

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

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY
AND
THE HON'BLE SMT. JUSTICE M. G. PRIYADARSINI**

WRIT PETITION NO: 21750 OF 2022

Between:

1. Madeeha Parvez, D/o, Mohd Kaleem Ullah, Aged about 20 years, Occ. Student, R/o, 21-4-913, Gulab Singh Bowli, Petla Burj, Hyderabad-500064.
2. Atufa Rahman, D/o, Fazlur Rahman Khurram, Age 19 years, Occ. Student, R/o, 22-7-270/17, Diwan Dewdi, Charminar, Hyderabad-500002.

...PETITIONERS

AND

1. The State of Telangana, Represented by its Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad
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 a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondent No. 2 in not considering the Petitioners for Next round of Counseling/Stray Vacancy for admission into MBBS/BDS Degree/ Diploma courses for the academic year 2021-22 under B and C/NRI Category Management Quota, as illegal, arbitrary, unconstitutional and consequently direct the Respondent No. 2 to allow the petitioners to upload application for Registration for Next round of Counseling/ Stray Vacancy for admission into MBBS/BDS Degree / Diploma courses under B and C/NRI Category Management Quota, 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 consider and allow the petitioners to upload application in the online for Next round of Counseling/ Stray Vacancy for admission into

MBBS/BDS Degree/ Diploma courses under B and C/NRI Category Management Quota, the academic year 2021-22, pending disposal of the main Writ Petition

Counsel for the Petitioner: SRI ABDUL KABEER

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

**Counsel for Respondent No. 2: SRI A. PRABHAKAR RAO,
SC FOR KALOJI NARAYANA INSTITUTE OF MEDICAL SCIENCES**

The Court made the following: ORDER

**THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
AND
THE HON'BLE SMT JUSTICE M.G.PRIYADARSINI**

WRIT PETITION No.21750 of 2022

ORDER:

Learned counsel for the petitioners has straight away drawn the attention of this Court towards the order, dated 17.03.2022 passed by a Division Bench of this Court in W.P.No.13857 of 2022 in similar circumstances. He has also stated that the aforesaid writ petition was disposed of keeping in view the earlier order passed by this Court in W.P.No.8410 of 2022 dated 15.02.2022. The order passed by the Division Bench of this Court in W.P.No.13857 of 2022 is reproduced as under:

“This writ petition is filed for the following relief:

To issue a writ, order or direction, particularly one in the nature of a Writ of Mandamus declaring the action of the respondents in not considering and permitting the petitioner into the counselling for category 'B' and 'C' seats for the MBBS course for the academic year 2021-2022 as illegal, arbitrary, unconstitutional and consequently direct the respondents to include the petitioner name in the counselling for the MBBS course for the academic year 2021-2022 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

2. Learned counsel for the petitioner submits that the *lis* in the present writ petition is squarely covered by the order passed by this Court in W.P.No.8410 of 2022 dt.15.02.2022 and hence, similar order may be passed.

3. Sri A.Prabhakar Rao, learned Standing Counsel for 2nd respondent does not dispute the same, and seeks to dispose of the writ petition.
 4. Heard learned Government Pleader for Medical and Health and Family Welfare for the 1st respondent.
 5. 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/- (Rupees Six Thousand Three Hundred only) towards registration charges and Rs.7,500/- (Rupees Seven thousand Five Hundred only) towards service provider charges, within three days from today.
 6. On receipt of such representation, respondent No.2 shall consider the case of the petitioner under Management Quota-B and C Category for admission into MBBS course for the academic year 2021-2022, in accordance with law and take necessary action thereon. No order as to costs.
- Interlocutory applications pending, if any, shall stand closed."

2. In order to maintain parity, as the present case is also identical, the writ petition stands disposed of permitting the petitioners to approach the 2nd respondent and submit their applications along with original certificates by paying Rs.6,300/- (Rupees Six thousand three hundred only) towards registration charges and Rs.7,500/- (Rupees Seven thousand five hundred only) towards service provider charges, within three days from today. On receipt of such representation, respondent No.2 shall consider the case of petitioners under B and C/NRI category Management Quota for admission into

MBBS/BDS Degree/Diploma Courses for the academic year 2021-2022, in the next round of counselling/stray vacancies, in accordance with law, and take necessary action thereon.

3. Learned Standing Counsel is present in Court and undertakes to inform the order passed by this Court to the respondents.

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

**SD/-T.TIRUMALA DEVI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Family Welfare Department, State of Telangana Secretariat Buildings, Hyderabad
2. The Registrar, Kaloji Nararayana Rao University of Health Sciences, Warangal.
3. One CC to Sri Abdul Kabeer Advocate [OPUC]
4. Two CCs to GP For Medical, Health & Family Welfare, High Court for the State of Telangana. [OUT]
5. One CC to Sri A. Prabhakar Rao, SC for Kaloji Narayana Rao University of Health Sciences (OPUC)
6. Two CD Copies
7. One Spare Copy

MBC



HIGH COURT

DATED: 26/04/2022



ORDER

WP.No.21750 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

26/4/2022