

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.32150 of 2010

Dated 22.07.2015

Between:

Christian College of Nursing,
New Town, Mahaboobnagar,
rep. by its Secretary BMVS Rama Raju

... Petitioner

and

1.The Govt. of A.P.,
rep. by its Prl.Secretary,
Medical Health & Family Welfare Department
Hyderabad and 3 others.

...Respondents

Counsel for the petitioner: Mr.DL.Pandu

**Counsel for respondent No.1: AGP for Medical Health & Family
Welfare(TS)**

**Counsel for respondent No.2: Mr.A.Prabhakar Rao, SC for
University**

Counsel for respondent No.3: Mr.Naguluri Krishna Kumar

The Court made the following:

Order:

This Writ Petition is filed for the following
substantive relief:

“to issue a Writ, order or direction, more

particularly in the nature of Mandamus declaring the action of the 2nd respondent- University, in not allotting the students to the petitioner- College by granting provisional affiliation, as illegal, arbitrary, unjust, discriminative and violative of Articles 14 and 19(1)(g) of the Constitution of India and consequently, direct the 2nd respondent to allot students to the petitioner- College in the second counseling, which commences from 14.10.2012, after receiving the affiliation fee.”

This Court by Order, dated 09-11-2012, has appointed an Advocate-Commissioner to inspect the premises, in which the petitioner claimed to have been running a nursing College, and directed the respondents to include the petitioner in the counselling scheduled to be held on 11-11-2012, if the Advocate-Commissioner’s report is to the effect that the college is functioning at the premises in dispute and conversely, if the report of the Advocate-Commissioner does not find existence of the College in the said premises, the respondents were directed not to include the petitioner in the counselling.

Mr.A.Prabhakar Rao, learned Standing Counsel for respondent No.2- Dr.NTR University of

Health Sciences, has submitted that as the Advocate-Commissioner's report revealed that the petitioner- college is not functioning in the subject premises, it was not included in the counselling held on 14.10.2012 and that consequently, the petitioner was not permitted to admit the students.

The above submission of the learned Standing Counsel is not disputed by Mr.DL.Pandu, learned Counsel for the petitioner.

In view of the above facts, the cause in this Writ Petition does not survive for adjudication and the Writ Petition is disposed of as infructuous.

As a sequel to disposal of the Writ Petition, interim order, dated 12-10-2012, as modified by order, dated 16-10-2012, is vacated and WVMP.No.3903 of 2012 and WPMP.No.40985 of 2012 are disposed of.

(C.V.Nagarjuna Reddy, J)

Dt: 22nd July, 2015
LUR