APHC010612062026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-17
[3584]

WRIT PETITION NO: 33503 of 2026

Dr.Jodi Keerthi ...Petitioner

Vs.

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

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 18th November 2026

Present:

Advocate for Petitioner: MR.Y.TAGORE YADAV, Ld.COUNSEL REPRESENTING MR. KRISTAM SAKTHI NIRANJAN GUPTHA

Advocate(s) for Respondent(s): GP FOR SERVICES I , MRS.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 this writ petition is as under:

"…. issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of Respondent Nos.2 and 3 in treating and classifying the petitioner as a local candidate of Sri Venkateswara University (SVU) area for admission into M.D. (Homoeopathy) courses for the academic year 2026-27 without considering the Local Status Certificate, dated

27.10.2026, issued by competent Tahsildar under Paragraph 4(3) of the Andhra Pradesh Educational Institutions (Regulation of Admissions) Order, 1974, as amended in 2016, and without providing an opportunity in the online application portal to claim local status on the basis of the said certificate notwithstanding the express provisions contained in the prospectus and further without considering the petitioner's representation, dated 09.11.2026, as illegal, arbitrary, unreasonable, contrary to the provisions of the Presidential Order, 1974 and violative of Article 14 of the Constitution of India, and consequently, direct Respondent Nos.2 and 3 to recognise and treat the petitioner as a local candidate of Andhra University (AU) area giving due effect to the Local Status Certificate, dated 27.10.2026, for the purpose of admission into M. D. (Homoeopathy) courses for the academic year 2026-27 and pass…."

2. **(a)** Petitioner is native and permanent resident of Kuyuguru village, Chinturu Mandal, presently falling in Polavaram district of Andhra Pradesh. Before bifurcation of State, said village was situated in erstwhile Khammam district, and after the Andhra Pradesh State Reorganization Act, 2014, and subsequent enactment of the Andhra Pradesh Reorganization (Amendment) Act, 2014, said village, along with few other villages, were transferred to residuary State of Andhra Pradesh and initially included in the erstwhile West Godavari district.

(b) Petitioner is stated to have pursued her school education up to 2015 at Bhadrachalam, in erstwhile Khammam district. She pursued her Intermediate education in Krishna district during the academic years 2015–17. Later, she secured admission into Bachelor of Homoeopathic

Medicine and Surgery (BHMS) course at Guntakal, Anantapur district, and completed the same in September, 2024. She later completed her compulsory rotatory internship in the year 2025.

(c) Petitioner is presently seeking admission into Postgraduate MD (Homoeopathy) course for the academic year 2026–27, pursuant to Notification, dated 06.11.2026, issued by 2nd respondent University. Petitioner, based on her domicile at Kuyuguru village, which presently falls within Polavaram district, claimed as local candidate under Andhra University (A.U.) area, however, considering that she had completed her graduation within local area of Sri Venkateswara University (S.V.U.), her claim was refused, and rather, she was treated as local candidate of S.V. University area. Aggrieved by the same, present writ petition is preferred.

3. Heard Mr.Y.Tagore Yadav, learned counsel, representing Mr.Kristam Sakthi Niranjan Gupta, learned counsel for petitioner and Mrs.T.V.Sridevi, learned Standing Counsel for 2nd respondent University.

4. Learned counsel appearing for petitioner contended that since petitioner, along with her parents, migrated and has been residing in State of Andhra Pradesh post-bifurcation, and has also been issued local status certificate by competent authority in terms of G.O.Ms.Nos.132 and 133, General Administration (SPF&MC)

Department, even dated 13.06.2016, by virtue of Clause 4.2 read with Clause 5.2(ii)(b) of the prospectus issued by 2nd respondent University, she ought to be treated as local candidate falling within Andhra University area. Further, it is also contended that as per Presidential Order, 1974, petitioner has the option of choosing either Clause 5.1 or 5.2, whichever is beneficial, thus, respondents were not justified in merely applying Clause 5.1, which is disadvantageous to petitioner.

5. Opposing above submissions, learned Standing Counsel for 2nd respondent University, referring to written instructions, which are taken on record subject to just exceptions, submitted that Clause 5.2 of the prospectus will apply only in case a candidate does not fit into Clause 5.1 for the purpose of granting admission, petitioner, thus, would not have any option to choose either Clause 5.1 or Clause 5.2, which operate independently in exclusion. It is further submitted that since petitioner has pursued undergraduate course of four years at Anantapur district, falling in S.V. University area, by virtue of Clause 5.1(i), she will be treated as local candidate for the said area and University, therefore, when once she satisfies the criteria of local candidate under Clause 5.1, question of applying Clause 5.2 does not arise.

