

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 36846 of 2016

ORDER: (*Per VRS,J*)

The petitioner, who was allotted to Rangaraya Medical College, Kakinada, which is a College established by the Government of Andhra Pradesh, has come up with the present writ petition, contending that by virtue of her merit, she should have been allotted to Guntur Medical College.

2. Heard Mr. O. Manohar Reddy, learned senior counsel for the petitioner, Mr. Thaddi Nageswara Rao, learned standing counsel for Dr. NTR University of Health Sciences, appearing for the 2nd respondent, and Mr. S. Vivek Chandra Sekhar, learned standing counsel for Medical Council of India, appearing for the 3rd respondent.

3. The case of the petitioner in the writ petition was that she was more meritorious than the 4th respondent, and that, therefore, she should have been offered a seat in Guntur Medical College. But, after the filing of the writ petition, it appears that the 4th respondent got a seat in Padmavathi Medical College and left the Guntur Medical

College. Therefore, today there are no rival claims between the petitioner and the 4th respondent.

4. If the seat allotted to the 4th respondent is actually vacant as on date, we need not even go into the question as to whether the respondents failed to make proper allotment of candidates or not. This is for the reason that the academic year 2016-2017 may be coming to an end, in another three or four months, by which time, the petitioner may even be eligible for migration from Kakinada to Guntur. Therefore, the grievance of the petitioner could be redressed without hurting anyone else and without violating any of the regulations of any statutory authorities, if the question of migration is considered.

5. Therefore, the Writ Petition is disposed of, directing the petitioner to make a representation to the Director of Medical Education, within a period of two (2) weeks, since he alone is the competent authority for considering the question of migration within the State. Upon a representation being made, the Director of Medical Education shall take into account the existence of any vacancy in Guntur Medical College and pass appropriate orders, so that after completion of the first year of the course of study, the petitioner may get migrated.

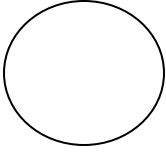
Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J.

2nd February, 2017
cbs





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