

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

Writ Petition No.30907 of 2018

ORDER: *(per V. Ramasubramanian, J)*

The petitioners have come up with the above writ petition seeking mandamus to direct the respondents to grant admission to MBBS/BDS course for the academic year 2018-19, in terms of the orders of the Supreme Court dated 24-08-2018 in S.L.P. (Civil) No.22000 of 2018.

2. Heard Mr. K.G. Krishna Murthy, learned senior counsel appearing for the petitioners. Mr. Taddi Nageswara Rao, learned standing counsel takes notice for the respondent-University.

3. The case of the petitioner is that after the second phase of counseling was over, 17 seats in MBBS and 196 seats in BDS have fallen vacant. The list of category wise vacancies is also displayed on the University website on 28-08-2018.

4. It is the case of the petitioners that by the order dated 24-08-2018, the Supreme Court found fault with the University for resorting to computerised counseling, which had resulted in the operation of G.O.Ms.No.550 getting distorted. Therefore, the Supreme Court finally held that the admissions already made, are not to be disturbed and that any seat vacant shall be filled up in terms of the order of the Supreme Court dated 24-08-2018.

5. In such circumstances, it is the contention of the learned senior counsel for the petitioners that the University shall conduct

manual counseling for filling up the remaining seats and allot seats to the petitioners.

6. But Mr. Taddi Nageswara Rao, learned standing counsel for the University circulated written instructions received by him from the University. The instructions are extracted as follows:

1. The University has issue notification on 28-08-2018 for exercising web options for MOP-UP round of counseling for filling the vacant seats in MBBS/BDS courses after final phase counseling.
2. There are 17 MBBS and 196 BDS seats vacant. The list of category wise vacancies displayed on the University website on 28-08-2018. The candidates in the merit list are informed to exercise their web options from 6.00 AM to 3.00 PM on 29-08-2018 for the vacancies for which they are eligible (copies enclosed).
3. The vacancies arose due to non-joining of candidates in the allotted colleges in the Final Phase Counseling.
4. The seats will be allotted to the respective category candidates, who have not joined, by order of merit as per their web options.
5. The petitioners also can exercise web options in response to the notification issued for MOP-UP Round counseling on 28-08-2018. The seats will be allotted as per merit in the respective category among the candidates exercised web options”

7. It is seen from instructions 4 and 5 extracted above, that the University wants to fill up the remaining seats, by giving options to all candidates category wise on the basis of merit. Therefore, the petitioners can also participate and take a chance. It is not as though the petitioners are excluded. It is also not the case that by participating in the web options, the petitioners may not stand a chance.

8. Therefore, the writ petition is disposed of directing the University to permit the petitioners also to exercise web options in response to the notification for MOP-UP round counseling and the University shall fill up the vacant seats, as per merit in the respective category.

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

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

Date: 29-08-2018

Note: Issue C.C. today.

B.O./Ksn

