

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABADTUESDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND NINETEEN**:PRESENT:****THE HONOURABLE SRI JUSTICE T.VINOD KUMAR****IA No. 1 OF 2019****IN****WP NO: 24205 OF 2019****Between:**

Pancherpula Devaiah S/o. Late Bhumaiah

...Petitioner

(Petitioner in WP 24205 OF 2019
on the file of High Court)**AND**

1. Union of India, Rep. by its Law Secretary, Department of Law, Parliament Bhavan, New Delhi, India.
2. The State of Telangana, Rep. by its Principle Secretary, Higher Education Department, Secretariat, BRK Bhavan, Hyderabad, TS.
3. Osmania University, Rep. by its Registrar, Osmania University, Hyderabad, TS.
4. TS LAW CET / TS PGLCET-2019, Rep. by its Chairman, TS LAW CET and PGLCET-2019, Vice-Chancellor, Osmania University, Hyderabad, TS.
5. TS LAW CET ITS PGLCET-2019, Rep. by its Convener, TS LAW CET / TS PGLCET-2019, University College of Law, Osmania University, Hyderabad, TS.
6. Bar Council of India, Rep. by its Chairman/Secretary, No. 21, Rouse Avenue, Institutional Area, Near Bal Bhawan, New Delhi - 110 002, India.
7. Bar Council of Telangana, Rep. by its Secretary, High Court Premises, Hyderabad-500 066, Telangana, INDIA.
8. Mahatma Gandhi Law College, Rep. by its Principal, NTR Nagar, L.B.Nagar. Hyderabad-074

...Respondents

(Respondents in-do-)

Counsel for the Petitioner	: SRI C HARI PREETH
Counsel for the Respondent No.1	: ASST. SOLICITOR GENERAL
Counsel for the Respondent No.2	: GP FOR HIGHER EDUCATION
Counsel for the Respondents No.3 TO 5	: SRI CH. JAGANNATHA RAO
Counsel for the Respondent No.6	: SRI S. NANADA

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the W.P, the High Court may be pleased to direct the respondents herein, particularly 3rd respondent to 5th respondents, herein, forthwith allow and grant the permission to the its affiliated law colleges by allowing the petitioner into 3 years Law Admission, either with the 8th respondent Law College or any other affiliated Law Colleges under the Management Quota for the Academic year 2019-20, pending disposal of WP No.24205 of 2019, on the file of the High Court.

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).

ORDER

The present writ petition is filed challenging the action of respondents 3 to 5 in not allowing the petitioner to get admission into 3-Year Law Course under Management quota for the academic year 2019-20 in the respondents colleges on the ground that he is not eligible for seeking admission in law course, as he has not completed the qualifying pattern prescribed i.e., (10 + 2 + 3), while the petitioner has completed the qualifying examination in (10 + 3 + 2).

Heard Mr.C.Hari Preeth, learned counsel for the petitioner, learned Government Pleader for Higher Education for respondent No.2, Mr.Ch.Jagannatha Rao, learned Standing Counsel for respondent Nos.3 to 5, and Ms.S.Nanda, learned Standing Counsel for respondent No.6.

It is submitted by the learned counsel for petitioner that batch of writ petitions with similar issue are pending before this Court, wherein interim orders have been granted. Learned counsel draws the attention of this Court to the interim orders granted by this Court in W.P.Nos.37566 and 35460 of 2016.

The said fact is not disputed by the learned counsel for the respondents. However, learned standing counsel for respondent No.6 submits that Rule 5 of Legal Education Rules, 2008 and, in particular, Rule 5(a) and 5(b) of the Rules have fallen for consideration before a Division Bench of Madras High Court and the said Division Bench had taken a contrary view.

However, having regard to the pendency of similar matters before this Court, I see no reason to take a different view from the one taken in the batch of writ petitions. Further, the petitioner has also filed an affidavit undertaking that by virtue of such permission being granted to prosecute 3-Year Law Course, he will not claim any right to practice as an Advocate upon obtaining 3-Year Law Degree, if interim order is granted in his favour, and he will abide by the final result in the writ petition.

Learned standing counsel for respondent Nos.3 to 5 would submit that web counselling options are already closed and the petitioner, if at all, is eligible to seek admission only by way of spot admission or under Management quota.

Considering the same, there shall be a direction to respondent Nos.3 to 5 to allow the petitioner to participate in spot counseling or under Management quota, and provide admission, if he is otherwise found to be eligible without regard to the objection on educational qualification.

Post along with W.P.No.22656 of 2019.

Sd/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Law Secretary, Department of Law, Union of India, Parliament Bhavan, New Delhi, India.
2. The Principle Secretary, Higher Education Department, State of Telangana, Secretariat, BRK Bhavan, Hyderabad, TS.
3. The Registrar, Osmania University, Osmania University, Hyderabad, TS.
4. The Chairman, TS LAW CET / TS PGLCET-2019, TS LAVVCET and PGLCET-2019, Vice-Chancellor, Osmania University, Hyderabad, TS.
5. The Convener, TS LAW CET ITS PGLCET-2019, TS LAW CET / TS PGLCET-2019, University College of Law, Osmania University, Hyderabad, TS.
6. The Chairman/Secretary, Bar Council of India, No. 21, Rouse Avenue, Institutional Area, Near Bal Bhawan, New Delhi - 110 002, India.
7. The Secretary, Bar Council of Telangana, High Court Premises, Hyderabad-500 066, Telangana, INDIA.
8. The Principal, Mahatma Gandhi Law College, NTR Nagar, L.B.Nagar. Hyderabad-074 (1 to 8 By RPAD)
9. One CC to Sri C Hari Preeth Advocate [OPUC]
10. Two CCs to the GP for Higher Education, High Court at Hyderabad (OUT)
11. One spare copy

HIGH COURT

TVKJ

DATED:05/11/2019

ORDER

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WP No.22656 of 2019

IA No. 1 OF 2019
IN
WP NO: 24205 OF 2019

DIRECTION

