APHC010548632026

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

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 30057/2026

Between:

1. P. TANMAI, D/O P. RAVI KUMAR, AGED 26 YEARS, RIO D.NO. 13-39/1, BAZAAR STREET, SOMPET VILLAGE AND MANDAL, SRIKAKULAM DISTRICT 532284. (HALL TICKET NO. 17093064) FINAL BDS, (SREE SAL DENTAL COLLEGE AND RESEARCH INSTITUTE SRIKAKULAM)

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY,HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT 522237.
2. DR NTR UNIVERSITY OF HEALTH SCIENCES, ,REP. BY ITS REGISTRAR, VIJAYAWADA, NTR DISTRICT 520008.
3. THE CONTROLLER OF EXAMINATIONS, DR. NTR UNIVERSITY OF HEALTH SCIENCES, VIJAYAWADA, NTR DISTRICT 520008.
4. SREE SAI DENTAL COLLEGE AND RESEARCH INSTITUTE, CHAPURAM, SRIKAKULAM DISTRICT. PINCODE 532001.
5. THE NATIONAL DENTAL COMMISSION, (SUCCESSOR TO THE DENTAL COUNCIL OF INDIA), REP. BY ITS SECRETARY, NATIONAL DENTAL COMMISSION BUILDING, PLOT NO. 14, SECTOR-9, R.K. PURAM, NEW DELHI 110022.

...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 towrit, order or direction, more particularly one in the nature of Writ of Mandamus, A). declaring the action of the respondents 2 to 4 in not permitting the petitioner to pay examination fee and to appear for the Final BDS examination in the subjects of 1). ORAL MEDICINE and RADIOLOGY Scheduled on 30-10-2026 and 2). PERIODONTICS Schedule on 06-11-2026 under Notification Ref. No. 10028/E3/BDS/Exams/2026-2 dated 18.08.2026 and the inaction of the 2nd respondent in not considering the petitioner's representation dated 26.08.2026, as illegal, arbitrary, unconstitutional, violative of Articles 14 and 21 of the Constitution of India, contrary to the Revised BDS Course Regulations, 2007 (as amended), and contrary to the order of this Hon'ble Court dated 06.08.2026 in W.P. No. 8161 of 2026and consequently B). direct the respondents 2 to 4 to receive the examination fee, upload the petitioner's particulars on the MEdHAS portal, issue the hall ticket,

permit the petitioner to appear for the said subjects in the October/November 2026 examinations, declare her result, and on her passing, permit her to undergo the one-year compulsory rotatory internship and award the BDS degree

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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

Counsel for the Petitioner:

1. KOPPARTHI SUMATHI

Counsel for the Respondent(S):

1. GP FOR MEDICAL HEALTH FW

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N
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ORDER:

1. The petitioner is aggrieved by the action of respondent Nos.2 to 4 in not permitting the petitioner to pay the examination fee and to appear for the final BDS examination in the subjects of Oral Medicine and Radiology and Periodontics proposed to be held in the month of October/November, 2026. A direction from this court is sought for permitting the petitioner to write the examination.
2. Learned counsel for the petitioner submitted that the petitioner appeared for the BDS final examination conducted in March, 2026 and cleared all papers except the Oral Medicine and Radiology and Periodontics.
3. It is submitted that the petitioner, along with others, filed W.P.No.8161 of 2026 when the petitioners therein were not permitted to pay the exam fee for the scheduled examinations in March, 2026. It is submitted that this Court directed the respondents to permit the petitioners to appear for the examinations conducted in March, 2026. Thereafter, this Court disposed of the writ petition, directing the respondents to declare the exam results as well.
4. It is submitted that the petitioner appeared for the examinations conducted in March, 2026 and failed to clear two subjects, for which the petitioner intends to appear in the ensuing examinations to be conducted in October, 2026. It is submitted that the respondent university is not permitting the petitioner to appear for the examination because the petitioner could not complete the BDS course within the 8-year window period. In this regard,

the petitioner also submitted a representation dated 26.08.2026 seeking indulgence of the respondent authority to permit the petitioner and grant one opportunity to appear for the examination. It is submitted that the petitioner requested that her representation be considered on compassionate and humanitarian grounds.

