

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND SIXTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
WP .NO:19139 of 2016

Between:

Chaitanya Institute of Medical Sciences, Sankarapuram,
Kadapa, rep. by its Correspondent, B.Chandra Mouli S/o
B.C.Munaiah, Aged about 44 years.

..... Petitioner

AND

- 1 The State of Andhra Pradesh, Rep. by its Principal Secretary, Health, Medical and Family Welfare Department, Secretariat, Hyderabad.
- 2 The Andhra Pradesh Para Medical Board, Rep. by its Secretary, office of the Director of Medical Education, Sultan Bazaar, Koti, Hyderabad.

.....Respondents

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue Writ, or Direction especially one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in restricting the number of seats to the petitioner institution to 8 in Diploma in Ophthalmology, 12 in Diploma in ECG Technician course and 4 seats in Diploma in Radiographic Assistant is illegal, arbitrary and unjust and contrary to the Certificate of Recognition dt.03-04-2014 issued by the Andhra Pradesh Paramedical Board, Hyderabad and permit the petitioner institution to admit the students with intake capacity of 30 students in each Subject i.e., Diploma in Ophthalmic Assistant Course, Diploma in ECG Technician and Diploma in Radiographic Assistant as per the Recognition Certificate issued on 03-04-2014 by the Andhra Pradesh Paramedical Board, Hyderabad;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein, and upon hearing the arguments of Sri D.Kodanda Rami Reddy, Advocate for the Petitioner and of the Asst. Government Pleader for Medical and Health, (AP), for the Respondents, the Court made the following.

ORDER:

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“The case of the petitioners is that it has valid recognition from the respondent-AP Para Medical Board for running various courses under certificate of recognition and the petitioner-institute was also

permitted intake of students to admit them to various courses offered by it.

The grievance of the petitioner is that in spite of having recognition from the respondent- AP Para Medical Board respondents are not allotting the students on the ground of violation of certain guidelines and rules framed under the Education Act.

Learned Asst. Government Pleader for Medical and Health submits that the respondent-AP Para Medical Board has granted recognitions to various institutes indiscriminately at the time of bifurcation of the united State of Andhra Pradesh in violation of guidelines and rules framed under the Education Act. Learned AGP seeks time to file detailed counter.

However, it is submitted by learned counsel for the petitioner that this Court in similar matters granted interim directions to allot the students to the institutes which were granted recognition by the respondent-AP Para Medical Board.

Inasmuch as the, *prima facie*, the petitioner is having recognition granted by the AP Para Medical Board and the Government also permitted the petitioner to admit students into various courses, there shall be interim direction to the respondents to allot the students to the petitioner-institute. However, this order will not preclude the respondents from proceedings against the petitioner-institute if it is found to have violated any guidelines or rules framed under the Education Act, by following due process of law.

Post after four weeks."

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ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Health, Medical and Family Welfare Department, State of Andhra Pradesh, Secretariat, Hyderabad.
2. The Secretary, office of the Director of Medical Education, Andhra Pradesh Para Medical Board, Sultan Bazaar, Koti, Hyderabad. (Addressees 1 & 2 BY RPAD)
3. Two CCs GP for Medical & Health, (AP), High Court Buildings, Hyderabad (OUT)
4. one CC to Sri D.Kodanda Rami Reddy, Advocate (OPUC)
5. One Spare Copy

HIGH COURT

AB
DRAFTED ON 22-6-2016

ARRJ

DATE: 17-6-2016

ORDER

WP. NO. 19139 OF 2016

DIRECTION