

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

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HON'BLE SRI JUSTICE UJJAL BHUYAN
AND
THE HON'BLE SRI JUSTICE A. VENKATESHWARA REDDY**

WRIT PETITION NO: 10595 OF 2022

Between:

Bandari Mansi, D/o. Bandari Surender, Aged 18 years, Occ Student,
Represented by her Father, Bandari Surender S/o. Bandari Balakistaiah, aged
about 42 years, Occ. Business, R/o. H.No. 1-12/3, Gundlapochampally,
Ranga Reddy District, Telangana State.

...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.
3. Convener, MBBS/BDS 2021-22, C/o Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana - 506007

...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 Respondent No.2 in not allowing the Petitioner to upload application for counseling for admission into MBBS/BDS course under Management Quota (B - Category, C - Category/NRI), for the Academic Year 2021-22 in the colleges affiliated to 2nd respondent university as being arbitrary, illegal, violative of Article 14, 21A of the Constitution of India and consequently direct the Respondent No.2 to allow the Petitioner to upload the application for counseling for admission into MBBS/BDS course under Management Quota (B- Category, C-Category/NRI) in stray vacancy seats in the colleges affiliated to 2nd respondent university for the academic year 2021-22

IA NO: 1 OF 2022

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 Respondent No.2 to allow the petitioner to upload application in the online for counseling for admission into MBBS/BDS course under Management Quota ('B'—Category, 'C'—Category/NRI) in stray vacancy seats in the colleges affiliated to 2nd respondent university for the academic year 2021-22, during pendency of writ petition.

Counsel for the Petitioner: SRI RAJAGOPALLAVAN TAYI

**Counsel for Respondent No. 1: Ms. KANYA KUMARI, AGP FOR
GP FOR MEDICAL HEALTH & FAMILY WELFARE**

**Counsel for Respondent Nos. 2 & 3: SRI A. PRABHAKAR RAO,
SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE UJJAL BHUYAN
AND
THE HON'BLE SRI JUSTICE A.VENKATESHWARA REDDY

W.P.NO.10595 OF 2022

O R D E R (Per the Hon'ble Sri Justice Ujjal Bhuyan)

Heard Mr.Rajagopallavan Tayi, learned counsel for the petitioner;
Ms. Kanya Kumari, learned Assistant Government Pleader for Medical and
Health and Family Welfare Department appearing for the 1st respondent
and; Sri A.Prabhakar Rao, learned Standing Counsel appearing for
respondents 2 and 3.

2. Petitioner is aggrieved by action of the 2nd respondent – Kaloji
Narayan Rao University in not considering her case for admission /
counseling for the MBBS / BDS course under the Management Quota ('B'-
Category, 'C' Category / NRI), for the academic year 2021-22.

3. It is stated that petitioner appeared for NEET examination for
admission into the first year MBBS course for the academic year 2021-22.
She secured 366372 All India Ranking, and under the category of 'OBC'
(NCL), secured 157574 rank.

4. It is contended that petitioner is contemplating to apply under
the Management Quota being 'B' Category and 'C' Category/NRI.

5. 2nd respondent issued notification dated 05.02.2022 inviting
online applications for admission into such Management Quota seats,

fixing last date on 13.02.2022. Because of technical deficiency, petitioner could not apply online.

6. It is stated that respondent No.2 is planning to conduct second round of counseling for Management Quota seats i.e., 'B' Category and 'C' Category / NRI, in the near future. If petitioner is not allowed to participate in this round of counseling, she will suffer grave loss and irreparable injury. Aggrieved, the present writ petition has been filed seeking a direction to respondent No.2 to consider the case of the petitioner for counseling and for admission into the first year MBBS / BDS course under Management Quota i.e., 'B' Category and 'C' Category / NRI in the vacant seats in the colleges affiliated to 2nd respondent for the academic year 2021-22.

7. Learned counsel for the petitioner submits that on an identical grievance raised in W.P.No.9617 of 2022, a co-ordinate bench of this court has allowed the similar prayer and, therefore, prays for an identical order.

8. Learned counsel for the respondents have no objection to the prayer made.

9. W.P.No.9617 of 2022 was disposed of on 22.02.2022 in the following manner:

"Having regard to the facts and circumstances of the case and the submissions of the learned counsel, the writ petition is disposed of permitting the petitioner to approach the 2nd respondent and submit her application along with original certificates by paying Rs.6,300/- towards registration charges

and Rs.7,500/- towards service provider charges within three days from today.

On receipt of such application, the 2nd respondent shall consider the petitioner under Management Quota - C category for admission into MBBS/BDS course for the academic year 2021-22, in accordance with law and take necessary action thereon. No order as to costs."

10. In view of the above, petitioner is permitted to approach the 2nd respondent and submit her application along with original certificates by paying Rs.6,300.00 (Rupees six thousand three hundred only) towards registration charges, and Rs.7,500.00 (Rupees seven thousand five hundred only) towards service provider charges within three days from today.

11. On receipt of such application, respondent No.2 shall consider case of the petitioner under Management Quota - 'B' Category and 'C' Category / NRI for admission to MBBS / BDS course for the academic year 2021-22 in accordance with law.

12. Writ petition is accordingly disposed of.

13. Interlocutory applications pending, if any, shall stand closed.

No order as to costs.

Sd/- A.V.S.S.C.S.M. SHARMA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Health, Medical and Family Welfare Department, State of Telangana Secretariat, Hyderabad.
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal.
3. The Convener, MBBS/BDS 2021-22, C/o Kaloji Narayana Rao University of Health Sciences, Nizampura, Warangal, Telangana - 506007
4. One CC to Sri Rajagopallavan Tayi Advocate [OPUC]
5. Two CCs to GP For Medical, Health & Family Welfare, High Court for the State of Telangana. [OUT]
6. One CC to Sri A. Prabhakar Rao, SC for Kaloji Narayana Rao University of Health Sciences (OPUC)
7. Two CD Copies
8. One Spare Copy

MBC

HIGH COURT

DATED: 28/02/2022



ORDER

WP.No.10595 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

10
A handwritten signature, possibly "K. N. A.", is written over the date "28/2/2022".