

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.9176 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief/ s:

'...to issue a writ order or direction more particularly one in the nature of Writ of Mandamus directing the 2nd respondent to consider the representations of the petitioners dt.27-02-2018, 18-12-2017 and 25-12-2017 for starting B.Sc (MLT) and Bachelor of Physio Therapy courses at Kurnool, Vizianagaram and Anantapuram for the academic year 2018-19 and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.'

I have heard the submissions of the learned counsel for the petitioners and of the learned Government Pleader for Health, Medical and Family Welfare appearing for the respondents.

Learned counsel for the petitioners would submit that if a direction is given to the respondents to consider the representations, dated 27.02.2018, 18.12.2017 & 25.12.2017, of the petitioners made to the 2nd respondent, the ends of justice would be met.

Learned Government Pleader, on written instructions which are placed on record, submitted as follows: - 'Petitioners 2 & 3 only submitted letters to the 2nd respondent-High Power Committee requesting to accord permission to establish BSc(MLT) and B.P.T. courses at Vizianagaram and Anantapuramu respectively. No application was received from the 1st petitioner. However, the 2nd respondent have no authority to act on the said applications without necessary directions from the Government. The 2nd respondent can consider the application only when the application is referred by the Government. The letters of the petitioners 2 & 3 were not referred to the 2nd respondent by the Government. As such, their applications were not considered by the 2nd

respondent. On enquiry, the Government informed the 2nd respondent that the petitioners have not submitted any applications to the Government for according necessary permissions.'

In reply, learned counsel for the petitioners would submit that the writ petition may be disposed of reserving liberty to the petitioners to approach the Government for obtaining appropriate permissions.

Recording the afore-said submissions, the Writ Petition is disposed of reserving liberty to the petitioners to file their applications before the 1st respondent-Principal Secretary, Department of Health, Medical and Family Welfare, Andhra Pradesh, for necessary permissions. On filing of such applications, the 1st respondent shall do the needful in the matter within a period of four (04) weeks from the date of receipt of such applications.

There shall be no order as to costs.

Miscellaneous petitions, pending if any, also shall stand closed.

02.04.2018

Note: Issue CC in five days.

[B/ o]

Vjl

M. SEETHARAMA MURTI, J