5. It is submitted that the petitioner received no response from the respondent authority and is constrained to file the present writ petition, seeking this Court's indulgence in directing the respondents to permit the petitioner to appear in the supplementary examinations and clear the backlog subjects.

6. The learned standing counsel for the second respondent submits that this Court cannot consider the petitioner's case in view of the Hon'ble Supreme Court's observation on an identical issue. It was held that the students who did not complete the BDS course as per the regulations cannot be granted any relief. It is submitted that the petitioner failed in the said subject and cannot claim any relief from this Court.

7. In reply, the learned counsel for the petitioner submits that the Supplemental final-year BDS examinations were not held in October-November 2025. In turn, the exams were scheduled in March 2026. Accordingly, the petitioner was deprived of the opportunity to appear in the supplementary examinations in October-November 2025. It is submitted that, had the petitioner been afforded an opportunity to appear for the supplementary examinations, which could not be conducted in 2025, the

petitioner would have had better chances of clearing all subjects within the 8-year window period.

8. It is also submitted that this Court considered the same issue in the earlier round of litigation and permitted the petitioners therein to appear for the examinations conducted in March 2026. It is submitted that the petitioner seeks the indulgence of this Court by permitting the petitioner to appear for the backlog examsonly which the petitioner could not clear in the exams scheduled in March 2026.

9. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents. Perused the material on record.

10. The short point for consideration is whether this Court can exercise the writ jurisdiction and permit the petitioner to appear for the backlog exams which the petitioner could not clear in the examinations conducted in March, 2026.

11. On the facts of the case, admittedly, there is a lapse on the part of the University in conducting the examinations as per the fixed academic schedule. The supplementary examinations for the year 2025 were not conducted and the exams were conducted in the month of March, 2026. By that point of time, the petitioner had crossed the 8-year window for completing the BDS course. However, on indulgence of this court, the petitioner has appeared in the said examinations and cleared all subjects except the backlogs. Things would have been completely different had the respondent university conducted examinations strictly in accordance with the academic schedule and the petitioner exhausting her available

academic chances of clearing the subjects within the window period of 8 years. On account of the extension of the academic year resulting in stretching the academic year beyond the 12-month period, several students who could not complete the course within the 8-year window have approached this court and this court considered their cases. as a one-time measure and permitted them to appear for the examinations only in view of the lapses on part of the respondent university in conducting examinations strictly in accordance with the academic schedule.

12. On the facts of this case also, the petitioner has to clear the backlog papers for completion of BDS course. However, she could not clear the backlogs and as the respondent university was unable to conduct the academic examinations as per the academic schedule, this Court feels it appropriate to grant a last and final opportunity for the petitioner to appear for the examination to be scheduled in the month of October,2026. It is made clear that this arrangement and direction is issued keeping in view the peculiar facts of this case and this order cannot be used as a precedent.

13. The issue of non-conducting of examinations strictly in accordance with the academic schedule for the academic year was not the subject that fell for consideration before the Hon'ble Supreme Court while considering C.A.No.014875-014880/2025 in the matter of **Siddanth Mahajan Vs. State of Rajasthan[1].** The Hon'ble Supreme Court while considering the batch of appeals concerning the legality of the Bachelor of Dental Surgery

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(hereinafter referred to as “BDS”) course admissions granted in the State of Rajasthan for the academic year 2016-17 after lowering of the minimum percentile as prescribed for the National Entrance-cum-Eligibility Test (hereinafter referred to as “NEET”) UG examinations.The learned Division Bench of this Court was not considering the issue relating to the delay on part of the University in conducting the examinations strictly in accordance with the academic calendar.

14. With these observations, the writ petition stands disposed of directing the respondent authorities to permit the petitioner to appear for the Oral Medicine and Radiology and Periodontics exams to be conducted in the month of October/November 2026 as a one time measure.

15. Accordingly, the writ petition is disposed off. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE HARINATH.N

Dated 13.10.2026

Note : Issue CC today
B/o. KGM

Whether the order is:

Speaking		Reasoned	☑
Reportable		Non-reportable	☑

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THE HONOURABLE SRI JUSTICE HARINATH.N

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Dated 13.10.2026

CC today

KGM