

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**MONDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 589 OF 2025**



Between:

1. Andhra Pradesh Private Medical and Dental Colleges Managements Association, (Regd No. 115 of 2015), Rep by its General Secretary, Smt. Ganni Kasimbi, D.No. 60-1-2/2, Siddhartha Nagar, Vijayawada Urban, Krishna District, Andhra Pradesh.
2. Dr. Pinnamaneni Siddhartha Institute of Medical Sciences and Research Foundation, Rep by its Secretary, Sri. Paladugu Lakshmana Rao, Chinna Avutapalli, Vijayawada, Andhra Pradesh- 521286.

...Petitioners

AND

1. The State of AP, Rep by its Special Chief Secretary, Department of Health, Medical and Family Welfare, Tulluru, Secretariat Buildings, Velagapudi, Guntur District.
2. The Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh, Rep. by its Member-Secretary, 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block), NH-16, Tadepalli, Guntur District – 522501.
3. Dr NTR University of Health Sciences, Rep by its Registrar, Ring Near Siddhartha Medical College, Beside new Government General Hospital, Near Ramavarappadu, Vijayawada, Andhra Pradesh – 520008.
4. The Medical Council of India, Rep by its Member-Secretary Dada Dev Mandir Road, Dwarka Sector 8, New Delhi – 110077.

5. The Director of Medical Education Government of Andhra Pradesh, Amaravathi, Hanumanpeta, Vijayawada, Andhra Pradesh.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ more in the nature of Writ of Mandamus declaring the clause 5(g) of the notification issued by the 1st Respondent vide G.O. Ms. No. 146 (Health Medical and Family Welfare (C1) Department), dated 05-11-2020 issued upon the recommendations of the 2nd Respondent Commission determining the stipend payable to the students on par with that of the Government run Government Medical Colleges without considering the income generated by the Petitioner-Institution which does not get any grant from the Government and trying to enforce the said G.O., and on the other hand without considering the payment of stipend as expenditure by the 2nd Respondent, Commission as being arbitrary, illegal and violative of Articles 14 and 19(1)(g) of the Constitution of India besides being against the principles of natural justice and offending the Rules framed by the Medical Council of India and consequently set aside the same and issue such other writ or order or direction as deemed fit and proper in the circumstances of case.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the notification to the extent of clause 5(g) issued by the 1st Respondent through impugned GO vide G.O. Ms. No. 146 (Health Medical and Family Welfare (C1) Department), dated 05-11-2020 and further direct the Respondents 1, 2 and 5 to redetermine and notify the quantum of stipend to be paid to the students, Pending disposal of WP 589 of 2025, on the file of the High Court.

IA NO: 2 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd Respondent, Commission to consider the stipend paid to the students as expenditure, while determining the fee structure to the Petitioner colleges, Pending disposal of WP 589 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri N. Subba Rao, Ld. Senior Counsel appearing on behalf of Sri Sri Vijay Mathukumilli, Ld. Counsel for the Writ Petitioner, Sri Vivenkananda Virupaksha, Ld. Counsel for Respondent No.2 and Smt. T.V. Sridevi, Ld. Standing Counsel for the Respondent No.3, and the Court made the following ORDER:

“Heard Sri N. Subba Rao, Ld. Senior Counsel appearing on behalf of Sri Sri Vijay Mathukumilli, Ld. Counsel for the Writ Petitioner, Sri Vivenkananda Virupaksha, Ld. Counsel for Respondent No.2 and Smt. T.V. Sridevi, Ld. Standing Counsel for the Respondent No.3.

- 2. Pleadings are completed.**
- 3. List this matter on 24.06.2025 for Final Hearing.**
- 4. Parties are directed to file Synopsis, chronological sequence of events along with Citations before the next date of hearing.**
- 5. It is indicated that any stipend paid to any of the students shall be subject to the final outcome in these Writ Petitions.**
- 6. Liberty to file Re-joinders in the meantime.”**

**SD/- M.SRINIVAS
ASSISTANT REGISTRAR**

SECTION OFFICER

//TRUE COPY//

For /

To,

1. The Special Chief Secretary, Department of Health, Medical and Family Welfare, State of AP, Tulluru, Secretariat Buildings, Velagapudi, Guntur District.
2. The Member-Secretary, Andhra Pradesh Higher Education Regulatory and Monitoring Commission, Government of Andhra Pradesh, 3rd Floor, Sree Mahendra Enclave, NRI Block (C-Block), NH-16, Tadepalli, Guntur District – 522501.
3. The Registrar, Dr NTR University of Health Sciences, Ring Near Siddhartha Medical College, Beside new Government General Hospital, Near Ramavarappadu, Vijayawada, Andhra Pradesh – 520008.
4. The Member-Secretary, Medical Council of India, Dada Dev Mandir Road, Dwarka Sector 8, New Delhi – 110077.
5. The Director of Medical Education Government of Andhra Pradesh, Amaravathi, Hanumanpeta, Vijayawada, Andhra Pradesh. **(Addresses 1 to 5 by RPAD)**
6. One CC to SRI. SRI VIJAY MATHUKUMILLI, Advocate [OPUC]
7. One CC to SRI VIVENKANANDA VIRUPAKSHA, Advocate [OPUC]
8. One CC to SMT. T.V. SRIDEVI, STANDING COUNSEL, High Court of Andhra Pradesh [OPUC]
9. **One spare copy**

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HIGH COURT

GRKP,J

DATED:28/04/2025

LIST THIS MATTER ON 24.06.2025 FOR FINAL HEARING

ORDER

WP.No.589 of 2025

ORDER

