



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 6147 OF 2026 (EDN-RES)

BETWEEN:

SRI. SUBRAMANYA G.K
S/O G.KOTTURESHWARA,
AGED ABOUT 23 YEARS,
R/O MAIN ROAD NEAR JAIN TEMPLE,
KOTTURU, BELLARY,
KARNATAKA - 583 134.

...PETITIONER

(BY SRI. CHANDRAKANTH R GOULAY, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF HEALTH AND
FAMILY WELFARE, 105, 1ST FLOOR,
SECRETARIAT BUILDING,
VIKASASOUDHA, BENGALURU-560 001,
REPRESENTED BY ITS SECRETARY.
2. NATIONAL MEDICAL COMMISSION,
(ERSTWHILE MEDICAL COUNCIL OF INDIA),
POCKET 14, SECTOR 8, DWARKA,

Digitally
signed by
KAVYA G
Location:
High Court
of Karnataka



NEW DELHI - 110 007,
REPRESENTED BY ITS SECRETARY.

3. THE DIRECTORATE OF MEDICAL EDUCATION,
REPRESENTED BY ITS DIRECTOR,
I FLOOR, FORT, K R ROAD,
BENGALURU-560 002.
4. KARNATAKA EXAMINATIONS AUTHORITY,
SAMPIGE ROAD, 18TH CROSS,
MALLESHWARAM, BANGALORE-560 012,
REPRESENTED BY
ITS EXECUTIVE DIRECTOR.
5. RAJIV GANDHI UNIVERSITY
OF HEALTH SCIENCES,
4TH T BLOCK, JAYANAGAR,
BANGALORE - 560 041,
REPRESENTED BY ITS REGISTRAR.
6. KANNCHUR INSTITUTE OF MEDICAL SCIENCE,
RV IIIX, 96F, MANGALURU KHOKKOTTU,
KONAJI UNIVERSITY ROAD,
KOTTAKARBERALUKATTE,
MANGALURU-575 018,
REP. BY THE PRINCIPAL.
7. DR.B.R.AMBEDKAR MEDICAL COLLEGE
AND LAB, 19, VENKATESHPURAM,
KADUGONDANAHALLI, BENGALURU,
KARNATAKA-560 045,
REP. BY THE PRINCIPAL.

...RESPONDENTS

(BY SMT.MAMATHA SHETTY, AGA FOR R1 AND R3;
SRI.H.R.SHOWRI, ADVOCATE FOR R2;



SRI.N.K.RAMESH, ADVOCATE FOR R4;
SRI.ABHISHEK KUMAR, ADVOCATE FOR R5;
SRI.HARISH.H.V, ADVOCATE FOR R7;
R6-SERVED, UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO (A) ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT/ORDER DIRECTING THE RESPONDENTS TO TRANSFER THE PETITIONER FROM KANNUCHUR MEDICAL COLLEGE, MANGLURU TO DR.B.R.AMBEDKAR MEDICAL COLLEGE, BENGALURU FOR THE 5TH YEAR MBBS COURSE AND TO PASS APPROPRIATE AND SUITABLE ORDERS (B) TO DIRECT THE RESPONDENTS TO PERMIT THE PETITIONER TO ATTEND TO 5TH YEAR MBBS CLASSES AND APPEAR FOR THE ENSURING EXAMINATIONS AT DR.B.R.AMBEDKAR MEDICAL COLLEGE AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the learned counsel for the petitioner. The respondents other than respondent No.6 are represented.

2. This petition is filed seeking the following reliefs:

"a) *ISSUE a writ of Mandamus or any other appropriate writ/order directing the respondents to transfer the petitioner from Kannchur Medical College, Mangluru to Dr.B.R. Ambedkar Medical College, Bengaluru for the*



5th Year MBBS Course and to pass appropriate and suitable orders;

- b) TO DIRECT the respondents to permit the petitioner to attend to 5th Year MBBS classes and appear for the ensuing examinations at Dr.B.R.Ambedkar Medical College;*
- c) PASS such other order/s as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."*

3. It is stated that the petitioner was initially admitted to the 1st year MBBS course at G R Medical College, Mangaluru commencing from the Academic Year 2021-2022 for a period of 5 ½ years. He had made a payment of Rs.10,11,950/- being the fees to the college as demanded. In view of the dispute as to the recognition of the said G R Medical College, he approached this Court in Writ Petition No.10871/2024 which was connected with another petition No.22695/2023. In the petitioner's petition, the following order was passed:

"

(Common order)

1. The petitioners in this batch of the writ petitions are the students who were allotted G R Medical College to pursue MBBS Course for the Academic Year - 2022-23 under the Management Quota by the Karnataka Examination Authority.

