

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

* * * *

WRIT PETITION No.25795 of 2015

Between:

Gujula Hemalath

.. Petitioner

And

State of Andhra Pradesh
Rep. by its Principal Secretary,
Medical & Health Department,
Secretariat, Hyderabad
And others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 18-08-2015

SUBMITTED FOR APPROVAL:

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be
Yes/No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to
see the fair copy of the Judgment?
Yes/No

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

WRIT PETITION No.25795 of 2015

ORDER : *(Per Hon'ble Sri Justice R.Subhash Reddy)*

In this writ petition, the petitioner, a student who appeared for EAMCET-2015 examination to seek entry into MBBS/BDS Course, has filed this writ petition seeking a direction by way of Mandamus to declare the inaction on the part of the respondents in allotting the seat to the petitioner for admission into first year MBBS Course for the academic year 2015-16 on the ground that she has not produced the original study certificate of Classes VIII to X at the time of counseling, as illegal and arbitrary.

The petitioner appeared for entrance examination for admission into MBBS Course and secured rank of 5792 in medical stream. She belongs to BC-A category of SV University local area. The University issued notification for

conducting counseling for admission into MBBS/BDS Courses for the academic year 2015-16. The petitioner appeared for counseling on 09.08.2015 at JNTU (H). However, on the ground that during certificate verification, the Verification Officer found that the petitioner has failed to produce the original study certificate of Classes VIII to X, she was not allowed to participate in the counseling and was not allotted seat.

Heard learned counsel for the petitioner and learned counsel appearing for the respondents.

It is not in dispute that as per the instructions of the respondents, the students are required to produce original study certificate of Classes VIII to X for the purpose of participating in the counseling. The petitioner secured rank of 5792 and she comes under BC-A category. In the counter affidavit, it is stated that the candidate who secured the rank of 6376 was allotted seat under BC-A category. Unfortunately, as the petitioner has not produced the relevant certificate, she was not allowed to participate in the counseling.

As admittedly the petitioner has not produced the original study certificate of Classes VIII to X on the date of counseling, as per the instructions of the respondents, it cannot be said that the respondents have illegally denied the seat to the petitioner for admission into MBBS Course. As it is brought to our notice that there is 2nd phase of counseling to fill up the unfilled seats in the 1st counseling, we deem it

appropriate to dispose of the writ petition with a direction to the respondents to consider the case of the petitioner in the 2nd phase of counseling without disqualifying her on the ground that she has not produced the original study certificate of Classes VIII to X during the 1st phase of counseling on 09.08.2015.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

18.08.2015

v v