

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HON'BLE SRI JUSTICE N. TUKARAMJI**

WRIT APPEAL NO: 254 OF 2009

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 02-02-2009 in WPMP No. 36853 of 2008 in WP No.27363 of 2008 on the file of the High Court.

Between:

Nightingale School of Nursing,, rep. by its Director, Flat No.103, Srinivasa Apartments, Humayun Nagar, Hyderabad.

...APPELLANT/PETITIONER

AND

1. Government of Andhra Pradesh, rep. By its Secretary,, Medical and Health, Family Welfare Department, Secretariat, Hyderabad.
2. The Director of Medical Education, Andhra Pradesh,, Hyderabad.
3. Andhra Pradesh Nurses, Midwives, Auxiliary Nurse,, Midwife and Health Visitors Council, rep. by its Registrar, Sultan Bazar, Hyderabad.
4. Smt. Dr. K.N. Sudha Ramana,, Director of Medical Education, Andhra Pradesh, Hyderabad.
5. Mr. Bharat Kumar,, Deputy Director, A.P. Social Welfare, Department, Hyderabad
6. Smt. Saroja, Principal Osmania School of Nursing Hyderabad.
7. Smt. Rekha,, nursing Tutor, C/o. Osmania School of Nursing, Hyderabad.
8. Smt. Sulochana,, nursing Tutor, C/o. Osmania School of Nursing, Hyderabad.
9. Smt. Prameela,, W/o. govinda Rajulu, C/o. Director of Medical Education, Andhra Pradesh, Hyderabad.
10. Sri. Govinda Rajulu,, C/o. Director of Medical Education, Andhra Pradesh, Hyderabad.
11. Station House Officer,, Humayun Nagar Police Station, Humayun Nagar, Hyderabad.
12. S.Gayatri, D/o. S.Venkateswarlu,
13. T.Aparna, D/o. Ratnam
14. M.Thippamma, D/o. Balappa
15. K.Yashoda, D/o. Shankar,
16. M.T.Amrutha, D/o. M James
17. A.Kalyani, D/o. A Eemiya
18. M.Bheemamma,, D/o. M Jangaiah,
19. P.Kavitha, D/o. P.Satyam
20. B.Radhika, D/o. Rajaiah
21. S.Premavathi, D/o. S Baya Reddy
22. T.Chandaanavani, D/o. T.Rajanna,
23. B.Shashi Kala,, D/o. Anjaiah,

(All are Ex Students of Nightingale School of Nursing Hyderabad Presently studying in Osmania School of Nursing Hyderabad, A.P.,)

(Respondents 12 to 21 are impleaded vide WPMP NO. 1512 of 2008)

(Respondents 6 to 11 are not necessary parties)

...RESPONDENTS

I.A. NO: 1 OF 2009(WAMP. NO: 523 OF 2009)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the

operation of the G.O., Ms.No.422 dated 6-12-2008 issued by the first Respondent, pending disposal of the above Writ petition

I.A. NO: 2 OF 2009(WAMP. NO: 1504 OF 2009):

Between:

1. Government of Andhra Pradesh, rep. By its Secretary,, Medical and Health, Family Welfare Department, Secretariat, Hyderabad.
2. The Director of Medical Education, Andhra Pradesh,, Hyderabad.

....PETITIONERS

AND

1. Nightingale School of Nursing,, rep. by its Director, Flat No.103, Srinivasa Apartments, Humayun Nagar, Hyderabad.
2. Andhra Pradesh Nurses, Midwives, Auxilliary Nurse,, Midwife and Health Visitors Council, rep. by its Registrar, Sultan Bazar, Hyderabad.
3. Smt. Dr. K.N. Sudha Ramana,, Director of Medical Education, Andhra Pradesh, Hyderabad.
4. Mr. Bharat Kumar,, Deputy Director, A.P. Social Welfare, Department, Hyderabad
5. Smt. Saroja, Principal Osmania School of Nursing Hyderabad.
6. Smt. Rekha,, nursing Tutor, C/o. Osmania School of Nursing, Hyderabad.
7. Smt. Sulochana , nursing Tutor, C/o. Osmania School of Nursing, Hyderabad.
8. Smt. Prameela,, W/o. govinda Rajulu, C/o. Director of Medical Education, Andhra Pradesh, Hyderabad.
9. Sri. Govinda Rajulu,, C/o. Director of Medical Education, Andhra Pradesh, Hyderabad.
10. Station House Officer,, Humayun Nagar Police Station, Humayun Nagar, Hyderabad.
11. S.Gayatri, D/o. S. Venkateswarlu,
12. T.Aparna, D/o. Ratnam
13. M.Thippamma, D/o. Balappa
14. K.Yashoda, D/o Shankar,
15. M.T.Amrutha, D/o. M James
16. A.Kalyani, D/o. A Eemiya
17. M.Bheemamma , D/o. M Jangaiah,
18. P.Kavitha, D/o. S. Satyam
19. B.Radhika, D/o. Rajaiah
20. S.Premavathi, D/o. S Baya Reddy
21. T.Chandaanavani, D/o. T.Rajanna,
22. B.Shashi Kala,, D/o. Anjaiah,

(Respondents 11 to 22 are Ex Students of Nightingale School of Nursing Hyderabad Presently studying in Osmania School of Nursing Hyderabad, A.P.,)

(Respondents 2 to 22 are only formal parties as no relief is claimed against them)

...RESPONDENTS

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the interim orders granted in WAMP No. 523/2009 in WA No. 254/2009,dated 23-3-2009 dismiss the writ petition with costs.

Counsel for the Appellant: SMT. C. SINDHU KUMARI

Counsel for Respondent Nos. 1, 2 & 4: GP FOR MEDICAL, HEALTH & FAMILY WELFARE

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE N. TUKARAMJI

WRIT APPEAL No.254 of 2009

JUDGMENT: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present writ appeal is arising out of an interim order 02.02.2009 passed by the learned Single Judge in W.P.M.P.No.36853 of 2008 in W.P.No.27363 of 2008.

In the present case, this Court has granted an interim order on 23.03.2009 and the same is continuing till date. Learned counsel for the appellant submits that the institution is also functional since 2009 and the Government has restored the permission keeping in view the interim order granted by this Court. However, the fact remains that the main writ petition is still pending.

Resultantly, with the consent of the parties, the present writ appeal stands disposed of with a request to the learned Single Judge to decide the writ petition itself on merits and the interim order granted by this Court in the writ appeal in the year 2009 shall continue till the disposal of the writ petition.

Office is directed to list the writ petition before the Bench having roster on 24.01.2022, on which date the parties shall appear before the learned Single Judge.

The miscellaneous applications pending, if any,
shall stand closed. There shall be no order as to costs.

SD/-M.VIJAYA BHASKAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Section Officer, Writ Non-Service Section, High Court for the State of Telangana
2. The Section Officer, Writ Posting Section, High Court for the State of Telangana
3. One CC to Smt. C Sindhu Kumari Advocate [OPUC]
4. Two CCs to GF For Medical, Health & Family Welfare, High Court for the State of Telangana. [OUT]
5. Two CD Copies
6. One Spare Copy

MBC

V. J. S.

URGENT

HIGH COURT

DATED: 31/12/2021



JUDGMENT

WA.No.254 of 2009

DISPOSING OF THE WRIT APPEAL

WITHOUT COSTS

⑧ VLW
28/1/22