IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 12483 OF 2026

Between:

1. Mr Challa Pavan Yadav, S/o Mr. Challa Srinivas Yadav, Aged about 34 years, Occ Business,
2. Mr Challa Sai Yadav, S/o. Mr. Challa Yadav, Aged about 31 years, Occ Business

(Both R/o 1-11-2/A, Bhavani Colony, Rajendra Nagar, K.V.Ranga Reddy, Telangana State - 500030.)

...PETITIONERS

AND

1. The State of Telangana, rep. by its Principal Secretary, Medical andHealth Department, Secretariat Building, Hyderabad.
2. The Director of Medical Education, Rep. by its Director, Having its office at Koti, Hyderabad.
3. Star Hospitals, Rep. by its Medical Superintendent, At Door.No.2-74, Survey No.74, Nanakramguda Circle, Financial District, Hyderabad, Telangana - 500008

...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 in the nature of a Writ of Mandamus a) declaring the action of the Respondents, particularly Respondent No.2, in not granting approval for liver transplantation between the Petitioners, despite submission of all requisite documents, as illegal, arbitrary, and violative of Articles 14 and 21 of the Constitution of India b) Consequently, direct Respondent No.2 to forthwith grant necessary approval/permission to enable the Petitioners to proceed with the liver

transplantation at Respondent No.3 Hospital, without insisting upon any additional or non-statutory requirements, including but not limited to local clearances.

I.A. NO: 1 OF 2026

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 Respondent No.2 to forthwith grant necessary approval/permission to enable the Petitioners to proceed with the liver transplantation at Respondent No.3 Hospital, without insisting upon any additional or non-statutory requirements, including but not limited to local clearances.

Counsel for the Petitioner: Ms. P. SRILALITHA

Counsel for the Respondent No.1 & 2: Ms. SWAPNA MADHURI, ASST. GP FOR MEDICAL, HEALTH & FW

Counsel for the Respondent No.3: - - - -

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SMT. JUSTICE RENUKA YARA

WRIT PETITION No.12483 of 2026

THE 20TH DAY OF APRIL, 2026

Between:
Challa Pavan Yadav and another.

...Petitioners

AND

The State of Telangana and two others.

...Respondents

ORDER:

Ms. P. Srilalitha, learned counsel for the petitioners and Ms. Swapna Madhuri, learned Assistant Government Pleader for respondent Nos.1 and 2. Perused the entire record.

2. The present writ petition is filed with the following prayer:

> "...(a) declaring the action of the Respondents, particularly Respondent No.2, in not granting approval for liver transplantation between the Petitioners, despite submission of all requisite documents, as illegal, arbitrary, and violative of Articles 14 and 21 of the Constitution of India:
> (b) Consequently, direct Respondent No.2 to forthwith grant necessary approval/permission to enable the Petitioners to proceed with the liver transplantation at Respondent No.3 Hospital, without insisting upon any additional or non-statutory requirements, including but not limited to local clearances and pass such other order or orders..."

3. The case of the petitioners is that petitioner No.1 requires liver transplantation due to de-compensated Cirrhosis of Liver and he is admitted into respondent No.3-hospital on 08.04.2026. He is advised to

undergo liver transplantation immediately. Petitioner No.2, who is citizen of Canada, is biological brother of petitioner No.1. Petitioner No.2 is willing to donate his liver to support the liver transplantation of petitioner No.1 and for the said purpose all the certificates have been submitted such as residence certificate, family structure certificate, police verification certificate and relationship certificate, duly signed by the Mandal Revenue Officer (MRO) and counter signed by Revenue Divisional Officer (RDO). However, certain certificates could not be obtained as petitioner No.2 is Canadian citizen, as such respondent No.3 hospital is enable to proceed with the liver transplantation surgery for petitioner No.1. In the circumstances, the present writ petition is filed.

4. To prove the relationship between the petitioners relevant documents submitted by the petitioners before this Court are copies of representations submitted by petitioner No.2 to respondent Nos.2 and 3, copy of passport of petitioner No.1, copy of DNA profiling report of the petitioners, copy of report indicating donor-recipient match for organ transplant, copy of treatment certificate, copy of identification form, copy of affidavit to be filed by the recipient, copy of certificate of residence, copy of family structure certificate, copy of police verification certificate, copy of affidavits to be filed by the prospective donor, copy of driving license of

petitioner No.1, copy of criminal record and copy of certificate of residence of recipient.

5. Among the aforementioned documents, the copy of DNA profiling establishes that the petitioners are siblings. Petitioner No.2 in order to support the life of his brother is voluntarily donating part of his liver. There is no extraneous consideration in this donation of liver to his brother, which is prime reason behind the enquiry done under the Transplantation of Human Organs and Tissues Act (THOTA), 1994 and Rules (THOTA Rules), 2014 before any organ donation and/or transplantation.

6. In view of the documents produced and in view of proof of relationship between the petitioners, respondent Nos.2 and 3 are directed to consider the documents available with the petitioners for approval to proceed with the liver transplantation.

7. Accordingly, the writ petition is **allowed**. There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

SD/- T. SRIDEVI
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Department, The State of Telangana, Secretariat Building, Hyderabad.
2. The Director, The Director of Medical Education, Having its office at Koti, Hyderabad.
3. The Medical Superintendent, Star Hospitals, At Door.No.2-74, Survey No.74, Nanakramguda Circle, Financial District, Hyderabad, Telangana - 500008
4. One CC to Ms. P. SRILALITHA, Advocate [OPUC]
5. Two CCs to GP FOR MEDICAL, HEALTH & FW, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

BN

CC TODAY

HIGH COURT

DATED: 20/04/2026



ORDER

WP.No.12483 of 2026

ALLOWING THE WRIT PETITION
WITHOUT COSTS

9 MT
20/4/26