IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WRIT PETITION NO: 30959 of 2026

Dr. Beera Sharon Keerthana, ...Petitioner

Vs.

State of Andhra Pradesh and others ...Respondent(s)

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 28th October 2026

Present:

Advocate for Petitioner: SRI KONDAVEETI RAVI, Ld.SENIOR COUNSEL, ASSISTED BY MS.ADAPA RAMYA SAHITHI NAIDU

Advocate(s) for Respondent(s): GP FOR REVENUE, GP FOR MEDICAL HEALTH FW; SMT.TATA VENKATA SRIDEVI, Standing Counsel For Dr.NTR University of Health Sciences

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ORDER:(per Hon'ble Sri Justice Challa Gunaranjan)

Prayer in the writ petition is as follows:

"…. to issue issue a Writ, Order or Direction, more particularly, one in the nature of Writ of Mandamus declaring the action of the Respondents in not providing on-line facility for receiving the application of the petitioner as a local candidate for admission into P. G. Medical Degree Course as per secured by her in NEET examination pursuant to Notification, dated 14.10.2026, issued by the 2nd Respondent is wholly illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and consequently, declare that the petitioner is entitled for receipt of her application for admission into P G Medical

> Degree Course as per the merit obtained by her in NEET examination by treating her as a local candidate of Andhra Pradesh by virtue of the various G. Os. issued by the Government of Andhra Pradesh …"

2. **(a)** Petitioner claims to be native of Pithapuram, Kakinada District, and she studied from Class-IV to X at Kakinada and Intermediate during the years 2015-16 in Krishna District. Petitioner, having appeared for NEET UG examination, secured admission into MBBS course in the academic year 2016-17 at Mallareddy Medical College for Women, Hyderabad, and she completed the course in the year 2021. She also did her internship in the same college. Subsequently, pursuant to Notification, dated 23.07.2022, issued by State Government, she was selected and appointed as Civil Assistant Surgeon and is presently posted at Primary Health Centre, Surampalem, Kakinada District.

(b) 2nd respondent has now issued Notification, dated 14.10.2026, for the purpose of carrying out admissions into PG Medical Degree/ Diploma courses under Competent Authority Quota seats for the academic year 2026–27 for both in-service and non-service candidates. Last date for submission of applications was specified as 21.10.2026.

(c) Petitioner appeared for All India NEET-PG 2026 examination and secured 303 marks, thus, she claims to be qualified and eligible for admission into PG Degree Medical Course under both general category as well as Scheduled Caste category, besides in-service quota.

(d) Petitioner tried to make online application, however, the same was not accepted on the portal. When petitioner tried to contact the office of 2nd respondent and also raised grievance by sending e-mail, she received reply on 18.10.2026, *inter alia,* stating that candidates who have completed their MBBS outside the State of Andhra Pradesh, irrespective of their employment status in the State, would be considered as A.P. Non-Local as per the Presidential Order, provided such candidate can upload 10 years study or residency proof within the State of Andhra Pradesh to claim said local status. Being aggrieved, petitioner preferred present writ petition.

3. Heard Sri Kondaveeti Ravi, learned Senior Counsel, representing Ms.Adapa Ramya Sahithi Naidu, learned counsel for petitioner and Smt.T.V. Sridevi, learned Standing Counsel for Dr.NTR University of Health Sciences, appearing for 2nd respondent.

4. Sri Kondaveeti Ravi, learned Senior Counsel appearing for petitioner, contended that though petitioner had completed her MBBS course in Telangana, since she was considered as local candidate for the purpose of employment and accordingly selected as Civil Assistant Surgeon, said benefit cannot be denied as she continues to be an in-service candidate. Learned Senior Counsel also contended that the notification does not envisage roster points as mandated in terms of

G.O.Ms.No.74, Health, Medical and Family Welfare (E2) Department, dated 21.05.2006, and G.O.Ms.No.43, Health, Medical and Family Welfare (E1) Department, dated 13.03.2013, thus, the very issuance of notification proposing to undertake admissions is vitiated and unsustainable.

5. Opposing aforesaid submissions, Smt.T.V. Sridevi, learned Standing Counsel for 2nd respondent University, at the outset submitted that the very same issue fell for consideration before a co-ordinate Bench of this Court in **Dr.Munjeti Pavani v. State of A.P.**[1] and negating similar submissions, writ petition was dismissed, thus, pleaded for dismissal of present writ petition as well.

6. At this stage, learned Senior Counsel appearing for petitioner, by intervening, contended that order in **Dr.Munjeti Pavani**[1] did not consider the effect of G.O.Ms.No.74, dated 21.05.2006 and G.O.Ms.No.43, dated 13.03.2013, therefore, the issue requires to be examined from the said perspective.

7. In reply, learned Standing Counsel for 2nd respondent University submitted that insofar as status of non-local, G.O.Ms.No.85, dated 20.07.2024, and G.O.Ms.No.99, dated 18.08.2025, would govern the field, which have been duly referred to by the co-ordinate Bench of this

[1] 2025 SCC OnLine AP 3768

Court in **Dr.Munjeti Pavani**[1], and insofar as the issue relating to providing roster points, it is stated that G.O.Ms.No.43, dated 13.03.2013, which was issued subsequent to G.O.Ms.No.74, dated 21.05.2006, would govern the field, and the latter G.O. does not envisage roster points, at any rate, in absence of challenge to the notification, this issue would not arise for consideration at all, thus, pleaded for dismissal of writ petition.

