



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

Bench
Sr.No:-
LM-1
[3446]

WRIT PETITION NO: 11177 of 2026

Neelapu Maneesha

...Petitioner

Vs.

The Union of India and others

...Respondents

Advocate for Petitioner : Mr. Thandava Yogesh

Advocate for Respondents : Mr. Josyula Bhaskara Rao, Sr. Standing
Counsel for Central Government – R1

Mr. Vivek Chandra Sekhar, S. – R2

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE R RAGHUNANDAN RAO**

DATE : 23th April 2026

P C :

Notice.

Mr. Josyula Bhaskara Rao, learned Senior Standing Counsel for Central Government, waives service on behalf of respondent No.1.

Mr. Vivek Chandra Sekhar, S., learned Standing Counsel for NMC, waives service on behalf of respondent No.2.

Learned counsel for the petitioner is permitted to take out personal notice upon respondent No.3.

The petitioner, after having cleared her National Eligibility-cum-Entrance Test (NEET) Exam in the year, 2016, proceeded to study abroad for her MBBS course in Georgia and after having successfully completed the same has returned back to the country and is required to undergo a Foreign Medical

Graduate Examination (FMGE) in terms of the Screening Test Regulations, 2002.

The position as it existed before 01.03.2018 was that any candidate desiring to undergo MBBS training abroad was required to obtain an Eligibility Certificate (EC) from the Medical Council of India (MCI), who would look into the issue as to whether the petitioner possessed the basic qualification as prescribed for undergoing MBBS courses in India and possessed the minimum marks otherwise required for competing for the said course within the country.

After 01.03.2018, however, there appears to have been an amendment incorporated in the said Screening Test Regulations, which envisages that any Indian Citizen intending to obtain a primary medical qualification from any medical institution outside India, on or after May 2018, would mandatorily have to qualify the NEET test for admission into an MBBS course and further that the said NEET would be deemed to be the 'Eligibility Certificate' for such persons. This was of course subject to the *proviso* that the candidate fulfills the eligibility criteria for admission to the MBBS course prescribed in the Regulations on Graduate Medical Education, 1997.

It appears that, in the instant case, the respondent No.3 – testing agency is insisting upon the production of an Eligibility Certificate from the petitioner even when the petitioner claims that she is to be governed by the Regulations as they stand amended with effect from 01.03.2018 inasmuch as it is claimed that she had proceeded to undergo the course abroad only in the year, 2019.

We find a *prima facie* case in favour of the petitioner, as the petitioner claims that she had cleared the NEET examination and only then proceeded to travel abroad and undergone the course, nevertheless the petitioner also claims that she has since applied for an Eligibility Certificate with respondent

No.2 on 14.03.2026 and that the said certificate even for purposes of formality is yet to be issued.

It is stated that even when the exam under the Foreign Medical Graduate Examination Scheme is to be conducted on 28.06.2026, yet the last date for submission of application for taking that exam has been fixed on 11.05.2026 and, therefore, the urgency.

Be that as it may, we direct the respondent No.2 to consider the application of the petitioner for grant of a formal Eligibility Certificate in favour of the petitioner in accordance with the Rules which would be applicable in the instant case. This would be without prejudice to the right of the petitioner to claim that the said certificate is not required at all. The respondent No.3 is also directed to permit the petitioner to take the requisite exam, and after accepting the application form without insisting on the production of the Eligibility Certificate.

List on 22.06.2026.

DHIRAJ SINGH THAKUR, CJ

R RAGHUNANDAN RAO, J

kbs