

**HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
HON'BLE SRI JUSTICE U. DURGA PRASAD RAO**

WRIT PETITION NO.33294 OF 2016

ORDER:

The petitioner herein questions the action of the respondents, in holding him ineligible to seek admission into the ESI Medical College at Sanathnagar on the ground that he did not appear for the Telangana EAMCET examination, as arbitrary and illegal.

Smt. S.A.V. Ratnam, Learned Counsel for the petitioner, would submit, drawing our attention to para 3 of Annexure-I to the admission notice dated 01.09.2016, that all insured persons from Telangana and Andhra Pradesh are eligible to apply for these seats; and the mere fact that the petitioner did not apply and appear in the Telangana State EAMCET examination cannot be a ground to deny him admission in Medical college seats at the ESI Medical College, Sanathnagar.

It is no doubt true that para 3, of Annexure-I of the admission notice dated 01.09.2016, makes Wards of insured persons, both from A.P. and Telangana, eligible to apply for the seats, and for seats to be allotted on merit basis following counselling by the ESI selection committee. The very same notice, however, makes it clear that applications were invited from Wards of insured persons under ESI scheme who had qualified in the Telangana State Medical Common Entrance Test, 2016-III (TS EAMCET-2016-III) conducted by the Jawaharlal Nehru Technological University Hyderabad on behalf of the Telangana State Council for Higher Education for admission to undergraduate course (MBBS) in ESIC Medical College, Sanathnagar.

While Wards of insured persons, both from the States of Andhra Pradesh and Telangana, are eligible, under the admission notice dated 01.09.2016, to appear for the Telangana State EAMCET 2016-III, the

petitioner has, admittedly, not appeared for the said entrance examination.

Smt. S.A.V. Ratnam, Learned Counsel for the petitioner, would content that, since the petitioner had appeared for NEET examination, he should have been permitted to participate in the counselling for admission to the ESIC Medical College at Sanathnagar. The condition stipulated in the admission notice dated 01.09.2016 has not been subjected to challenge in this Writ Petition. As noted hereinabove, the said conditions stipulates that only those who qualified in the Telangana State EAMCET -2016-III examination are eligible to be considered for admission. As the petitioner has, admittedly, not appeared for the said examination, the contention of the respondent that he is not entitled to seek admission in the ESIC Medical College, Sanathnagar is justified. The Writ Petition fails and is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall also stand dismissed. No costs.



RAMESH RANGANATHAN, ACJ

U. DURGA PRASAD RAO, J

Date: 29.09.2016.

MRKR