

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE Ms. JUSTICE J.UMA DEVI

+ Writ Petition No.29190 of 2018

% Date: 10-9-2018

C.Nandhu Bhargavi D/o C.Ramdas, Aged 18 years,
Occ: Student, R/o H.No.6-6-361/R,
Vivekananda Nagar, Nalgonda, Nalgonda District

... Petitioner

Vs.

\$ 1. The State of Telangana, Rep. by its Prl. Secretary,
Health, Medical & Family Welfare Dept.,
Secretariat, Hyderabad

2. The State of Telangana, Rep. by its Secretary,
Higher Education Dept., Secretariat, Hyderabad

3. K.N.R. University of Health Sciences, Warangal,
Warangal District, Rep. by its Registrar

4. Telangana State Council of Higher Education,
Rep. by its Secretary, Hyderabad

5. The Director, National Eligibility cum Entrance Test
(UG) (NEET), Central Board of Secondary Edn., Delhi

6. Union of India, Ministry of Home Affairs,
Rep. by its Director, North Block, New Delhi

... Respondents

! Counsel for Petitioner: Mr. M.V. Hanumantha Rao

Counsel for Respondent No.1: Govt. Pleader for Medical
Health & Family Welfare
(Telangana)

Counsel for Respondents 2&4: Govt. Pleader for Higher
Education (Telangana)

Counsel for Respondent No.3: Mr. A.Prabhakar Rao,
Standing Counsel

Counsel for Respondents 5&6: Mr. K.Lakshman,
Asst. Solicitor General

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> Head Note:

? Cases referred:
Nil.

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Order: (per V.Ramasubramanian, J.)

Aggrieved by the refusal of the respondents to consider the children of Border Security Force personnel, as eligible for the quota for children of Armed personnel for admission to MBBS/BDS Courses, the petitioner has come up with the above writ petition.

2. Heard Mr. M.V. Hanumantha Rao, learned counsel for the petitioner and Mr. K.Lakshman, learned Assistant Solicitor General of India for the respondents 5 and 6.

3. We had occasion to consider another case with a similar claim in W.P.No.21062 of 2018. The claim in that writ petition was by the daughter of a person working in the Central Reserve Police Force. In paragraphs-3 to 5 of the order dated 19-7-2018 passed in the said writ petition, we observed as follows:

“3. The reservation of 1% of the seats for admission to Medical and Dental Courses is granted under G.O.Ms. No.66, dated 29-07-2015 to the children of Ex-Servicemen and Serving Personnel of the three wings of the Defence Service. The relevant portion of G.O.Ms.No.66, dated 29-07-2015 reads as follows:

“1% for the children of Ex-Servicemen and the Serving Personnel of the three wings of the Defence service viz., Army, Navy and Air Force subject to the condition that the said Ex-Servicemen etc., who are domiciled in Telangana based on the Permanent address/Home town

declared by them while joining the service and as recorded in their service register”.

4. Merely because for admission to Pharm-B courses, even children of Border Security Force and Central Reserved Police Force are also granted the benefit and merely because in other States this reservation is made available even to children of CRPF, it is not open to the Court to direct the Government to create a policy. Reservation for the children of Ex-Servicemen and Serving Defence Personnel is a matter of policy of the Government. No mandamus to create reservation can be issued by the Court.

5. Therefore, the only alternative available to the petitioner is to approach the Government. It is stated that representations have been made to the Government. If so, the State of Telangana may consider the representations.”

4. The same logic holds good for the petitioner also. Therefore, leaving it open to the petitioner to approach the Government and seek appropriate reliefs, the writ petition is disposed of. Pending applications, if any, shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

J.UMA DEVI, J.

10th September, 2018.

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

Writ Petition No.29190 of 2018
(per VRS, J.)



10th September, 2018.
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