



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

**[3329]**

MONDAY, THE NINTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION NO: 3547/2026**

**Between:**

1. ANDHRA PRADESH SPECIALITY HOSPITALS ASSOCIATION (ASHA),, A REGISTERED ASSOCIATION BEARING SOCIETY REGISTRATION NO. 358 OF 2014, HAVING ITS OFFICE AT DEEPIKA RESIDENCY, FLAT NO.G-8, NEARTENALI BYPASS ROAD, MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH-522503 REPRESENTED BY ITS PRESIDENT VIJAY KUMAR KURUKURI.

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI.-522237

2. DR NTR VAIDYA SEVA TRUST, REP. BY ITS CHIEF EXECUTIVE OFFICER, MANGALAGIRI, GUNTUR DISTRICT, A.P.-522503

3. ANDHRA PRADESH MEDICAL SERVICES AND INFRASTRUCTURE DEVELOPMENT CORPORATION APMSIDC, REP. BY ITS MANAGING DIRECTOR, MANGALAGIRI, GUNTUR DISTRICT, A.P.-522503

**...RESPONDENT(S):**

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 topleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the issuance of the Request for

Proposal dated 08-12-2025 insofar as it proceeds on the basis of finalised treatment procedure rates as illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India apart from PNJ and also contrary to the minutes dt.04-12-2025, and consequently set aside the said RFP to that extent, and further direct the Respondents to consider and dispose of the Petitioners representation dated 18-12-2025 by passing a reasoned and speaking order after providing due opportunity of hearing to the petitioner by issuing upfront notice to the petitioner and thereafter undertake a scientific, expert-driven and consultative cost analysis in coordination with the Petitioner Association before finalising any treatment procedure rates, and pass

**IA 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 stay all further proceedings pursuant to the impugned Request for Proposal dated 08-12-2025 insofar as it relates to fixation and implementation of treatment procedure rates. Pending Disposal of above Writ Petition, and pass

**Counsel for the Petitioner:**

1. T V P SAI VIHARI

**Counsel for the Respondent(S):**

1. GP FOR MEDICAL HEALTH FW

**The Court made the following:**

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA****WRIT PETITION NO: 3547/2026****ORDER:-**

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

*“to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the issuance of the Request for Proposal dated 08.12.2025 insofar as it proceeds on the basis of finalised treatment procedure rates as illegal, arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India apart from PNJ and also contrary to the minutes dt.04.12.2025 and consequently set aside the said RFP to that extent, and further direct the Respondents to consider and dispose of the Petitioner’s representation dated 18.12.2025 by passing a reasoned and speaking order after providing due opportunity of hearing to the petitioner by issuing upfront notice to the petitioner and thereafter undertake a scientific expert-driven and consultative cost analysis in coordination with the Petitioner Association before finalising any treatment procedure rates and pass such other order or orders...”*

2. Heard learned counsel for the petitioner and learned Special Government Pleader for the respondents.

3. Learned counsel for the petitioner submits that the petitioner herein is a registered association of private hospitals who are rendering health and medical services under Dr.N.T.R. Vaidya Seva Trust and Employees Health Scheme (EHS). The further case of the petitioner is that the respondent No.1 herein proposed to frame a new policy in respect of Dr.N.T.R. Vaidya Seva scheme. For which, the petitioner association was called for negotiations/discussions to formulate a new policy. Accordingly, the petitioner participated in the meetings as instructed by respondent Nos. 1 and 2, wherein, the

petitioner was requested to put forth its suggestions/ discussions/ recommendations. Pursuant to which, many requests were forwarded for their consideration in formulation of new policy. Then, the respondents have been promised orally to consider the requisitions of the petitioner. But without considering the request and contrary to the promise, the respondent No.2 issued a tender notification on 08.12.2025 prescribing tariffs for all the procedures as enumerated therein. For which, the petitioner submitted a representation dated 18.12.2025 for reconsideration of their request. But without considering the representation of the petitioner association, the respondents are proceeding with the finalization of the tender. Hence, the writ petition.

4. Learned counsel for the petitioner also relied upon the ratio laid down by the Hon'ble Apex Court in ***Sivanandan C T and others v. High Court of Kerala and others***<sup>1</sup>, wherein, the relevant portion is extracted hereunder:

*“The underlying basis for the application of the doctrine of legitimate expectation has expanded and evolved to include the principles of good administration. Since citizens repose their trust in the state, the actions and policies of the state give rise to legitimate expectations that the state will adhere to its assurance or past practice by acting in a consistent, transparent, and predictable manner. The principles of good administration require that the decisions of public authorities must withstand the test of consistency, transparency, and predictability to avoid being regarded as arbitrary and therefore violative of Article 14*

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<sup>1</sup> W.P. (Civil) No.229 of 2017 and batch

*From the above discussion, it is evident that the doctrine of substantive legitimate expectation is entrenched in Indian administrative law subject to the limitations on its applicability in given factual situations. The development of Indian jurisprudence is keeping in line with the developments in the common law. The doctrine of substantive legitimate expectation can be successfully invoked by individuals to claim substantive benefits or entitlements based on an existing promise or practice of a public authority. However, it is important to clarify that the doctrine of legitimate expectation cannot serve as an independent basis for judicial review of decisions taken by public authorities. Such a limitation is now well recognized in Indian jurisprudence considering the fact that a legitimate expectation is not a legal right. It is merely an expectation to avail a benefit or relief based on an existing promise or practice. Although the decision by a public authority to deny legitimate expectation may be termed as arbitrary, unfair, or abuse of power, the validity of the decision itself can only be questioned on established principles of equality and non-arbitrariness under Article 14. In a nutshell, an individual who claims a benefit or entitlement based on the doctrine of legitimate expectation has to establish: (i) the legitimacy of the expectation; and (ii) that the denial of the legitimate expectation led to the violation of Article 14.”*

5. Learned counsel for the petitioner further submits that since the petitioners association is one of the stake holders regarding proposed new policy in respect of NTR Vaidya Seva by the respondents, the petitioner is entitled for consideration of its request as promised by the respondents. He further submits that the petitioner is having a right of legitimate expectation against the respondents for consideration of their demands and requests.

Therefore, respondent Nos. 1 and 2 are under obligation to consider the representation of the petitioner before finalization of the tender towards implementations of new policy.

6. On the other hand, learned special Government Pleader for the respondents submits that the respondent Nos. 1 and 2 are empowered to make a new policy basing upon inputs, necessary outcomes and financial constraints of respondent No.2. Therefore to arrive and to make out a new policy, the petitioner was called for meetings and their grievances and requests were considered to whatever extent is possible and accordingly, the new policy was formulated by the respondents. Pursuant to the subject policy, new tender notice was issued for implementing the policy with the help of insurance companies. He further submits that since the petitioner is canvassing for disposal of his representation dated 18.12.2025, the respondent authorities have no hesitation to consider the representation of the petitioner once again by providing opportunity of hearing to the petitioners herein.

7. Heard the submissions made by the learned counsel for both the parties and on perusal of the material placed on record, this Court is of the considered view that the present writ petition can be disposed of, directing the respondent Nos. 1 and 2 to consider the representation dated 18.12.2025 submitted by the petitioner, after providing opportunity of hearing to the petitioner and pass speaking order, in accordance with law, within a period of four (04) weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall also stand closed.

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**VENKATESWARLU NIMMAGADDA, J**

Date:09.02.2026  
BSP

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THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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Date:09.02.2026  
BSP