

[3504]



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE TENTH DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

IA No. 1 OF 2026

IN

WP NO: 9669 OF 2026

Between:

Sohini Ghosh, D/o Arup Prasad Ghosh, Aged about 23 years, Occ
Student, R/o H.No.131/14, Rahuta Road, School Para, Bhatpara,
Shyamnagar, North-24, Parganas, West Bengal, India 743127

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary to Government, Medical and Health Family Welfare Department, Secretariat, Velagapudi, Amaravati, Guntur District 522239
2. Dr. N.T.R University of Health Sciences, Rep by its Registrar, Vijayawada, Andhra Pradesh
3. SVIMS Sri Padmavathi Medical College for Women Sri Venkateshwara Institute of Medical Sciences, Tirupati -517507, Andhra Pradesh, Rep by its Principal.

...Respondents

Counsel for the Petitioner: Sri. ABDUL KABEER

Counsel for the Respondent No.1: GP FOR MEDICAL, HEALTH & FW

Counsel for the Respondent No.2: Smt. T.V. SRIDEVI

Counsel for the Respondent No.3: Sri. N.V.S.V. PRASAD VARMA

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 Respondents No.2 & 3 to issue Hall Ticket and allow the Petitioner to appear and write the Pre-Final Theory Examinations starting from 15.04.2026 without insisting for payment of penalty amount for the academic 4th year, pending Writ Petition;

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

The Court made the following ORDER:

Heard learned counsel for the petitioner, learned Assistant Government Pleader for Medical & Health, Smt. T.V. Sridevi, learned Standing Counsel for respondent No.2 and Sri G. Venkateswarulu, learned counsel representing Sri N.V.S.V. Prasad Varma, learned Standing Counsel for respondent No.3-SSVIMS.

2. It is the submission of the learned counsel for the petitioner that the petitioner is pursuing the fourth year MBBS Course in the 3rd respondent College. Learned counsel submits that consequent to the circular dated 22.11.2025 issued by the 3rd respondent College for payment of Rs.17,07,900/- and penalty of Rs.2,500/- per day along with other students on or before 10.01.2026., the petitioner paid an amount of Rs.17,07,900/- on 25.02.2026 and Rs.8,00,00/- on 21.10.2025.

3. Learned counsel states that though the petitioner paid the requisite amount, the 3rd respondent College is not providing Hall Ticket to appear for the exams commencing from 10.04.2026 on the ground of non payment of penalty amount of Rs.2,500/- per day. He submits that if the petitioner is not allowed to write examinations, she would be deprived of valuable rights under

the Constitution of India and accordingly, learned counsel seeks appropriate directions from this Court.

4. Learned counsel appearing for the 3rd respondent seeks time to get instructions in the lis.

5. This Court has perused the material available on record.

6. Evidently, the petitioner has paid total amount of Rs.25,07,900/- by way of two instalments towards annual fee in favour of the 3rd respondent College.

7. In the case of *Mohini Jain Vs. State of Karnataka & Ors.*¹, the Hon'ble Supreme Court held that the right to education is an integral part of the right to life under Article 21 of the Constitution, and that the imposition of capitation fee or any arbitrary financial barrier, which restricts access to education is violative of Article 14 of the Constitution of India. ✓

8. Considering the submissions made and keeping in view the students' interest as well as the law laid down by the Apex Court, there shall be direction to the respondent Nos.1 & 3 to issue hall ticket forthwith so as to enable the petitioner to appear and write Pre-Final Theory examination commencing from 15.04.2026, without insisting on the payment of the penalty amount.

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary to Government, Medical and Health Family Welfare Department, The State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District 522239. (by SPECIAL MESSENGER)
2. The Registrar, Dr. N.T.R University of Health Sciences, Vijayawada, Andhra Pradesh

¹ (1992) 3 SCC 666

3. The Principal, SVIMS Sri Padmavathi Medical College for Women Sri Venkateshwara Institute of Medical Sciences, Tirupati -517507, Andhra Pradesh. (Addressee Nos. 2 & 3 BY RPAD)
4. One CC to Sri. ABDUL KABEER, Advocate [OPUC]
5. Two CCs to GP FOR MEDICAL HEALTH & FW, High Court Of Andhra Pradesh. [OUT]
6. One CC to Smt. T.V. SRIDEVI, STANDING COUNSEL [OPUC]
7. One CC to Sri. N.V.S.V. PRASAD VARMA, Advocate [OPUC]
8. **One spare copy**

JSS

HIGH COURT

MRK, J

DATED:10/04/2026

POST AFTER FOUR WEEKS.

ORDER

WP.No.9669 of 2026

DIRECTION

