

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

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HON'BLE SRI JUSTICE UJJAL BHUYAN
AND
THE HON'BLE MRS JUSTICE SUREPALLI NANDA**

WRIT PETITION NO: 23270 OF 2022

Between:

Ranganayaki Durai, D/o. C Durai Aged about 25 years, Occ. Student, R/o. AH
-128, 7th Main Road, 4th Street, Shanthi Colony, Anna Nagar, Chennai, Tamil
Nadu.

...PETITIONER

AND

1. State of Telangana, rep by its Principal Secretary, Department of Health and Medical and Family Welfare, . Secretariat, Hyderabad.
2. Kaloji Narayana 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 any appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the Respondents, particularly Respondent No.2, in not considering the petitioner for registration / counseling and admission into PG Medical Courses under Management Quota MQ1 and MQ2 for the academic year 2021-22 for the next round of mopup counseling / stray vacancies as illegal, arbitrary, unconstitutional and consequently direct the Respondents to consider the application of the Petitioner for registration, counseling, admission into the PG Medical Courses under Management Quota MQ1 and MQ2 for the academic year 2021-22 for next round counseling / stray vacancies

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 2nd Respondent to consider the application of the petitioner under

Management Quota MQ1 and MQ 2 for registration, counseling and admission into the PG Medical Courses for the academic year 2021-22, for next round counseling / stray vacancies pending disposal of the above writ petition

Counsel for the Petitioner: SRI M. DURGA PRASAD

**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

HONOURABLE SRI JUSTICE UJJAL BHUYAN

AND

HONOURABLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.23270 of 2022

ORDER: *(Per the Hon'ble the Justice Ujjal Bhuyan)*

Learned counsel for the petitioner, at the outset, has drawn the attention of this Court towards the order dated 28.03.2022 passed in W.P.No.15912 of 2022. His contention is that in similar circumstances, this Court has permitted a student for registration under the NRI quota.

The order passed by this Court in W.P.No.15912 of 2022 is reproduced as under:-

* "Assailing the action of 2nd respondent – Kaloji Narayana Rao University of Health Sciences, Warangal represented by its Registrar, in not considering the case of the petitioner for counseling, and for admission into Post Graduate Medical Degree Courses for the academic year 2021-22 under Management Quota MQ2 and MQ3, the present writ petition is filed.

Learned counsel for the petitioner submits that the lis in the present writ petition is squarely covered by the order in W.P.No.10919 of 2022 dated 03.03.2022, which was passed relying on similar orders passed by this court.

Sri A.Prabhakar Rao, learned Standing Counsel appearing for 2nd respondent – University does not dispute the same, but submits that 2nd respondent – University is in the process of issuing notification at any time before 31.03.2022, and if the petitioner is able to register before the issuance of notification, the case of the petitioner will be considered in accordance with law.

Heard Learned Government Pleader for Medical and Health, and Family Welfare for the 1st respondent.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel, and the order of this court, which is referred to above, the present writ petition is disposed of as under:

“The petitioner is permitted to approach the 2nd respondent and submit her application along with original certificates by paying Rs.5,000/- (Rupees five thousand only) towards registration charges and Rs.7,500/- (Rupees seven thousand five hundred only) towards service provider charges immediately or within two days.

If the petitioner's application is registered before issuance of notification, the 2nd respondent shall consider the case of the petitioner under the Management Quota – MQ2 and MQ3, as the case may be, for admission into Post Graduate Medical Degree courses for the academic year 2021-22 in the

upcoming / mop-up counseling in accordance with law, and take necessary action thereon."

Interlocutory applications pending, if any, shall stand closed. No order as to costs."

2. In the light of the aforesaid, the present writ petition is also disposed of.

3. The order dated 28.03.2022 passed in W.P.No.15912 of 2022 shall be applicable *mutatis mutandis* in the present case also, however, subject to the rules and regulations and the statutory provisions governing the field.

4. The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

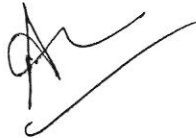
Sd/- K. ONESIM
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, Department of Health and Medical and Family Welfare, State of Telangana Secretariat, Hyderabad.
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal
3. One CC to Sri M Durga Prasad 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

UB,J
&
SN,J

DATED: 29/04/2022



ORDER

WP.No.23270 of 2022

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

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HMA
04/5/2022