APHC010519642026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 28232/2026

Between:

1. GANTA SOWMYA, D/O.GANTA RAMESHAGED ABOUT 25 YEARS, BDS STUDENT, 2018-19 BATCH,KIMS DENTAL COLLEGE 85 HOSPITAL,AMALAPURAM, DR. B.R. AMBEDKAR KONASEEMA DISTRICT, ANDHRA PRADESH. R/O F.N0.502, SRI SURYA ENCLAVE, ASHOK NAGAR, KANURU, KRISHNA DISTRICT 520007

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARC DEPARTMENT, A.P. SECRETARIAT, 5TH BLOCK, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH - 522238.
2. DR YSR UNIVERSITY OF HEALTH SCIENCES, REPRESENTED BY ITS REGISTRAR, BESIDE NEW GOVERNMENT GENERAL HOSPITAL, NH-16 SERVICE ROAD, GUNADALA,VIJAYAWADA, NTR DISTRICT, ANDHRA PRADESH - 520008.
3. THE CONTROLLER OF EXAMINATIONS, DR. YSR UNIVERSITY OF HEALTH SCIENCES (FORMERLY DR. N.T.R. UNIVERSITY OF HEALTH SCIENCES),BESIDE NEW GOVERNMENT GENERAL HOSPITAL, NH-16 SERVICE ROAD, GUNADALA,VIJAYAWADA, NTR DISTRICT, ANDHRA PRADESH - 520008.
4. KIMS DENTAL COLLEGE AND HOSPITAL, REPRESENTED BY ITS PRINCIPAL,NH-216, CHAITANYA HEALTH CITY, MUKTESWARAM ROAD,AMALAPURAM, DR. B. R. AMBEDKAR KONASEEMA DISTRICT, ANDHRA PRADESH - 533201.
5. THE NATIONAL DENTAL COMMISSION, REPRESENTED BY ITS SECRETARY,AIWAN-E-GALIB MARG, KOTLA ROAD,TEMPLE LANE, OPPOSITE MATA SUNDRI COLLEGE FOR WOMEN,NEW DELHI- 110002.
6. THE UNION OF INDIA, REPRESENTED BY ITS

SECRETARY,MINISTRY OF HEALTH AND FAMILY WELFARE, GOVERNMENT OF INDIA,NIRMAN BHAWAN, MAULANA AZAD ROAD,NEW DELHI - 110011

...RESPONDENT(S):

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 topleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of respondents 2 to 4 in refusing to permit the petitioner Ganta Sowmya, BDS 2018-19 Batch, admitted on 15-09-2018, to appear in the forthcoming Final BDS examinations on the ground that she has crossed the stipulated eight-year academic period, and the consequential proceedings/communication dated 18-09-2026, as illegal, arbitrary, unreasonable, violative of Articles 14 and 21 of the Constitution of India, contrary to the applicable BDS Regulations and principles of natural justice, and consequently direct the respondents 1. to permit the petitioner to pay the requisite examination fee 2. to accept and process her examination application 3. to issue the necessary hall ticket 4. to permit the petitioner to appear in the forthcoming Final BDS examinations in all her remaining subjects, including theory and practical examinations 5. to permit the petitioner to complete the BDS course in accordance with the applicable regulations 6. upon successful completion of the Final BDS examination, to permit the petitioner to undergo the Compulsory Rotatory Internship and thereafter process her case for award of the BDS degree in accordance with law 7. pass

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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 pleased to direct respondents 2 and 3 to provisionally permit the petitioner Ganta Sowmya, BDS 2018-19 Batch, admitted on 15-09-2018, to pay the examination fee, process her application, issue hall ticket and permit her to appear in the forthcoming Final BDS examinations in all her remaining subjects, which is scheduled to be held from 22-10-2026, subject to the result of the writ petition, and pass

Counsel for the Petitioner:

1. BHAVANI PRASAD NUTAKKI

Counsel for the Respondent(S):

1. GP FOR MEDICAL HEALTH FW

ORDER:

1. The learned counsel appearing for the petitioner submits that the petitioner is aggrieved by the inaction on the part of respondent Nos.2 to 4 in permitting the petitioner to appear for the Final BDS examinations on the ground that she has crossed the stipulated eight-year academic period. The petitioner is also challenging the proceedings dated 18.09.2026, whereby respondent No.2 has informed the petitioner that the petitioner is not eligible to appear for further examinations and that she has to be discharged from the course. It is submitted that the petitioner joined the BDS course in the 2018-19 batch and was required to complete the course by 15.09.2026.

2. It is submitted that the academic schedule for the examinations was not followed by the respondent-University, thereby denying an opportunity to the petitioner to appear for the examinations, which ought to have been conducted as per the academic schedule, resulting in the petitioner becoming ineligible to complete the course within the eight-year period.

3. This Court, while considering similarly placed petitioners, had permitted the petitioners therein to appear for the examinations, considering the extended academic tenure beyond the period of twelve months. It is submitted that the case of the petitioner is similarly placed with that of the petitioners in W.P.No.26899 and batch of 2026.

4. The learned Standing counsel appearing for respondent No.2 submits that the petitioner has a shortage of attendance and that, in the event of a

shortage of attendance beyond 90 days, the petitioner would have to apply for readmission and seek the permission of the respondent-University. It is also submitted that, in the absence of the requisite attendance, the University cannot permit the petitioner to appear for the examinations.

5. In reply, the learned counsel appearing for respondent No.4-college submits that the petitioner was permitted to attend the college from March, 2026 and was also issued a certificate of attendance. However, the respondent No.4 has stated that, though the petitioner had attended the college, she is not entitled to appear for the examinations, as she has not completed the BDS course within the eight-year period.

6. This Court directed the learned Standing counsel to obtain specific instructions with regard to the attendance certificate issued by respondent No.4. The learned Standing counsel submitted that they have not received any information or any corresponding from respondent No.4 with regard to the attendance of the petitioner.

7. Be that as it may, considering the submissions of the learned counsel for the petitioner that the case of the petitioner is on par with the other BDS students who could not complete their BDS course within the eight-year period on account of the respondent-University not following the academic schedule and not conducting the examinations in accordance with the academic schedule, the petitioner is entitled for similar relief.

8. On these considerations this Court is inclined to direct the respondent authorities to permit the petitioner to appear for the BDS Final Examinations scheduled to commence from 22.10.2026.

9. With the above direction, the present writ petition stands disposed off. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:05.10.2026
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