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

WEDNESDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION No. 28109 OF 2025

Between:

Mohammed Masiuddin, S/o. Mohammed Vasiuddin, Aged about 18 years, Occ: Student, R/o.H.No.5-38, Shankerpally village & mandal, Ranga Reddy Dist., Telangana.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Medical Health and Family Welfare Department, Telangana Secretariat, Hyderabad
2. The Kaloji Narayana Rao University of Health Sciences, Rep. by its Registrar, Warangal Telangana State.
3. The Director Of Medical Education, Govt. of Telangana, King Koti, Hyderabad.
4. Nizams Institute of Medical Science, Rep. by its Director, Hyderabad, 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 a writ, order or direction more particularly one in the nature of a Writ of Mandamus, declaring the action of Respondent No.2 to 3 in declaring the petitioner as not eligible under PWD Category for admission into MBBS Course for the year AY 2025-26, In spite of being declared as eligible under PWD Category by the medical board, AIIMS Nagpur, which is illegal, arbitrary and an abuse of authority and process of law and also in violation of the Constitution of

India and consequently to direct the respondent no.2 to consider the petitioner under PWD Category for admission into MBBS Course for the year AY 2025-26.

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 Respondents to consider the Representation dt.15.09.2025 submitted by the petitioner, forthwith pending disposal of the above writ petition.

Counsel for the Petitioner: SRI MOHD. BASEER RIYAZ, REPRESENTING SRI MOHD BILAL

Counsel for the Respondent No.1 & 3: Ms. K. SWAPNA MADHURI, AGP FOR HEALTH, MEDICAL AND FAMILY WELFARE

Counsel for the Respondent No.2: SRI T. SHARATH, S.C. FOR K.N.R.U.H.S

Counsel for the Respondent No.4: SRI K. PRABHAKAR REDDY, S.C. FOR NIMS

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No.28109 of 2025

ORDER:

Heard Mr. Mohd. Baseer Riyaz, learned counsel representing Mr. Mohd. Bilal, learned counsel for the petitioner, Ms. K.Swapna Madhuri, learned Assistant Government Pleader for Health, Medical and Family Welfare Department for respondent Nos.1 and 3 and Mr. T.Sharath, learned Standing Counsel for the Kaloji Narayana Rao University of Health Sciences (hereinafter referred to as 'the University') for respondent No.2.

2. Petitioner has been declared ineligible under the State Quota upon assessment by the Medical Board of the University conducted on 12.08.2025 for the purposes of admission into MBBS/BDS Courses for the academic year 2025-26. The notice to PWD candidates issued by the respondent University dated 23.07.2025 required the PWD candidates to submit the documents at the time of physical assessment before the Medical Board constituted by the University in terms of the circular dated 19.07.2025 issued by the National Medical Commission, New Delhi and the notice dated 21.07.2025 along with Interim

Guidelines on assessment method for granting admission into MBBS/BDS Courses to PWD candidates for the academic year 2025-26. Petitioner had earlier been assessed with 66% disability as per certificate issued by the Government of Andhra Pradesh on 27.12.2013 i.e., about 11 ½ years before he was again assessed at the time of admission to the respondent University. The petitioner has also qualified for counselling under the Central quota of 15% wherein also, such medical examination was undertaken on 09.09.2025 for the purposes of assessing his medical disability. The Medical Board of AIIMS, Nagpur assessed him as suffering from 41% Locomotor Disability (Page 39). Petitioner contends that for admission to the MBBS/BDS Courses in the same academic year, there should not be a divergence in assessment of his medical disability in such close proximity, one by the Medical Board of the respondent University and the other by the AIIMS, Nagpur, required for availing the Central quota. Therefore, petitioner, being aggrieved, has preferred this writ petition.

3. We have considered the submissions of learned counsel for the parties.

4. It is obvious that the disability of 66% suffered by the petitioner as per certificate issued on 27.12.2013 by the

Government of Andhra Pradesh has definitely come down as even the AIIMS, Nagpur has assessed his Locomotor Disability to 41% only on 09.09.2025 i.e., 1% above the Bench mark disability of 40%. The Medical Board of the respondent University has found him to be ineligible for PWD quota as he did not qualify the bench mark disability of 40% or above. The slight variance of 1% in the opinion of the Medical Board of AIIMS, Nagpur with that of the Medical Board of the respondent University can be very much possible as no mathematical precision can be arrived at in such assessment. This Court sitting in judicial review should not, in the absence of any perversity in the opinion of the Medical Board, interfere in such matters. Petitioner is otherwise claiming his case for the State quota in the category of a local candidate of the State of Telangana as according to him, he fulfils the conditions prescribed under G.O.Ms.No.33, Health, Medical and Family Welfare (C1) Department dated 19.07.2024 read with G.O.Ms.No.150, Health, Medical and Family Welfare (C1) Department dated 08.09.2025.

5. Be that as it may, this Court does not find any plausible reason to doubt the assessment of the Medical Board, which, along with the petitioner, has examined several other such candidates, many of whom have been found to be eligible, while

some have been declared ineligible for failing to meet the bench mark disability as required under the Right of Persons with Disabilities Act, 2016. No case of *mala fides* is alleged against the respondent University. Therefore, we do not find any reason to interfere in the matter.

6. The Writ Petition is, accordingly, dismissed. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/- M. NAGAMANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI MOHD BILAL, Advocate [OPUC]
2. Two CCs to GP for Health, Medical & Family Welfare, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to SRI T. SHARATH, S.C. for K.N.R.U.H.S [OPUC]
4. One CC to SRI K. PRABHAKAR REDDY, S.C. for NIMS [OPUC]
5. Two CD Copies

MP
MMT

HIGH COURT

DATED:17/09/2025



ORDER

WP.No.28109 of 2025

DISMISSING THE WRIT PETITION
WITHOUT COSTS

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ASV
29/10/25