

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE
AND
HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION No.2143 of 2016

Date: 31.3.2016

Between:

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Kondai Nagaraju S/o Estari
R/o H No. 5-85, Eturunagaram village,
Warangal district.

..... Petitioner

And

The State of Telangana
Rep by its Principal Secretary,
Higher Education, Secretariat, Hyderabad
and others

.....Respondents

The Court made the following:

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
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PC: (Per the Hon'ble Sri Justice P.Naveen Rao)

This petition is filed praying to grant the following relief:

“..... To issue a writ order or direction particularly one in the nature of writ of mandamus, to direct the 3rd respondent give admission in MBBS (Agriculture & Medicine) 1st year for the academic year 2015-16 and pass such other order or orders.....”

2. Petitioner claims to have passed two years intermediate course of study with Biological Science, Physics and Chemistry, as main group and belonging to Schedule Caste category. He appeared in the entrance examination called Engineering and Medical Common Entrance Test, 2015 (for short EAMCET), for admission into Agricultural courses. Petitioner competed for admission into Agricultural and Medical courses for the academic year 2015-16. In the EAMCET examination, he secured 29 marks and was assigned rank No. 72764. Though, he was declared as qualified but he was not offered seat on the ground of lower merit. This writ petition is filed by the petitioner contending that several wrong questions were printed in the EAMCET question paper, therefore he got less rank and if only correct questions were framed and proper answers were given, he would have secured higher merit. Since, petitioner was unable to explain his grievances properly and there were no proper pleadings, as per his request, Sri P.Rajashekar, Advocate was requested to appear on behalf of petitioner.

3. The matter underwent few adjournments to enable the petitioner to bring on record his grievances vis-à-vis various questions incorporated in the EAMCET examination. Learned counsel for petitioner submits that according to petitioner several questions are out of syllabus, questions were wrongly framed and answers given were also not correct. However, so far no material is placed on record to substantiate his grievance.

4. Learned standing counsel for respondent no.2 submits that as per the procedure evolved, after the examination is conducted, the Convener of EAMCET releases preliminary key of the answers to the questions given in the examination and calls for objections. For EAMCET 2015 examination, preliminary key was released and candidates and others were asked to respond to the key published on or before 23.5.2015. The objections filed on the preliminary key published are placed before the experts and on

evaluation, if any mistakes are noticed in framing of the questions or in marking the correct answer or if any of the answers given are not correct, appropriate steps would be taken to rectify the key and to adjust the marks that can be awarded to the concerned questions and final key would be published. It appears, petitioner has not filed objections to the preliminary key. Learned standing counsel further submits that in the writ affidavit no specific averments are made by the petitioner as to which of the questions were not properly formulated and answers given are not correct according to standard text books on the subject. In the absence of specific averments, no explanation can be given by the Convener. He further submits that admissions for the academic year 2015-16 were over long back.

5. As stated by the learned standing counsel for respondent no.2, opportunity was afforded to the candidates and other persons to respond to preliminary key and to file objections on correct answers as well as the formulation of the questions. There is no averment in the affidavit stating that petitioner filed objections. As stated by learned standing counsel, it appears, after due consideration of objections filed against the preliminary key, final key was published and the selections were finalized. Since the admissions for the academic year 2015-16 were already completed and academic session is in progress and as the petitioner has not pointed out specifically as to how grave illegalities were committed in conducting EAMCET examination and in the absence of candidates who were admitted to the course, no relief as sought for can be granted to the petitioner at this stage. Writ Petition merits no consideration.

6. Writ petition is accordingly dismissed. Miscellaneous petitions, if any pending, stand closed.

DILIP B. BHOSALE, ACJ

P.NAVEEN RAO, J

Date:31.3.2016
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