

(2022) 11 TEL CK 0048
In the Telangana High Court
Case No : Writ Petition No. 42135 Of 2022

Gugloth Bhavana

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 18-11-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 11 TEL CK 0048

Hon'ble Judges : ABHINAND KUMAR SHAVILI , j;NAMAVARAPU RAJESHWAR RAO, J

Bench : Division Bench

Advocate : N V Anantha Krishna

Final Decision : Disposed Of

Judgement

1. This Writ Petition is filed by the petitioner under Article 226 of the Constitution of India seeking a Writ of Mandamus or any other appropriate Writ order or direction by declaring the impugned action of 3rd respondent in not permitting the petitioner to pay fees by electronic transfer on 17.11.2022 or grant time till early office hours on 18.11.2022 on the pretext of no permission from the 2nd respondent whereby depriving the petitioner to prosecute her higher studies in MBBS Course in the 3rd respondent college even though petitioner had been allotted seat in the 1st Phase of counselling conducted by the 2nd respondent without following due process of law as illegal, arbitrary and violative of principles of natural justice, etc.; and consequently to direct the respondents to permit petitioner to pay requisite fees and complete formalities forthwith or in the alternative direct the 2nd Respondent to allow the petitioner to take web option in the 2nd Phase of counselling to be opened anytime from 18.11.2022.

2. Heard Mr. N.V. Anantha Krishna, learned counsel for the petitioner; the learned Government Pleader for Medical, Health and Family Welfare, for the 1st respondent; and Mr. A. Prabhakar Rao, learned Standing Counsel for respondent Nos.2 and 3.

3. Learned counsel for the petitioner contended that petitioner has appeared for the National Eligibility-cum-Entrance Test (Under-Graduate), 2022 examination and secured decent marks; petitioner was also allotted a seat in M.B.B.S. Course at Surabhi Institute of Medical Sciences under "B" Category Management Quota, and the petitioner was asked to report to the said college before 04:00 p.m. on 17.11.2022 and also pay fees by the said date; as the petitioner is resident of Palavancha, Bhadradri-Kothagudem District, the petitioner could not report to the 3rd respondent-College which is situated at Siddipet, Siddipet Town, Medak District; therefore, petitioner submitted an e-mail representation dated 17.11.2022 to the 2nd respondent-University requesting the 2nd respondent-University to grant at least two (02) days' time for the petitioner to report to the 3rd respondent-College; but the 2nd respondent-University has not passed any orders on the said representation; further, the allotment letter issued by the 2nd respondent-University to the petitioner was belatedly communicated to the petitioner; therefore, petitioner did not have enough time to go and report to the 3rd respondent-College; and therefore, prayed this Court to pass appropriate orders in the Writ Petition by directing the 2nd respondent-University to permit the petitioner to pay the fees and submit original certificates on or before 19.11.2022 by 04:00 p.m.

4. On the other hand, learned Standing Counsel for the 2nd respondent-University contended that since petitioner's e-mail representation dated 17.11.2022 is pending with the 2nd respondent-University, the 2nd respondent-University would consider the same and pass appropriate orders.

5. This Court, having considered the submissions made by the parties, is of the considered view that the Writ Petition can be disposed of by directing the petitioner to report before the 3rd respondent-College on or before 19.11.2022 before 04:00 p.m. and pay the fees, as the petitioner is only seeking extension of time limit in the allotment letter, and the reason assigned by the petitioner in not reporting to the 3rd respondent-College within the stipulated time and that the letter was belatedly communicated to the petitioner, and therefore, the reason assigned by the petitioner appears to be a genuine one.

6. Therefore, in view of above circumstances, the 2nd respondent-University shall permit the petitioner to report to the 3rd respondent-College on or before 19.11.2022 before 04:00 p.m. with the requisite fee and original certificates; and upon such receipt of the fees and original certificates from the petitioner, the respondents shall admit the petitioner in accordance with the allotment letter.

7. With these observations, the Writ Petition is disposed of. No costs.

8. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.