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

7. In order to test the submissions made by learned counsel appearing for petitioner, it is apt to refer to Clauses 5.1, 5.2, and 5.3 of the prospectus, which are in *pari materia* with the Presidential Order, and read as follows:

> "**4. LOCAL AREA:**
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> 4.1 **Andhra University Area**: The part of the State comprising the erstwhile Districts of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur and Prakasam shall be regarded as the local area for the purposes of admission to the Andhra Pradesh Professional Institutions i.e. Post Graduate Medical and Dental Professional courses and to any other Educational institutions (other than a State-wide University or a State-wide Educational Institution) which is subject to the control of the State Government and is situated in that part.
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> 4.2 **Sri Venkateswara University Area**: The part of the State comprising the erstwhile Districts of Anantapur, Kurnool, Chittoor, Cuddapah and Nellore shall be regarded as the local area for the purposes of admission to the Andhra Pradesh Professional Institutions i.e. Post Graduate Medical and Dental Professional courses and to any other Educational institutions (other than a State-wide University or a State-wide Educational Institution) which is subject to the control of the State Government and is situated in that part.
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> **5. LOCAL CANDIDATES**:
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> 5.1 A candidate for admission to any course of study shall be regarded as local candidate in relation to a local area.
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> i) If he/she has studied in an educational institution(s) in such local area for a period of not less than four consecutive academic year ending with the academic year in which he/she appeared or as the case may be first appeared in the relevant qualifying examination;
>
> or

ii) where, during the whole or any part of the four consecutive academic years ending with the academic year in which he/she appeared or, as the case may be, first appeared in relevant qualifying examination, he/she has resided in that local area for a period of not less than four years immediately preceding the date of commencement of the relevant qualifying examination in which he/she appeared or, as the case may be, first appeared.

5.2 A candidate for admission to any course of study who is not regarded as a local candidate under sub-regulation 5.1 above in relation to any local area shall:

i) If he / she has studied in an educational institution in the state for a period of not less than seven (7) consecutive academic years ending with the academic year in which he/she appeared or as the case may be first appeared in the relevant qualifying examination, if he/she has not studied in the educational institution in any local area, but he/she has resided in the State during the whole of the said period of not less than four years be regarded as a local candidate in relation to

(a) Such local area where he/she resided for the maximum period out of the said period of 7 years;

(b) Where the period of his/her residence in two or more local areas are equal, such local area where he/she resided last in such equal periods;

(or)

ii) If during the whole or any part of the 7 consecutive academic years ending with the academic year in which he/she appeared or as the case may be first appeared for the relevant qualifying examination, if he/she has not studied in the educational institution in any local area, but he/she has resided in the State during the whole of the said period of not less than four years be regarded as a local candidate in relation to

a) Such local area where he/she resided for the maximum period out of the said period of 7 years;

(or)

b) Where the period of his/her residence in two or more local areas are equal, such local area where he/she resided last in such equal periods;

- Local status certificate issued by MRO through online for claiming as AP local as per Circular Nos.4136/SPF&MC/ 2015-5, dated 08.08.2016, 4136/SPF&MC/2015-13, dt. 20.11.2017 & G.O.Ms.No.129, dated 28-10-2019 of General Administration Dept.

5.3. EXPLANATIONS: For the Purpose of this regulation.

i) "Educational Institutions" means a University or any educational institution recognized as such by the State Government, a University or other authority competent in that behalf:

ii) "Relevant qualifying examination" in relation to admission to any course of study, means the examination, a pass in which the minimum educational qualification for admission to such course of study.

NOTE: The relevant qualifying examination for admission to PG (Homoeo) is Bachelor of Homoeopathic Medicine and Surgery examination, the question whether a candidate is a local candidate or not shall be determined with reference to his/her first appearance in the Bachelor of Homeopathic Medicine and Surgery examination.

iii) a) In reckoning the consecutive academic years during which a candidate has studied any period of interruption of his/her study by a reason of his/her failure to pass any examination shall be disregarded.

b) Any period of his/her study in a State-wide University or a State-wide educational institution shall be disregarded

> iv) The question whether any candidate for admission into any course of study has resided in any local area shall be determined with reference to the places where the candidate actually resided and not with reference to the residence of his/her parent or guardian."

8. A close reading of the above Clauses goes to show that Clauses 5.1 and 5.2 operate independently, however, candidate claiming local status will first be tested with reference to Clause 5.1; only if one does not satisfy the criteria laid down therein, he/she shall be applied Clause 5.2 to assess local status. Clause 5.1 decides status of candidate with reference to study or residence, emphasis being on specified local area. Whereas, Clause 5.2 contemplates assessing status of a candidate with reference to study within a State primarily, and local area incidentally. Clause 5.2 is also very clear that it would operate only if in case a candidate is not regarded as a local candidate under Clause 5.1. In other words, if, upon application of Clause 5.1, one has been determined as local candidate, question of once again assessing his/her local status under Clause 5.2 does not arise.

9. It is not in dispute that in present case, petitioner admittedly falls in local area of S.V. University by virtue of Clause 5.1(i). Therefore, we are of the view that petitioner would not have a second chance to access her local status once again under Clause 5.2 on the basis of her residence. Rightly, 2nd respondent University treated petitioner as local

candidate of S.V. University area, which is in conformity with the Presidential Order as well as prospectus issued by 2nd respondent University. In the absence of any challenge to either Presidential Order or the prospectus, claim of petitioner to treat her as local candidate of Andhra University area, having regard to her domicile, merits no consideration.

10. Writ petition is, therefore, devoid of any merit, and accordingly stands dismissed. No order as to costs.

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

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

Dated: 18.11.2026.
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