8. We have given our anxious consideration to the submissions made above and perused the record.

9. Main grievance of petitioner, as can be culled out from the pleadings in the writ petition, is that she was not allowed to be considered as local candidate for the purpose of admissions into PG Medical Course. Petitioner admittedly completed her school education and Intermediate education within State of Andhra Pradesh and did her MBBS course in Telangana State. Only after completing internship in the year 2022, she migrated to Andhra Pradesh and thereafter got selected and appointed as Civil Assistant Surgeon in the year 2023. When petitioner tried to make online application along with certificate issued by Tehsildar claiming her status as local candidate, it is stated that the same was not accepted, therefore, she made representation, dated 17.10.2026, to consider her as local candidate for the purpose of NEET-

PG admission. In response, 2nd respondent University replied stating that candidates who completed MBBS course outside Andhra Pradesh, irrespective of their employment status in Andhra Pradesh, would be considered as non-local as per the Presidential Order. This has prompted petitioner to file present writ petition. Prayer in the writ petition confines only to aforesaid aspect. There is no challenge to the notification on the ground of not providing for roster points in terms of G.O.Ms.No.74, dated 21.05.2006 and G.O.Ms.No.43, dated 13.03.2013.

10. Be that as it may, we would first examine the issue raised in the writ petition, i.e., whether candidate who pursued MBBS course outside State of Andhra Pradesh and later joined medical services in the State of Andhra Pradesh would be entitled to claim local status for the purpose of seeking admissions into NEET-PG courses.

11. In **Dr. Munjeti Pavani**[1], similar issue fell for consideration. Petitioners therein were working in medical services in the State of Andhra Pradesh. They had studied up to Intermediate within the State, however, pursued MBBS course outside the State and in some cases even outside the country. Even in the said case, argument was raised that they were entitled to be treated as local candidates *qua* in-service quota for the reason that they have been treated as locals for the

purpose of employment since selected in medical services. Negating the said submission, it has been held as under:

> **"11.** The notification issued, for admission to P.G medical courses, clearly stipulates that a person would be treated as a local candidate, of a local area, only when such a person has studied for a minimum period of four years prior to the qualifying examination of MBBS. We do not think it would be permissible, in the face of the categorical definition set out in the notification as well as the Presidential Order, to permit the candidates who do not fulfill the above criteria, to be treated as local candidates, only on the ground that there had been a deviation from the Presidential Order earlier.
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> **12.** Learned counsel for the petitioners would contend that the concept of in-service candidates, and reservation, of a percentage of the available P.G medical seats, for such in-service candidates, had been considered by the Hon'ble Supreme Court of India in the case of *Tamil Nadu Medical Officers Association.* v. *Union of India*: [(2021) 6 SCC 568], wherein the reservation of a certain percentage of seats in favour of in-service candidates had been upheld with certain stipulations such as minimum service in rural, remote or difficult areas for a specified period being mandatory and to ensure that candidates who complete courses continue to serve in such areas. Learned counsel for the petitioners would contend that in view of the said judgment, a separate category of reservation has been created, and the said category would have to be placed outside the provisions of the Presidential Order and the Government Orders which have been issued for implementation of the Presidential Order.
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> **13.** The notification, dated 18.09.2025, stipulates reservation in favour of local candidates, in the following manner:
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> > 3. **RESERVATION IN FAVOUR OF THE LOCAL CANDIDATES:**
> > Admission to 85% of the seats shall be reserved in favour of the local candidates in relation to the local area as provided in A.P. Educational Institutions (Regulation of Admission) order, 1974 for Non-State wide courses as given in Annexure-III of GO (P) No. 646, Edu. (W1) Department, dt. 10-7-1979.

> **3.1** As per Memo No. 2459247/C1/2024, HM&FW (C1) Dept., dt.20-07-2024 Govt. of A.P. it is hereby clarified that all the 15% of the Unreserved seats in Medical/Dental colleges are now reserved exclusively for the Local candidates from the Andhra and Rayalaseema regions.
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> • **Non-Local (NL) Candidates are not eligible for PG (Medical) Local seats in the State of Andhra Pradesh.**
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> • **NL Candidates with AP Domicile (APNL) are eligible for APUR seats in the State of Andhra Pradesh.**
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> **14.** The term "local candidates" is defined in clause 3.4 of the notification. The said definition is a replication of the definition of local candidate in the presidential order and G.O.Ms. No. 646, dated 10.07.1979, which had been issued for implementation of the Presidential Order. Clause 3.4 clearly stipulates that only a candidate who has studied in the local area, for not less than four consecutive academic years ending with academic years in which he/she appeared or, as the case may be, first appeared in the relevant qualifying examination. The aforesaid stipulation clearly mandates that only candidates who have studied MBBS degree, in the local area, would qualify as local candidates for whom 85% of the seats are reserved. The notification also provides for seats being reserved for in-service candidates, as set out in clause 4.1. Clause 4.2 sets out the eligibility criteria for the in-service quota. This clause does not refer to the reservation set out for local candidates under clause 3 of the notification or the manner in which local candidates are to be decided under clause 3.4."

12. Even in the present case, prospectus issued by 2nd respondent University has similar provision in Clause 3 providing reservation in favour of local candidates, which is verbatim the same. We respectfully concur with the view expressed by the Co-ordinate Bench of this Court in **Dr. Munjeti Pavani**[1], therefore, contention advanced by petitioner in this regard cannot be countenanced.

13. Insofar as the other submission that Notification has not provided for roster points as required under G.O.Ms.No.74, dated 21.05.2006 and G.O.Ms.No.43, dated 13.03.2013, in the absence of any challenge to the Notification, and supported by pleadings in that regard, we are not inclined to examine the said aspect.

14. We, therefore, do not find any merit in writ petition, and accordingly, the same is dismissed. No order as to costs.

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

LISA GILL, CJ **CHALLA GUNARANJAN, J**

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