

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No.32810 of 2016

Between:

Kondepudi Sankeerthana

PETITIONER

And

1. Dr. NTR University of Health & Sciences Vijayawada, Krishna District, rep. by its Registrar, and others.

RESPONSENTS



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

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ORDER: (Per Hon'ble Sri Justice V. Ramasubramanian)

Contending that instead of giving priority 10/19 for participation in international sports event, she was given priority No.27/53 as though she participated only in a national sports event, the petitioner, who could not get admission to undergraduate medical courses for the academic year 2016-17, has come up with the present writ petition.

2. Heard Mr. P. Nagendra Reddy, learned counsel for the petitioner, Mr. Taddi Nageswara Rao, learned counsel appearing for the University, Mr. B.S. Prasad, learned counsel appearing for the Sports Authority of Andhra Pradesh and the learned Government Pleader.

3. The petitioner applied for admission to the undergraduate medical courses for the academic year 2015-16 also. She claimed to have participated in an international Fencing World Cup final held at Beijing, China from 01.05.2015 to 03.05.2015. Though she was originally granted priority No.10 with merit order No.19 under the sports quota for the previous academic year, subsequently it was changed, forcing her to lose a seat. Therefore, she came with a writ petition in W.P.No.35923 of 2015. The said writ petition was dismissed by a Bench of this Court by an order dated 21.07.2016.

4. On the basis of the very same certificate of international participation the petitioner applied for admission this year and even this year she was granted priority No.27/53 only. Therefore, after obtaining a certificate from the Sports Authority of India on 08.08.2016 that she

actually participated in an international event, the petitioner came up with the present writ petition.

5. It is true that when W.P.No.35923 of 2015 was heard finally, there was no record to show that the petitioner participated in an international event. Today, there is a certificate dated 08.08.2016 issued by the Sports Authority of India. Therefore, technically the petitioner may be entitled to priority 10/19 for the academic year 2016-17.

6. But unfortunately for the petitioner, the admissions for the academic year are over and today we cannot direct the grant of admission. That leaves us only with the question of compensation. But insofar as the question of compensation is concerned, we have already held that the entire sports quota, in this part of the country, is bereft of any *bana fides*. The judgment of this Court is now pending in appeal before the Supreme Court and the Supreme Court passed an interim order directing admission for this year alone on the basis of merit under the sports category. When the very survival of the sports quota is in a state of limbo, the question of granting compensation may not arise. Therefore, the writ petition is dismissed.

7. As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

JUSTICE V. RAMASUBRAMANIAN

JUSTICE J. UMA DEVI

21st February, 2017
Js.

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

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Date: 21-02-2017

Js.