

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO**

W.P.No.43837 OF 2022

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

This writ petition is filed seeking the following relief:

“ ... issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents Nos.2 & 3 in not allowing the petitioner to upload application for counseling for admission into MBBS course under Management Quota ('C/NRI'-Category), in the Next Phase of counseling for the Academic Year 2022-23 in the colleges affiliated to 2nd respondent university as being arbitrary, illegal, violative of Article 14, 21-A of the Constitution of India and consequently direct the respondents Nos.2 & 3 to allow the petitioner to upload the application for counseling for admission into MBBS course under Management Quota ('C/NRI'-Category), in the Next Phase of counseling in the colleges affiliated to 2nd respondent university for the academic year 2022-23 in view of establishment of 3 new colleges after last date of notification and be pleased to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case”

Heard Sri Rajagopallavan Tayi, learned counsel appearing for the petitioner, learned Government Pleader for Medical, Health and Family Welfare appearing for the 1st respondent and Sri A.Prabhakar Rao, learned Standing Counsel appearing for respondent Nos.2 and 3.

Learned counsel for the petitioner had contended that petitioner has appeared for the National Eligibility-cum-Entrance Test (Under-Graduate)-2022 and secured decent rank, but the petitioner intends to upload application for admission into MBBS/BDS under Management Quota. While so, the 2nd respondent-University has issued a notification for admission into Management Quota (B &C/NRI-Category) on 19-10-2022. Pursuant thereto, the petitioner has applied. Learned counsel had further contended that though the petitioner applied for Management Quota (B & C/NRI category, the 2nd respondent-University is not permitting the petitioner for counselling as he could not secure the sponsorship letter within the time. Hence, the petitioner submitted a representation to the 2nd respondent-University on 03.12.2022, but, so far, 2nd respondent-University has not passed any orders thereon; therefore, appropriate orders be passed in the writ petition by directing the 2nd respondent-University to consider the representation submitted by the petitioner on 03.12.2022.

Learned Standing Counsel appearing for respondents 2 and 3 had contended that since the representation of the petitioner is pending with the 2nd respondent-University, the 2nd respondent-University would consider the same and pass appropriate orders thereon.

This Court, having considered the submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent-University to consider the representation submitted by the petitioner on 03.12.2022 and pass appropriate orders, in accordance with law, as expeditiously as possible.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

JUSTICE NAMAVARAPU RAJESHWAR RAO

Date: 06.12.2022

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