

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

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N. BALAYOGI

+ WRIT PETITION No.29485 of 2017

% Date: 17-07-2018

Between:

S. Hiranmayi D/o. Venkateswara Rao,
Usha Enclave, Srinagar Colony, Hyderabad,
Telangana – 500 073.

...Petitioner

Vs.

1. The State of Telangana, Rep. by its Principal Secretary, Health and Medical, Secretariat, Hyderabad, T.S.
2. K.N.R. University of Health Sciences, (KNRUHS) Warangal, Rep. by its Registrar.
3. Deputy Director General, National Cadet Corps (NCC) Group Head Quarter, A.P. & T.S. State Region, Secunderabad.

Respondents

! Counsel for the petitioner : Mr. R. Raghunandan Sr. Counsel

^ Counsel for respondent No.1 : Mr. G.P. for Medical & Health (T.G)

^ Counsel for respondent No.2 : Mr. A. Prabhakara Rao S.C

^ Counsel for respondent No.3 : Mr. K. Lakshman, A.S.G.

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? Cases referred

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.29485 of 2017

ORDER: (Per VRS,J.)

The petitioner has come up with the above writ petition challenging Note No.5 in G.O.Ms.No.75, Health Medical and Family Welfare Department, dated 08.09.2015. This Government Order lists out the priorities to be accorded to the candidates, who are eligible for admission to professional medical courses under the quota reserved for NCC candidates.

2. On 31.08.2017 when this writ petition came up for orders as to admission, a Bench of this Court granted an interim order, suspending the impugned Note No.5. By virtue of the said order, the petitioner seems to have secured admission to the first year BDS course. She has now completed the first year and moved on to the second year of the BDS Course.

3. The Government Order impugned in this writ petition, viz., G.O.Ms.No.75, dated 08.09.2015, related to medical and dental courses. But based upon a letter written by the NCC Directorate, the Government of Telangana came up with a fresh Government Order in G.O.Ms.No.14, Higher Education, dated 09.06.2017, for admission to engineering courses. Insofar as the State of Andhra Pradesh is concerned, they have applied the new priorities to medical courses.

4. These fresh Government Orders are under challenge in a set of cases filed in the next academic year. The reason why we are pointing out the subsequent changes that have taken place is that today the examination of the correctness of the impugned Government Order, insofar as the present writ petition is concerned, may only be an academic exercise as the petitioner has already joined the course. Therefore, reserving our opinion on the correctness of the impugned Government Order for appropriate cases that are alive for the

current academic year, we close this writ petition without expressing any opinion. However, we make it clear that the petitioner, who has already secured admission, shall be allowed to continue and shall not be disturbed on account of any subsequent orders passed by this Court challenging the validity of the same Government Order.

5. As a sequel, miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

JUSTICE N. BALAYOGI

17th July, 2018
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.29485 of 2017

(Per VRS,J)



17th July, 2018

Js.