

(2022) 04 TEL CK 0046

In the Telangana High Court

Case No : Writ Petition No. 19856, 19859, 19926 Of 2022

Madapathi Gouthami & Ors

APPELLANT

Vs

State Of Telangana And 2 Others

RESPONDENT

Date of Decision : 19-04-2022

Acts Referred:

Citation : (2022) 04 TEL CK 0046

Hon'ble Judges : Satish Chandra Sharma, CJ; Abhinand Kumar Shavili, J

Bench : Division Bench

Advocate : Abdul Kabeer

Final Decision : Disposed Of

Judgement

Learned counsel for the petitioner, at the outset, has drawn the attention of this Court towards the order dated 18.04.2022 passed in W.P.No.19550 of 2022. His contention is that in similar circumstances, this Court has permitted a student for registration under the management quota.

The order passed by this Court in W.P.No.19550 of 2022 is reproduced as under:-

"Learned counsel for the petitioner, at the outset, has drawn the attention of this Court towards the order dated 12.04.2022 passed in W.P.No.18627 of 2022. His contention is that in similar circumstances, this Court has permitted a student for registration under the management quota.

The order passed by this Court in W.P.No.18627 of 2022 is reproduced as under:-

"Learned counsel for the petitioner has straight away drawn the attention of this Court towards the order dated 17.03.2022 passed by a Division Bench of this Court in W.P.No.13857 of 2022 in similar circumstances. He has also stated that the aforesaid writ petition was disposed of keeping in view the earlier order passed by this Court in W.P.No.8410 of 2022 dated 15.02.2022. The order passed by the Division Bench of this Court in W.P.No.13857 of 2022 is reproduced as under:-

"This writ petition is filed for the following relief;

"to issue a writ, order or direction, particularly one in the nature of a Writ of Mandamus declaring the action of the respondents in not considering and permitting the petitioner into the counseling for category 'B' & 'C' seats for the MBBS course for the academic year 2021-2022 as illegal, arbitrary, unconstitutional and consequently direct the respondents to include the Petitioner's name in the counseling for the MBBS course for the academic year 2021-2022 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. Learned counsel for the petitioner submits that the lis in the present writ petition is squarely covered by the order passed by this court in W.P.No.8410 of 2022, dt.15.02.2022, and hence similar order may be passed.

3. Sri A.Prabhakar Rao, learned Standing Counsel for 2nd respondent does not dispute the same, and seeks to dispose of the writ petition.

4. Heard Learned Government Pleader for Medical and Health and Family Welfare for the 1st respondent.

5. Having regard to the facts and circumstances of the case and the submissions of the learned counsel, the writ petition is disposed of permitting the petitioner to approach the 2nd respondent and submit her application along with original certificates by paying Rs.6,300/- (Rupees Six Thousand Three Hundred only) towards registration charges and Rs.7,500/- (Rupees Seven thousand Five Hundred only) towards service provider charges, within three days from today.

6. On receipt of such representation, respondent No.2 shall consider the case of the petitioner under Management Quota –B and C Category for admission into MBBS course for the academic year 2021- 2022, in accordance with law and take necessary action thereon. No order as to costs.

Interlocutory applications pending, if any, shall stand closed."

In order to maintain parity, as the present case is also identical, the writ petition stands disposed of permitting the petitioner to approach the 2nd respondent and submit her application along with original certificates by paying Rs.6,300/- (Rupees Six Thousand Three Hundred only) towards registration charges and Rs.7,500/- (Rupees Seven thousand Five Hundred only) towards service provider charges, within three days from today. On receipt of such representation, respondent No.2 shall consider the case of the petitioner for admission into MBBS/BDS Degree/Diploma courses under B & C/NRI Category Management Quota in the Next Round of Counselling/Stray vacancy, for the academic year 2021-2022, in accordance with law and take necessary action thereon.

Learned Standing Counsel is present in Court and undertakes to inform the order passed by this Court to the respondents.

Pending miscellaneous applications, if any, shall stand closed. There shall be no

order as to costs.”

In the light of the aforesaid, the present writ petition is also disposed of.

The order dated 12.04.2022 passed in W.P.No.18627 of 2022 shall be applicable mutatis mutandis in the present case also, however, subject to the rules and regulations and the statutory provisions governing the field.

The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.”

It has been informed by the learned counsel for the University that the admissions have already been closed for BDS Degree on 11.04.2022.

In the light of the aforesaid, the present writ petition is also disposed of.

The order dated 18.04.2022 passed in W.P.No.19550 of 2022 shall be applicable mutatis mutandis in the present case also, however, subject to the rules and regulations and the statutory provisions governing the field.

The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.