.

In the meantime, counters, if any.”

//TRUE COPY//

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

For :

To

1. The Secretary, Union of India, Ministry of Health and Family Welfare, NirmanBhavan, Moulana Abul Kalam Azad Road, New Delhi - 110011.
2. The Secretary, Dental Council of India, Aiwan-E-Galib Marg, Kotla Road, New Delhi - 110002.(Addressees Nos.1&2 by RPAD)
3. One CC to SRI. POPURI LAKSHMI PRIYANVITA Advocate [OPUC]
4. One CC to Sri. N. Harinath, Deputy Solicitor General [OPUC]
5. One CC to Sri. B. Srinivasarao, Standing Counsel [OPUC]
6. One spare copy

SRL

HIGH COURT

RCJ

DATED:10.07.2023

NOTE: POST ON 17.07.2023

ORDER

WP.No.9646 of 2023

DIRECTION

