

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SMT. JUSTICE T.RAJANI

Writ Petition No.24230 of 2017

Order: (per V.Ramasubramanian, J.)

On 21-7-2017 when the writ petition came up for admission, we passed an interim order to the following effect:

“Mr. Taddi Nageswara Rao, learned standing counsel for Dr. N.T.R. University of Health Sciences, takes notice for the 2nd respondent.

The petitioner, who studied in Visakhapatnam, Andhra University Area, from classes 1 to 8 and classes 11 and 12, is sought to be treated as a non-local candidate in the Andhra University Area, on account of the fact that she studied in Gujarat, for standards 9 and 10. Therefore, the University treats her as a candidate, who does not satisfy the requirements of Para-4(1) or para-4(2) of the Presidential Order, 1974.

However, in G.O.P.No.646, dated 10.07.1979, the Government appears to have interpreted the Presidential Order in a particular manner. One such interpretation, as found in para-11(ii) of G.O.P.No.646, reads as follows:

“Candidates who have resided in the State for a total period of ten years excluding periods of study outside the State; or either of whose parents have resided in the State for a total period of ten years excluding periods of employment outside the State.”

The petitioner has produced a certificate from the Tahsildar to the effect that she has had residence for a consecutive period of ten years in Visakhapatnam, and that her parents are also permanent residents of Visakhapatnam.

In view of the above, without prejudice to the further contentions, the University shall, at present, treat the petitioner as a local candidate. However, in the event of this Court coming to a different conclusion after hearing the case of the University, the petitioner will not be entitled to plead any equities on this basis.

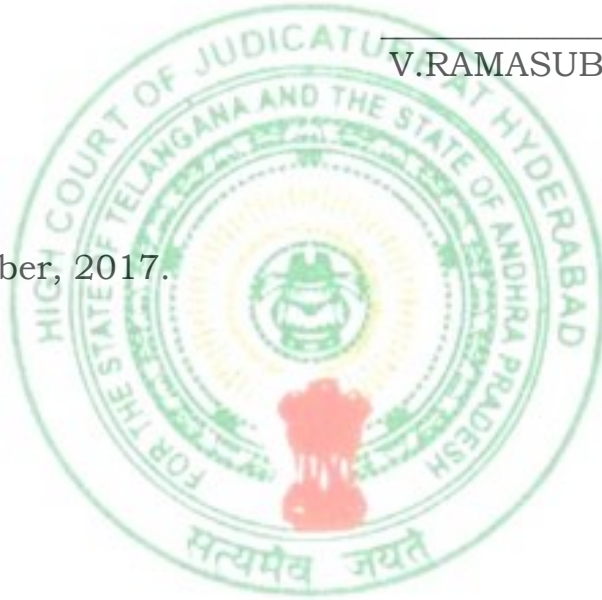
Post after two (2) weeks for counter.”

2. Pursuant to the interim order, the petitioner has been granted admission to BDS Course, treating her as a local candidate. Therefore, no further orders are necessary in this writ petition. The larger questions can be decided in appropriate writ petition. Therefore, the writ petition is closed with a direction to the respondents to regularise the admission granted to the petitioner. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

T.RAJANI, J.

05th September, 2017.
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HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SMT. JUSTICE T.RAJANI

Writ Petition No.24230 of 2017
(per VRS, J.)



05th September, 2017.
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