

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

WRIT PETITION No.32218 of 2015

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

In this writ petition, the petitioner seeks Mandamus to declare the action of respondents in not following the judgment of this Court rendered in W.P.Nos.25586 & 26125 of 2015, as illegal and arbitrary, with a further direction to withdraw the list of students selected for admission into the 4th respondent Medical College by reserving 85% of the available seats to the candidates belonging to local area as per Andhra Pradesh Educational Institutions (Regulation of Admissions) Order 1974 (for short, 'the Presidential Order').

Earlier, the Government of Andhra Pradesh has issued orders in G.O.Ms.No.120, dated 23.08.2014, to effect admission into M.B.B.S. Course in the 4th respondent – Sri Padmavathi Medical College for Women, Tirupati, Chittoor District, by treating 13 Districts of the residual State of Andhra Pradesh as one unit. Questioning the said G.O., writ petitions being W.P.Nos.25586 & 26125 of 2015 were filed. This Court, by order dated 19.08.2015, allowed the said writ petitions by quashing the said G.O and further directing the respondents to make admissions by conducting fresh counseling duly following the reservation as contemplated under Presidential Order. As against the said orders, the matter was carried to the Hon'ble Supreme Court by way of Special Leave Petitions. On 21.09.2015, the Hon'ble Supreme Court has passed the following order:

“In the course of hearing, Mr. P.S.Narasimha, learned senior counsel appearing on behalf of the petitioners- College fairly submitted that for this year, the writ petitioners, who are eight (8) in number, shall be accommodated in the College against the N.R.I. seats by taking admission.

We direct accordingly.

Learned counsel for the respondents has no objection to the said proposal given by the learned counsel appearing for the petitioners-College. Hence nothing survives in these special leave petitions.

In view of the above, there is no need for further counselling.

These special leave petitions are, accordingly, disposed of.”

From the above, it is clear that the Hon’ble Supreme Court, while accepting the offer made on behalf of the College to admit the writ petitioners in the aforesaid two writ petitions in N.R.I. quota, has held that no further counseling was necessary. It is true that for filling up the vacant seats, subsequent notification was issued on 29.09.2015, but no seat was reserved for BC-D category in that notification. Therefore, in the absence of such reservation and in view of the judgment of the Hon’ble Supreme Court referred to above, no direction as prayed for can be issued in this writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

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

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

04.12.2015

v v