



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

[3329]

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 10996/2026

Between:

1. SRI GAYATHRI HOSPITALS, O/O. OPP MARKET YARD, NEAR NEW BUS STAND, KURNOOL, ANDHRA PRADESH - 518003. REP. BY ITS MANAGING DIRECTOR, N. JEELANI BASHA, S/O. SHAIK HUSSAIN PEERAN, AGED ABOUT 55 YEARS
2. N. JEELANI BASHA,, S/O. SHAIK HUSSAIN PEERAN, AGED ABOUT 55 YEARS, OCC MANAGING DIRECTOR OF SRI GAYATHRI HOSPITALS, R/O. OPP MARKET YARD. NEAR NEW BUS STAND, GAYATHRI HOSPITAL, KURNOOL, ANDHRA PRADESH - 518003.

...PETITIONER(S)

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY, HEALTH MEDICAL DEPARTMENT, AMARAVATI, A.P SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.
2. DR NANDAMURI TARAKA RAMA RAO VAIDYA SEVA TRUST, REPRESENTED BY ITS CHIEF EXECUTIVE OFFICER, MANGALAGIRI, GUNTUR DIST, ANDHRA PRADESH- PIN 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 to issue an order or orders or direction or a writ one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the representation dated 08.04.2026 is illegal, arbitrary and in violation of principles Natural Justice and in violation Article 14, 19 and 21 of

the Constitution of India and consequently direct the respondents to consider the representation dated 08.04.2026 made by the petitioners within 4 weeks after giving an opportunity of personal hearing 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 Pleased to direct the respondents to consider the representation dated 08.04.2026 made by the petitioners within 4 weeks, after giving an opportunity of person hearing to the petitioners pending disposal of the writ petition and pass

Counsel for the Petitioner(S):

1.RAVITEJA PADIRI

Counsel for the Respondent(S):

1.GP FOR MEDICAL HEALTH FW

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 10996/2026****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 action of the respondents in not considering the representation dated 08.04.2026 is illegal, arbitrary and in violation of principles Natural Justice and in violation Article 14, 19 and 21 of the Constitution of India and consequently direct the respondents to consider the representation dated 08.04.2026 made by the petitioners within 4 weeks after giving an opportunity of personal hearing and pass such other order.”

2. Heard learned counsel for the petitioners, learned Government Pleader for respondent No.1 and Sri T.Vishnu Teja, learned Standing Counsel for respondent No.2.

3. Learned counsel for the petitioners submits that the case of the petitioners herein is that they have been rendering medical and health services to the public by establishing Sri Gayathri Hospitals, after having required license as well as registration under the provisions of the Andhra Pradesh Medical Practitioners Registration Act, 1968 (Act No.23 of 1968). While so, the petitioners' hospital was also empanelled with the 2nd respondent for rendering services under NTR Vidya Aarogyasri scheme and as per the terms of the scheme. The coordinator of the respondent No.2 made a complaint

alleging that the petitioners' hospital has misused the Aarogya Aasara funds. Believing the said complaint of the coordinator of respondent No.2, the authorities concerned ordered for CID investigation by registering crime No.94 of 2024 for the offences punishable under Sections 420, 409, 467, 471 read with 34 of Indian Penal Code, 1860. Pursuant to the said crime, CID completed the investigation and submitted its report and also filed charge sheet.

4. Learned counsel for the petitioners further submits that the charge sheet was already filed by the Investigating Officer, but the same was not taken on cognizance by the court below as of now. However, the petitioners were informed that the CID people has given clean chit towards petitioners' hospital and the contents of complaint were disbelieved and pressed for aside as false. As such, the petitioners are entitled for revocation of the suspension and to be included in the list of empanelment of respondent No.2. For which, the petitioners have submitted a representation through a legal representative and the same was forwarded through him on 19.09.2025. Still, the same is pending for consideration.

5. On the other hand, learned Standing Counsel for respondent No.2 submits that no reasons were assigned particularly for the impugned alleged suspension of the petitioner institution from the empanelment of respondent No.2 institution. On the other hand, in the representation which is said to have been forwarded by the

legal representative, nothing was elicited about what are the grounds on which the petitioners are seeking for inclusion in the list of empanelment of respondent No.2. Further, there is no acknowledgment for receipt of representation said to have been submitted by the legal representative. He fairly submitted that if the petitioners submit a representation afresh, respondent No.2 would consider the same in accordance with law.

6. Considering the submissions made by the learned counsel for all the parties and on perusal of the material placed on record, this Court is of the considered view, the present Writ Petition can be disposed of without going into the merits of the case and other contention of the parties. Further, the petitioners herein are directed to submit a representation afresh along with all the relevant documents or material to substantiate that the petitioners did not involve in the alleged crime or any other mischief or contrary to the terms of the scheme, within a period of two(2) weeks from the date of receipt of copy of this order. After such submission, respondent No.2 shall consider the same and pass appropriate orders, after providing an opportunity of hearing to the petitioners as well as other stakeholders and complainant, if any, within a period of four(4) weeks thereafter.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

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

23.04.2026
TPS

VENKATESWARLU NIMMAGADDA, J

205

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 10996/2026

23.04.2026

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