

[Special Original Jurisdiction]

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

Between:

P. Sunil Babu & Anr. ... Petitioners

V/s.

The State of Telangana,
Rep. by its Prl. Secretary, MH & FW
Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioners: Sri V.M.M. Chary

Counsel for the Respondents: GP for Medical & Health & FW [TG]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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WRIT PETITION NO. 29031 OF 2016

ORDER :

Vide the present writ petition, petitioners seek mandamus declaring the action of respondents 1 to 3 in not adding 30% weightage marks towards in-service to the petitioner in compliance of the judgment of Supreme Court and as per Regulation No.9 of the Postgraduate Medical Education Regulations, 2000 [as amended] in the admission counselling to be held on 30/08/2016 for admission into Super Speciality Courses [PG-2] in respect of Neurology, courses for the academic year 2016-17 and taking steps process to complete the admission process on 30/08/2016.

2. The issue raised in this writ petition has been raised in another WP.No.28459 of 2016. In the said writ petition, arguments were heard in length from both parties and judgment delivered today in the open Court. In the said writ petition, this Court held that the Medical Officers, who served in rural, tribal, remote and difficult areas shall be entitled to 10% weightage for each year served on those areas subject to the maximum limit of 30% to get

admission in the Super Speciality Courses. In the present case, the petitioner No.1 annexed service eligibility certificate whereby it is stated that service as on 31/03/2012 the petitioner No.1 has been served 2 years, 10 months, 29 days in tribal area as tribal service and one year in rural area. Whereas petitioner No.2 served as on 31/03/2010, 2 years, 1 month, 19 days in tribal area. As per service certificate dated 25/8/2016 which is at page No.20 issued by Deputy Civil Surgeon, Community Health Center, Hayathnagar, Ranga Reddy district, whereby certified that petitioner No.2 has joined in service in Medical and Health Department on 12/02/2008 and working at Community Health Center, Hayathnagar, Ranga Reddy district as Civil Assistant Surgeon from 07/6/2013 to till date.

3. Learned counsel for the petitioners submits that posting from 07/6/2013 to till date at Community Health Center, Hayathnagar, Ranga Reddy district is a rural posting. Thus, the petitioner No.2 has also completed more than three years in rural, tribal and difficult areas.

4. In view of the view taken by this Court in WP.No. 28459 of 2016, the petitioners are also entitled for 30% weightage in

getting admission into Super Speciality Courses [PG-2] at short-fall.

5. In view of the above direction, the writ petition is allowed.

No costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT.

29/08/2016
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**N B : FURNISH CC TODAY ONLY AS COUNSELLING OF
MEDICAL PG COURSE IS TO BE HELD ON 30/8/2016.**

MOST URGENT :

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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Court Master: I s L