
(2022) 12 TEL CK 0073
In the Telangana High Court
Case No : Writ Petition No. 45641 Of 2022

Kanjula Indhu Priya

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 21-12-2022

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2022) 12 TEL CK 0073

Hon'ble Judges : Abhinand Kumar Shavili, J; Namavarapu Rajeshwar Rao, J

Bench : Division Bench

Advocate : E V Jagathsen Reddy

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 to declare the action of respondents, particularly the 2nd respondent, in not permitting the petitioner to exercise web options for admission into B.D.S. course in "B" and "C" Category under Management Quota in the next phase of counselling for the Academic Year 2022-23 as illegal, arbitrary and unconstitutional; and consequently, to direct the respondents to consider and permit the petitioner to exercise web options for admission into B.D.S. course under Management Quota "B" and "C" Category in the next phase of counselling for the Academic Year 2022-23.

2. Heard Mr.E.V. Jagathsen Reddy, learned counsel for the petitioner; the learned Government Pleader for Medical and Health for the 1st respondent; and Mr. A. Prabhakar Rao, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences, for the 2nd respondent-University.

3. Learned counsel for the petitioner contended that petitioner has appeared for the National Eligibility-cum-Entrance Test, 2022 (Under-Graduate) and secured a decent rank; thereafter, petitioner responded to admission notification issued by the 2nd respondent-University for admission into "B" Category seat, and

petitioner has also participated in the first phase of counseling; however, petitioner could not exercise web options in the second phase of counseling; thereafter, the 2nd respondent-University had again issued another notification on 15.12.2022, and the 2nd respondent-University is not permitting the petitioner to participate in the mop-up counseling and stray vacancy counseling for admission into M.B.B.S./B.D.S. Course on the ground that petitioner has not exercised web options in the second phase of counseling; and therefore, prayed this Court to pass appropriate orders in the Writ Petition by directing the 2nd respondent-University to permit the petitioner to participate in the mop-up counseling as well as stray vacancy counseling for admission into M.B.B.S. / B.D.S. Course for the Academic Year 2022-23.

4. On the other hand, learned Standing Counsel for the 2nd respondent-University contended that the 2nd respondent-University shall permit the petitioner to participate in the mop-up counseling as well as stray vacancy counseling for admission into M.B.B.S. / B.D.S. Course for the Academic Year 2022-23 provided that petitioner gives an undertaking that she would not leave the seat, if allotted.

5. This Court, having considered the rival submissions made by the parties, is of the considered view that the present Writ Petition can be disposed of by directing the 2nd respondent-University to permit the petitioner to participate in the mop-up counselling as well as in the stray vacancy counselling for admission into M.B.B.S. / B.D.S. Course for the Academic Year 2022-23 subject to the condition that petitioner shall give an undertaking that she would not forgo her seat, if allotted.

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

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