

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 40046 OF 2025

Between:

Dr.Suhana, D/o. P.M. Mohammed, Aged About 32 Years, Occ. Doctor, R/o.
PadinjarePurakal (H), Tiruvathra (PO), Kerala - 680 516.

...PETITIONER

AND

1. The State Of Telangana, Rep. By Its Principal Secretary, Department Of Health, Medical and Family Welfare, Secretariat Building, Hyderabad, Telangana.
2. The Directorate Of Medical Education, Government Of Telangana DM and HS Campus, KutbiGuda, Koti, Hyderabad, Telangana - 500001, Rep. By its Director.
3. Telangana State Medical Council, Sultan Bazaar, Near Post Office, Opposite Women's College, Hyderabad - 500009, Rep. By its Registrar.
4. KNR University Of Health Sciences, Warangal, Telangana State - 506007, Rep. By Its Registrar
5. Osmania Medical College, Turrebaz Khan Road, Koti, Hyderabad - 500001, Rep. By Its Principal. Government Medical College, Raj annaSircilla,
6. Government Medical College, Rajanna Sircilla.

...RESPONDENTS

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 in the nature of Mandamus declaring the action of Respondents in not returning her original certificates and insisting the Petitioner to complete her Senior Residency as illegal and violative of the Fundamental Rights of the Petitioner and consequently be

pleased to pass a direction to Respondent nos. 2 and 5 to return the original certificates of the Petitioner which she had filed along at the time of her admission to the subject PG course.

I.A. NO: 1 OF 2025

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 direct the Respondents to forthwith release the original certificates of the Petitioner and exempt the Petitioner from the requirement of undergoing compulsory Government Service, pending disposal of the present Writ Petition.

Counsel for the Petitioner : SRI UZAIR AHMED KHAN

**Counsel for the Respondent No.1,2,5&6 : Ms.SWAPNA MADHURI,
AGP FOR HEALTH MEDICAL & FW**

Counsel for the Respondent No.3&4 :

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The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HONOURABLE SMT. JUSTICE RENUKA YARA

WRIT PETITION No.40046 of 2025

THE 21st DAY OF APRIL, 2026

Between:

Dr. Suhana.

...Petitioner

AND

The State of Telangana and 5 others.

...Respondents

ORDER:

Sri Uzair Ahmed Khan, learned counsel for the petitioner and Ms. Swapna Madhuri, learned Assistant Government Pleader for Health Medical and Family Welfare Department, for respondent Nos.1, 2, 5 and 6. Perused the entire record.

2. This writ petition is filed with the following prayer:

“...to issue writ, order or direction more particularly in the nature of Mandamus declaring the action of Respondents in not returning her original certificates and insisting the Petitioner to complete her Senior Residency as illegal and violative of the Fundamental Rights of the Petitioner and consequently be pleased to pass a direction to Respondent Nos.2 and 5 to return the original certificates of the Petitioner which she had filed along at the time of her admission to the subject PG course and pass such other order/s...”

3. It is the case of the petitioner that she is qualified medical practitioner, who has completed her post graduation in pediatrics from

respondent No.5-college which is affiliated to respondent No.4-university. The petitioner secured admission to post graduate course through All India quota of National Eligibility cum Entrance Test (NEET)-2021 with All India rank of 10198. After completion of the said course, when the petitioner requested respondent Nos.2 and 5 to return her original certificates, they have insisted her to complete her Senior Residency and then seek return of certificates. Aggrieved by the same the present writ petition is filed.

4. Learned counsel for the petitioner submits that the petitioner has secured admission into PG course through All India quota of NEET and therefore, the rules and regulations applicable to the candidates, who have secured admission through local quota or state quota, are not applicable to those, who have secured admission under All India quota.

5. In that context, learned counsel for the petitioner relied upon the judgment of the High Court of Madras in the case of **P. Vani v. The Director of Medical Education, Kilpauk**¹, wherein it is held that the terms and conditions issued by the respondents through prospectus are not applicable to those who secured admission from All India quota.