2. The NMC found that the allotment of the students to the said college on admissions of the students were is illegal and directed for cancellation of



the admissions of the students in the G R Medical College for the Academic Session - 2022-23.

3. The NMC withdrew its recognition to the said college and as a result, the said college came to be closed down. The students of G R Medical College approached this Court by filing various writ petitions and the Division Bench of this Court directed the KEA to accommodate 150 students admitted by the G. R. Medical College for MBBS Course for the academic year 2022-23 in different private colleges. As a result of the said direction issued by this Court, these students have been accommodated in different medical colleges and they are pursuing their studies in the respective medical colleges.

4. Now, the question involved in these petitions is payment of fee demanded by the private colleges where the students of G. R. Medical College have been accommodated. The colleges are demanding the fee as prescribed by the Directorate of Medical Education under the Management Quota. However, the students submit that they were admitted in the G.R. Medical College as per the fee prescribed by the KEA.

5. On behalf of the petitioners - students it has been submitted that they are not liable to pay the excess fee to the private medical colleges where they have been accommodated in pursuance of closing down the college. We have put it to the respective colleges who are before us for the concession in the fee demanded by them. The colleges have left to the discretion of the Court to fix the fee, which may be reasonable and justified.

6. It appears that the colleges are demanding Rs.27,00,000/- for the second academic year and onwards. We deem it fit to limit the demand of the private colleges to Rs.20,00,000/- for the second, third and fourth academic year. We therefore direct the petitioners - students to pay the variance fee to the respective colleges at Rs.20,00,000/- each year for the second year to fourth year.



7. With the aforesaid directions, we dispose of the writ petitions.

Pendings I.As., if any, shall stand disposed of"

4. It is stated that the NMC recommended to the State Government for the transfer of 150 students of G R Medical College admitted during the Academic Year 2021-2022 and to make necessary arrangements for their transfer. Since the fee being charged by respondent No.6 – College, to which the petitioner was admitted pursuant to the direction of the NMC were found to be excessive by the petitioner, he approached this Court by means of the aforesaid petition in which the aforesaid order was passed. It is stated that since similarly placed students of the said G R College have been able to secure admission to Dr. B.R.Ambedkar Medical College that is respondent No.7, the petitioner is also entitled to be considered for admission by paying the fees as paid to the G R Medical College. Dr.B.R. Ambedkar Medical College is willing to accept the fee as determined by G R Medical College and to permit him to appear for the 5th Year MBBS course and to attend the examination and therefore the present petition has been filed.



5. The learned counsel for the petitioner states that he had studied in the first year at G R Medical College and thereafter he had never studied at respondent No.6 - College for any period of time inasmuch as the fee demanded by respondent No.6 - College was exorbitant. Therefore, since it is the own admitted case as stated by the learned counsel for the petitioner that the petitioner had not obtained admission in respondent No.6 - College, therefore he is not entitled to the relief as claimed.

6. It is noted that a false statement has been made in paragraph No.11 of the writ petition that the petitioner had chosen Kannchur Medical College (respondent No.6) in which college he has been admitted and that in view of peculiar facts and circumstances of the case, the petitioner is unable to pursue his studies at Kannchur Medical College. There is no evidence on record to demonstrate the admission of the petitioner to Kannchur Institute of Medical Science- respondent No.6.

7. This writ petition is wholly misconceived and is therefore **dismissed** with cost of Rs.10,000/-, that shall be



deposited within one week to the account of the Karnataka Legal Services Authority, Bengaluru failing which the amount shall be recovered from the petitioner as fine.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(RAJESH RAI K)
JUDGE

KG
List No.: 1 Sl No.: 17