

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

WEDNESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO**

WRIT PETITION NO: 41863 OF 2022

Between:

Asma, D/o. Mohammed Abdul Moyeed, Age 18 years, R/o. H.No.9-4-131/1/N/22/A,
Neeraja Colony, Tolichoki, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, represented by its Principal Secretary, Medical and Health Family Welfare Department, Secretariat Buildings, Hyderabad-500 055
2. Kaloji Nararayana Rao University of Health Sciences, represented by its Registrar, Warangal.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents particularly the 2nd respondent in not considering the petitioner request for exercising web options for admission into MBBS/BDS course under Management Quota "B" and "C" Category in 2nd phase of counselling for the academic year 2022-23 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider and permit the petitioner for exercising web options for admission into MBBS/BDS course under Management Quota "B" and "C" category for the academic year 2022-23 in 2nd phase of counselling.

IA NO: 1 OF 2022

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 direct the 2nd respondent to consider the petitioner request for exercising web options under Management Quota "B" and "C" Category for admission into MBBS/BDS course in the 2nd phase of counselling for the academic year 2022-23, pending disposal of writ petition.

Counsel for the Petitioner: SRI. L. RAM SINGH

**Counsel for the Respondent No.1: GP FOR MEDICAL HEALTH &
FAMILY WELFARE**

**Counsel for the Respondent No.2: SRI A. PRABHAKAR RAO,
SC FOR KNR UNIVERSITY**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Writ Petition No.41863 of 2022

ORDER : *(Per Hon'ble Justice Abhinand Kumar Shavili)*

This writ petition is filed with the following prayer;

"...to issue an appropriate writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents particularly the 2nd respondent in not considering the petitioner request for exercising web options for admission into MBBS/BDS course under Management Quota B and C Category in 2nd phase of counseling for the academic year 2022-23 as illegal arbitrary unconstitutional and consequently direct the respondents to consider and permit the petitioner for exercising web options for admission into MBBS/BDS course under Management Quota B and C category for the academic year 2022-23 in 2nd phase of counseling and pass..."

2. Heard Mr. L. Ram Singh, learned counsel for the petitioner, and Mr. A. Prabhakar learned standing counsel for the respondents.

3. Learned counsel for the petitioner had contended that the petitioner has appeared for 'NEET' Under graduation Entrance Examination-2022 and she has secured a decent rank in the said examination. The

grievance of the petitioner is that the 2nd respondent-University has issued a notification for filling up the management "B & C" category seats on 19.10.2022 and petitioner has applied in pursuance to the said notification, the grievance of the petitioner is that in pursuance to the notification, the 2nd respondent-University must permit the petitioner to exercise her option in respect of colleges and petitioner has received a text message from the University on 12.11.2022 at 3:49 P.M stating that 12.11.2022 is the last date for exercising the web option for selecting colleges and the last options are open till 4:00 P.M as there was no sufficient time for the petitioner to exercise web options in pursuance to the text message. The petitioner could not exercise her web option and immediately she has submitted a detailed representation to the 2nd respondent-University on 14.11.2022 by way of E-mail requesting the 2nd respondent-University to permit the petitioner to exercise web options as counselling for admission into category "B & C" are still going on, but so far the 2nd

respondent-University has not passed any orders on the said E-mail representation of the petitioner. Therefore, appropriate order be passed in the writ petition directing the 2nd respondent-University to consider the representation submitted by the petitioner on 14.11.2022 and pass appropriate orders in accordance with law.

4. On the other hand, learned Standing Counsel appearing for the 2nd respondent-University had contended that, since the petitioner representation is pending with the 2nd respondent-University, the 2nd respondent-University would consider the same and pass appropriate orders in accordance with law, within a reasonable period.

5. This court, having considered the rival submission made by the parties, is of the considered view that the present writ petitioner can be disposed of directing the 2nd respondent-University to consider the representation submitted by the petitioner on

14.11.2022 and pass appropriate orders in accordance with law within a reasonable period of time.

6. With these observations, writ petition is disposed of.

7. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

SD/- P.PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Registrar, Kaloji Nararayana Rao University of Health Sciences, Warangal.
2. One CC to Sri L. Ram Singh, Advocate [OPUC]
3. Two CCs to GP for Medical Health and Family Welfare, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri A. Prabhakar Rao, SC for KNR University [OPUC]
5. Two CD Copies
6. One Spare Copy

CHR

CHR

HIGH COURT

DATED:16/11/2022

ORDER

W.P.No.41863 of 2022



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

[Handwritten signature]
22/11/2022