¹ MANU/TN/3626/2014

6. Further, reference is made to the judgment of High Court of Chhattisgarh at Bilaspur in the case of **Dr. Amit Bishamlal Vallabhani v. State of Chhattisgarh**², wherein it is held that the candidate securing admission from All India entrance stream cannot be compelled to execute bond like students, who come from other streams by referring to the legal ratio laid down in the case of **Anand S. Biji v. State of Kerala**³.

7. Learned Assistant Government Pleader for respondent Nos.1, 2, 5 and 6 submits that the petitioner does belong to All India quota student and has completed PG course, but contends that she executed a bond having knowledge about the condition to serve Senior Residency locally.

8. In that context, reference is made to the case in **Dr. Abhinav Singla v. State of Telangana**⁴, wherein this Court held that in the light of law laid down by the Hon'ble Supreme Court in case of **Association of Medical Super Specialty Aspirants v. Union of India**⁵, wherein it is held that executive order is also having force of law and therefore, the action of the respondents in issuing the impugned notification and compelling the petitioners to comply with their obligations under the Bond is in terms of

² W.P.(C).No.586 of 2012, dated 10.07.2012.

³ JT 2001 (10) SC 121.

⁴ W.P.No.33966 of 2022, dated 30.01.2023.

⁵ (2019) 8 SCC 607

statutory Rules made under the Act therein and same cannot be found fault with.

9. In reply, learned counsel for the petitioner relied upon the judgment of this Court in the case of **P.V. Amarender Reddy v. The Principal Secretary, Higher Education**⁶, wherein it is held that withholding of original academic qualification certificates is impermissible under the law.
10. Having regard to the contentions of both the learned counsel, it is seen that relief sought in the present writ petition is about returning of the original certificates and not about any other condition, which is to be fulfilled under the Bond executed by the petitioner. Irrespective of whether or not the petitioner has fulfilled her obligation under the Bond signed by her in favour of respondent Nos.2 and 5, as per the Division Bench judgment of this Court in **D. Vaishnavi v. State of Telangana**⁷, withholding of the original academic qualification certificates is improper and the said order is applicable to the petitioner in the instant case.

11. In view of the foregoing discussion, the writ petition is **allowed** and respondent Nos.2 and 5 are directed to return the original certificates of the petitioner within a period of two weeks from the date of receipt of copy of

⁶ W.P.No.18393 of 2025, dated 04.12.2025.

⁷ W.P.No.21137 of 2019, dated 24.01.2020.

this order. There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

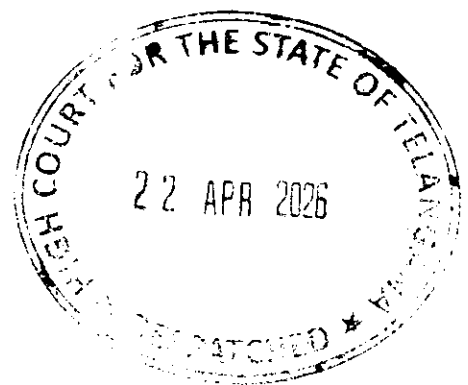
1. The Principal Secretary, Department Of Health, Medical and Family Welfare, Secretariat, Telangana State, Hyderabad, Telangana.
2. The Directorate Of Medical Education, Government Of Telangana DM and HS Campus, KutbiGuda, Koti, Hyderabad, Telangana - 500001, Rep. By its Director.
3. The Registrar, Telangana State Medical Council, Sultan Bazaar, Near Post Office, Opposite Women's College, Hyderabad - 500009.
4. The Registrar, KNR University Of Health Sciences, Warangal, Telangana State - 506007
5. The Principal, Osmania Medical College, Turrebaz Khan Road, Koti, Hyderabad - 500001, Government Medical College, Raj annaSircilla,
6. The Government Medical College, Rajanna Sircilla
7. One CC to SRI. UZAIR AHMED KHAN Advocate [OPUC]
8. Two CCs to GP FOR MEDICAL HEALTH FW High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies.

 BSK

HIGH COURT

DATED: 21/04/2026

CC TODAY



ORDER

WP.No.40046 of 2025

**ALLOWING THE WRIT PETITION
WITHOUT COSTS**

①2
22/04/26
P.K