

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

**THURSDAY ,THE TWELFTH DAY OF MAY
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE SRI JUSTICE T.VINOD KUMAR
AND
THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR**

WRIT PETITION NO: 23569 OF 2022

Between:

Boini Shivani, S/o Boini Mahesh, Aged about 19 years, Occ: Student,
R/o. H.No.6-3, Saddupally, Tharamathi Pet, Hayathnagar, Ranga Reddy
Dist- 501 505

...PETITIONER

AND

1. State of Telangana, Rep by its Principal Secretary, Department of Health and Medical and Family Welfare, Secretariat, Hyderabad.
2. KNR University Health Sciences Warangal, Rep by its Registrar

...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, one more particularly in the nature of writ of Mandamus, declaring the action of the Respondents, particularly Respondent No.2, in not considering the petitioner for counseling and admission into BDS Course under Management (B) Category and NRI (C) Category for the academic year 2021-22 as illegal, arbitrary, unconstitutional and consequently direct the Respondents to consider and include the petitioner name for the next round of counseling/stray vacancies for admission into the BDS Course Management (B) Category and NRI (C) Category for the academic year 2021-22 in next round of 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 issue interim directions directing the 2nd Respondent to consider the petitioner and allow to participate in the counseling under Management (B) Category and NRI (C) Category for admission into the BDS Course for the academic year 2021-22 in next round of counseling/stray vacancies pending disposal of the above writ petition.

Counsel for the Petitioner : SRI. SRINIVASA RAO PACHWA

Counsel for the Respondent No.1 : GP FOR MEDICAL HEALTH FAMILY WELFARE

Counsel for the Respondent No.2 : SRI A PRABHAKAR RAO, SC FOR KNR UNIVERSITY HEALTH SCIENCES

The Court made the following : ORDER

**THE HON'BLE SRI JUSTICE T. VINOD KUMAR
AND
THE HON'BLE SRI JUSTICE N.V.SHRAVAN KUMAR**

Writ Petition No. 23569 of 2022

ORDER: *(per Hon'ble Sri Justice T.Vinod Kumar)*

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 admission into MBBS / BDS course under Management Quota – B and C categories for the academic year 2021-22 in the next round of counseling/stray vacancies, the present writ petition is filed.

2. Sri A.Prabhakar Rao, learned Standing Counsel for the 2nd respondent – University submits that notification has already been issued for admission into Management Quota, and since the petitioner has not registered, his/her case cannot be considered.

3. Learned counsel for the petitioner submits that petitioner's case can be considered in counseling for filling up of stray vacancies under Management Quota – B and C categories.

4. The learned Standing Counsel for the 2nd respondent – University could not dispute the above submission of the learned counsel for the petitioner.

5. Having regard to the facts and circumstances of the case and the submissions of the learned counsel, without expressing any opinion on merits, writ petition is disposed of granting liberty to the petitioner to approach the 2nd respondent and submit her/his application along with original certifications by paying requisite registration and service provider charges by 15.05.2022. On receipt of such application, the 2nd respondent shall consider the case of the petitioner under Management Quota - B and C / NRI for admission into MBBS / BDS course for the academic year 2021-22 in the counseling for filling up of stray vacancies.

6. The writ petition is disposed of accordingly. No order as to costs.

7. Consequently, miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- K.AMMAJI
ASSISTANT REGISTRAR

Go

SECTION OFFICER

To,

1. The Principal Secretary, Department of Health and Medical and Family Welfare, Secretariat, State of Telangana, Hyderabad.
2. The Registrar, KNR University Health Sciences Warangal.
3. One CC to SRI. SRINIVASA RAO PACHWA, Advocate. [OPUC]
4. One CC to SRI A PRABHAKAR RAO, SC FOR KNR UNIVERSITY HEALTH SCIENCES, Advocate.[OPUC]
5. Two CCs to GP FOR MEDICAL HEALTH FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
6. Two CD Copies
7. One Spare Copy

SB



HIGH COURT

DATED:12/05/2022

ORDER

WP.No.23569 of 2022



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

(9)

MBL
12/05