

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

+ Writ Petition No.25722 of 2017

% Date: 02-8-2017

P.Rashmi Goud, D/o P.Satyanarayana Goud,
Aged about 22 years, Occ: Student,
R/o H.NO.7-2-864, Mankammathota,
Karimnagar, Karimnagar District

... Petitioner

Vs.

\$ 1. The State of Telangana, Rep. by its Prl. Secretary,
Health, Medical & Family Welfare Department,
Telangana Secretariat, Hyderabad

2. The Kaloji Narayana Rao University of Health Sciences,
Warangal, Telangana State, Rep. by its Registrar

3. The Convener, NEET, Central Board of Secondary Edn.,
Siksha Kendra, 2-Community Centre,
Preet Vihar, Delhi-110 092

4. The Deputy Director General,
NCC (AP&T) NCC Directorate, Secunderabad

5. Medical Council of India, Pocket-14, Sector-8,
Dwarka Phase-1, New Delhi-110 077, India

... Respondents

! Counsel for Petitioner : Mr. Ch.Jagannatha Rao

Counsel for Respondent No.2: Mr. A.Prabhakar Rao,
Standing Counsel

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> Head Note:

? Cases referred:
Nil.

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

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Order: (per V.Ramasubramanian, J.)

The petitioner has come up with the above writ petition seeking a *mandamus* to direct the respondents to treat the 'C' Certificate in NCC obtained by her, after completion of the Higher Secondary Course of study, as eligible for considering her claim under the quota reserved for NCC candidates.

2. Heard Mr. Ch.Jagannatha Rao, learned counsel for the petitioner. Mr. A.Prabhakar Rao, learned Standing Counsel, takes notice for the University.

3. The petitioner completed Higher Secondary Course during the period of 2010-12. On the basis of the marks secured in the Higher Secondary Course and on the basis of the rank secured in EAMCET/CET together with whatever certificate the petitioner had in NCC, the petitioner was not able to secure admission to the MBBS Course, during the academic year 2012-13. Therefore, the petitioner joined a B.Sc., Course in Botany, Zoology and Chemistry, and even completed the same during the period 2013-16.

4. While undergoing graduation, the petitioner secured a 'C' Certificate in NCC, participated in Republic Day Parade in the year 2014 and thus upgraded her status in NCC.

5. After such upgradation, the petitioner appeared for NEET, 2017 and she seeks admission to MBBS Course on the

basis of the 'C' Certificate secured by her. The basis of the claim of the petitioner is the judgment of the Supreme Court dated 18-4-2017 in C.A.No.5400 of 2017 [*P.Shrestha Reddy v. State of Telangana*], which arose out of a judgment of this Court.

6. The issue that actually arose at the time of admission to medical courses last year, which went up to the Supreme Court was as to whether Note-1 under G.O.Ms.No.75, dated 08-9-2015 and G.O.Ms.No.109, dated 18-8-2016, which defined the expression "qualifying examination" to mean EAMCET/CET was correct or not. This Court held that the expression "qualifying examination" would only mean a pass in the Higher Secondary Course and not EAMCET/CET. This finding recorded by this Court was not overturned by the Supreme Court in C.A.No.5400 of 2017.

7. By a detailed order passed today in a batch of three writ petitions W.P.No.23472, 24798 and 25087 of 2017, we have dismissed similar claims by other candidates. Therefore, following the said decision, this writ petition is also dismissed. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

T.RAJANI, J.

02nd August, 2017.

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Note:-

Issue C.C. by 03-8-2017.

(B/o)

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AND
HON'BLE SMT. JUSTICE T.RAJANI

Writ Petition No.25722 of 2017
(per VRS, J.)



02nd August, 2017.
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