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

MONDAY ,THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 3250 OF 2025

Between:

Bachu Sravya Sai, D/o.Bachu Muni Subba Reddy, Aged 24 years, Occ Doctor, R/o. H.No. 2/528. Sastri Nagar, Y M R Colony Near Rajarajeshwari Temple) V T C Produtoor P O Produtoor, YSR District, Andhra Pradesh 516360

...PETITIONER

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, Warangal District, Telangana

...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 directions, orders, more so, a Writ, in the nature of Mandamus, by declaring the inaction of the respondents, more particularly the 2nd respondent herein not providing sufficient time to me and other students for arrangement of a bank guarantee and creating a hindrance to seek admission to Post Graduate Medical Degree/Diploma course as arbitrary, illegal and unconstitutional and consequently direct the respondents to allow me to exercise web options to secure a seat to purse Post Graduate Medical Degree / Diploma course UNDER MANAGEMENT QUOTA MQ-2 i.e., NRI Category for which I am already eligible in the present intake or current phase of counseling or next phase of counseling which ever is earliest

IA NO: 1 OF 2025

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 permit me to exercise web options to secure a seat in order to purse Post Graduate Medical Degree / Diploma course UNDER MANAGEMENT QUOTA MQ-2 i.e., NRI Category for which I am already eligible in the present intake or current phase of counseling or next phase of counseling which ever is earliest for securing a provisional allotment of seat in any college for the academic year 2024-2025, during the pendency of the above writ petition

Counsel for the Petitioner: SRI. D. S. KISHEN

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

Counsel for the Respondent No.2: SRI T. SHARATH, SC FOR KNRUH

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT PETITION No.3250 OF 2025

ORDER: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri D.S.Kishen, learned counsel appearing for the petitioner and Sri T. Sharath, learned Standing Counsel appearing for Kaloji Narayana Rao University of Health Sciences, for respondent No.2.

2. The petitioner has prayed the following relief in this petition:

> ".....to issue directions, orders, more so, a Writ, in the nature of Mandamus, by declaring the inaction of the respondents, more particularly the 2nd respondent herein not providing sufficient time to me and other students for arrangement of a bank guarantee and creating a hindrance to seek admission to Post Graduate Medical Degree/Diploma course as arbitrary, illegal and unconstitutional and consequently direct the respondents to allow me to exercise web options to secure a seat to pursue Post Graduate Medical Degree/Diploma course UNDER MANAGEMENT QUOTA MQ-2 i.e., NRI Category for which I am already eligible in the present intake or current phase of counselling or next phase of counselling which ever is earliest and may pass such other order or orders as this Hon'ble Court may be pleased to deem fit and proper in the interest of justice and equity."

3. Learned counsel for the petitioner submits that earlier the Government issued G.O.Ms.No.107, Health, Medical and Family Welfare (C1) Department, dated 22.08.2022, which is pregnant with the following clause:

> "6.f: Candidates shall be permitted to submit bank guarantee for tuition fee of ensuing academic year within one month after closure of admissions."

4. Learned counsel further submits that now the Government has not issued any G.O. and therefore, the students including the petitioner is facing difficulty in making arrangement of furnishing bank guarantee with quite promptitude.

5. Learned Standing Counsel for respondent-University submits that the College has not been impleaded as party. As per the procedure prevailing, the petitioner has to pay the University fee to the University and then only, she will be able to upload the letter of allotment and for requisite fee and bank guarantee, she has to approach the concerned college.

6. There is no pleading or material on record to show that the petitioner has paid the University fee.

7. No other point is pressed.

8. A plain reading of G.O.Ms.No.107, dated 22.08.2022 shows that in fact, this is a statutory notification whereby the Telangana State Private Medical/Dental Unaided Non-Minority Institutions (Admissions into Post Graduate Medical/Dental Courses) Rules, 2017 have been amended. Despite repeated query from the Bench, learned counsel for the petitioner could not substantiate that the G.O.Ms.No.107, dated 22.08.2022 was having any expiry

date. Being amendment to statutory provision, it will remain in force, unless it is repealed, rescinded or amended or nullified in accordance with law. Clause 6.f. of the Rules, 2017 extracted above shows that the candidates have one month's time to furnish bank guarantee after closure of admissions. Thus, no directions are required to be issued, because G.O.Ms.No.107, dated 22.08.2022, takes care of the time for furnishing the bank guarantee.

9. Accordingly, the Writ Petition is **disposed of**. No costs.

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

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad
2. The Registrar, Kaloji Nararayana Rao University of Health Sciences, Warangal, Warangal District, Telangana
3. One CC to SRI. D. S. KISHEN, Advocate [OPUC]
4. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY HEALTH WELFARE,High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

B M
BS

HIGH COURT

DATED:10/02/2025



ORDER

WP.No.3250 of 2025

DISPOSING OF THE WRIT PETITION WITHOUT COSTS

9
S. B
26/3/25