

* 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

* THE HON'BLE MS. JUSTICE J. UMA DEVI

+ W.P.NO.29257 of 2018

% Date: 20-08-2018

Between:

Kaloori Divya D/o. K. Ramachandraiah,
R/o. Door No.6-42, Mandalam Rajpet,
Bondugula, Rajapet Nalgonda.

.... Petitioner

And

1. The State of Telangana, rep. by its Principal Secretary, rep. by its Principal Secretary, Medical & Health, Secretariat, Hyderabad.
2. KNR University of Health Sciences, rep. by its registrar, Warangal.

... Respondents

! Counsel for the Petitioner : Mr. P. Rama Sharana Sharma

^ Counsel for Respondent No.1 : G.P. for Medical & Health (TG)

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

< GIST:

> HEAD NOTE:

? Cases referred

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

WRIT PETITION No.29257 of 2018

ORDER: (Per VRS,J.)

The petitioner, who applied for admission to undergraduate medical course for the academic year 2018-19, under the quota reserved for physically challenged persons, was refused the benefit of reservation on the ground that her percentage of disability did not qualify her. Therefore, she has come up with the above writ petition.

2. Heard Mr. P. Rama Sharana Sharma, learned counsel for the petitioner and Mr. A. Prabhakara Rao, learned Standing Counsel for the respondent-university.

3. It is true that the certificate issued under G.O.Ms.No.31, dated 01.12.2009 by the team of Doctors constituted under the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995 has assessed the percentage of disability of the petitioner at 50%. The type of disability is said to be Congenital Deformities of Spine.

4. But the team of Doctors constituted by the University in terms of the prospectus, has assessed the percentage of disability only at 20%.

5. Therefore, the issue has now become a matter of debate between one certificate by a team of experts and another certificate by another team of experts. The only option left open to this Court in such cases is to constitute a third expert committee of Doctors. But now it is too late, since the admission under this quota are said to be over. The terms and conditions stipulated in the prospectus, for the constitution of a separate team of Doctors for assessing physical disability, is not under challenge. Therefore, at this juncture the issue has become one of

academic importance to which we will not go into. Therefore, the writ petition is dismissed.

7. As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

JUSTICE J. UMA DEVI

20th August, 2018
Js.



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

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