IN THE HIGH COURT OF ANDHRA PRADESH::AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 1246 OF 2025

Between:

K Junia Jason, S/o. K.Babu, Aged about 21 years, Occ Student, R/o. Gayatri Nagar, Near Sri Padmavathi Mahila University, M.R.Palli, Tirupathi (Urban), Tirupathi District

...Petitioner

AND

1. Dr NTR University of Health Sciences, Vijayawada, NTR District Rep by its Registrar.
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Medical and Health Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. Narayana Medical College, Nellore Rep by its Principal

...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 a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the Respondents No. 1 and 3 in not allowing the Petitioner to write examination for the 2nd year MBBS Course on the ground that the Petitioner is having shortage of attendance without considering the medical record of the Petitioner as arbitrary, illegal and violation of Article 14, 16 and 21 of the Constitution of India and consequently direct the Respondents No. 1 and 3 to permit the Petitioner to writ the examination for the 2nd year MBBS course by issuing hall ticket in the interest of justice.

IA NO: 1 OF 2025

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 Respondents No. 1 and 3 to permit the Petitioner to writ the examination for the 2nd year MBBS course by issuing hall ticket pending disposal of the Writ Petition in the interest of justice

Counsel for the Petitioner: SRI P.NAGENDRA REDDY

Counsel for the Respondent No.1: M/S. T.V. SRIDEVI, SC FOR NTR UNIVERSITY

Counsel for the Respondent No.2: GP FOR MEDICAL AND HEALTH DEPARTMENT

Counsel for the Respondent No.3:---

The Court made the following: Order

APHC010025402025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3460]**
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No: 1246 of 2025

Between:

K Junia Jason ...**PETITIONER**

AND

Dr Ntr University Of Health Sciences and Others ...**RESPONDENT(S)**

Counsel for the Petitioner:

1. P NAGENDRA REDDY

Counsel for the Respondent(S):

1.

The Court made the following Order:

Heard learned counsel for the petitioner, Ms.T.V.Sridevi, learned Standing Counsel for respondent No.1 and Ms. K.Siva Jyothi, appearing on behalf of learned Government Pleader for Medical and Health for respondent No.2.

2. The present writ petition is filed questioning the action of respondent Nos.1 and 3 in not allowing the writ petitioner to write examination for the 2nd year MBBS Course on the ground that the petitioner is having short fall in mandatory attendance.

3. The petitioner through his father had paid requisite tuition fee and had submitted a representation dated 23.12.2024 explaining that the petitioner was suffering from health issues and psychiatric problem and he was undergone treatment. It was also stated that on account of medical problems, the petitioner cannot attend the classes.

4. The learned counsel for the petitioner relied upon the order passed by the Hon'ble Division Bench of this Court in W.A.No.1001 of 2021 and batch, wherein, this Court left it open to the University to take a call in similar circumstances.

5. The learned counsel for the respondents contended that no medical report was filed along with the writ petition and that the

Universities do not have power to condone the attendance which is less than 75%.

6. Be that as it may, considering the career of the young student is at stake, the respondent No.1 is directed to consider the petitioner's representation dated 23.12.2024, after taking into consideration the petitioner's medical records and pass appropriate orders whether to permit the petitioner to attend the examination or not. As the examinations are scheduled to be held on 21.01.2025, respondent No.1 shall endeavour to take decision by 20.01.2025 on the representation of the petitioner.

7. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. As a sequel, Interlocutory Applications pending, if any, shall stand closed.

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Registrar, Dr NTR University of Health Sciences, Vijayawada, NTR District
2. The Principal Secretary, State of Andhra Pradesh, Medical and Health Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
3. The Principal, Narayana Medical College, Nellore
4. One CC to SRI P.Nagendra Reddy Advocate [OPUC]
5. One CC to M/s. T.V.Sridevi, Standing Counsel for Dr. NTR Health University [OPUC]
6. Two CCs to GP for Health & Medical Department, High Court of Andhra Pradesh [OUT]
7. Three CD Copies.

gsg

HIGH COURT

VACATION COURT

DATED: 17/01/2025

ORDER

WP.No.1246 of 2025



DISPOSING THE WP
WITHOUT COSTS