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

TUESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 23916 OF 2026

Between:

Miniskar Harshitha, D/o.Miniskar Nageshwara Rao, Aged about 30 years, Occ ; Medical Practitioner/student, R/o.H.No.49-405-3/K, Ring Road Padma Nagar Phase-II Chinthal, Quthbullapur, Hyderabad.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Medical and Health Department Secretariat building, Hyderabad.
2. The Kaloji NarayanaRao Health Sciences University, Rep by its Registrar, Warangal, Warangal District.
3. The Controller of Examination, The Kaloji Narayana Rao Health Sciences University Warangal, Warangal District.
4. The Kakatiya Medical College, Hanumakonda, represented by its Principal.
5. The Gandhi Medical College, Secunderabad, rep. by its Principal.

.....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 to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring action of the respondents Nos. 2 to 5 in withholding the original certificates such as Memorandum of Marks in MBBS, MBBS Degree Certificate, Compulsory Rotatory Inturnship Certificate, MBBS Permanent registration certificate, caste certificate, transfer certificate, Migration certificate, OBC Certificate, SSC date of birth certificate and SSC Memorandum of Marks, Intermediate Memorandum of Marks, Bonafide certificate, study certificate, conduct

certificate, Original Medical registration certificate issued by the Telangana State Medical council, submitted by the petitioner at the time of Admission into Post Graduation Degree Course MD, Geriatrics in 5th respondent college and re-allotted into 4th respondent college in MD Biochemistry in the MOPUP phase of counseling and also to declare the letter No.3107/KNRUHS/Academic/AD-II/2026 dated 17.04.2026 addressed to the 5th respondent college to collect Rs.50,00,000/- from the petitioner for return of original certificates of the petitioner, as illegal, arbitrary, contrary to the orders passed by the Honourable High court in W.P.No.21137 of 2019 dated 24.01.2020, and in violation of Article 14 and 21 of the Constitution of India and consequently direct the respondents to issue afore said original certificates to the petitioner forthwith.,

I.A.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 to direct the respondents to issue the original certificates such as Memorandum of Marks in MBBS, MBBS Degree Certificate, Compulsory Rotatory Inturnship Certificate, MBBS Permanent registration certificate, caste certificate, transfer certificate, Migration certificate, OBC Certificate, SSC date of birth certificate and SSC Memorandum of Marks, Intermediate Memorandum of Marks, Bonafide certificate, study certificate, conduct certificate, Original Medical registration certificate issued by the Telangana State Medical council, submitted by the petitioner at the time of Admission into Post Graduation Degree Course MD, Geriatrics in 5th respondent college, to the petitioner by suspending the operation of the order No. 3107/KNRUHS/Academic/AD-II/2026 dated 17.04.2026 issued by the 2nd respondent, pending disposal of the above writ petition.

Counsel for the Petitioner : SRI A.PRABHAKAR RAO

Counsel for the Respondent Nos.1, 4 & 5 : SRI R.NAGARJUN REDDY, AGP FOR MEDICAL HEALTH AND FAMILY WELFARE

Counsel for the Respondent Nos.2 & 3 : SRI T.SHARAT, SC FOR KNRUHS

The Court made the following ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION No.23916 of 2026
(C.N.R.No.HBHC010492162026)

13 OCTOBER, 2026

Between:

Miniskar Harshitha

... Petitioner

AND

The State of Telangana and 4 others

...Respondents

: O R D E R :

This Writ Petition is filed seeking the following relief:

> *"to issue an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring action of the respondents Nos.2 to 5 in withholding the original certificates such as Memorandum of Marks in MBBS, MBBS Degree Certificate, Compulsory Rotatory Internship Certificate, MBBS Permanent registration certificate, caste certificate, transfer certificate, Migration certificate, OBC Certificate, SSC date of birth certificate and SSC Memorandum of Marks, Intermediate Memorandum of Marks, Bonafide certificate, study certificate, conduct certificate, Original Medical registration certificate issued by the Telangana State Medical council, submitted by the petitioner at the time of Admission into Post Graduation Degree Course MD, Geriatrics in 5th respondent college and re-allotted into 4th respondent college in MD Biochemistry in the MOPUP phase of counseling and also to declare the letter No.3107/KNRUHS/Academic/AD-II/2026 dated 17.04.2026 addressed to the 5th respondent college to collect Rs.50,00,000/- from the petitioner for return of original certificates of the petitioner, as illegal, arbitrary, contrary to the orders passed by the Hon'ble High court in W.P.No.21137 of 2019 dated 24.01.2020, and in violation of Article 14 and 21 of the Constitution of India and consequently direct the*

respondents to issue aforesaid original certificates to the petitioner forthwith and pass..."

2. Heard Mr. A.Prabhakar Rao, learned Senior Counsel for the petitioner, Mr. R.Nagarjun Reddy, learned Assistant Government Pleader for Medical, Health and Family Welfare Department appearing for respondent Nos.1, 4 and 5 and Mr. T.Sharat, learned Standing Counsel for KNRUHS, appearing for respondent Nos.2 and 3. Perused the record.

3. The case of the petitioner is that, pursuant to her NEET-PG 2025 rank, she was allotted a seat in M.D. Geriatrics in respondent No.5-college for the academic year 2025-26 during the first phase of counseling *vide* allotment letter dated 14.12.2025. She joined the course, paid the requisite college and university fees and submitted all her original certificates to respondent No.5. During the subsequent phases of counselling, including the MOP-UP phase, she was allotted a seat in M.D. Biochemistry in respondent No.4-college *vide* allotment letter dated 16.02.2026. As such, respondent No.5 issued a custodian/relieving certificate, dated 17.02.2026. Further case of the petitioner is that owing to health and personal reasons, she did not join the said course. Thereafter, she submitted representations, dated 24.02.2026 to respondent Nos.2 and 5, requesting to waive off the penalty and return her original

certificates. *Vide* letter, dated 17.04.2026, respondent No.2-University directed respondent No.5-college not to return her original certificates, unless penalty amount of Rs.50,00,000/-, in terms of G.O.Ms.No.107, dated 22.08.2022 is paid. Hence, the present writ petition.

4. Learned Senior Counsel for the petitioner submits that the respondents have no authority to withhold the original certificates of the petitioner towards recovery of the penalty. He submits that the seats allotted to the petitioner were subsequently allotted to other meritorious candidates and therefore did not go waste. He further submits that imposing such a huge penalty, particularly when the petitioner did not join the allotted course, is illegal and arbitrary. He further submits that the petitioner has appeared for NEET-PG 2026 and requires her original certificates to complete the admission formalities. He further submits that the petitioner is required to submit her original certificates on or before 03.11.2026 and that any further delay in release of the petitioner's original certificates would irreparably prejudice her academic career. Therefore, he prayed this Court to declare the letter, dated 17.04.2026, imposing a penalty of Rs.50,00,000/- on the petitioner as illegal and arbitrary and direct

respondent No.5 to forthwith return the petitioner's original certificates.

5. On the other hand, learned Assistant Government Pleader for Medical, Health and Family Welfare Department appearing for respondent Nos.1, 4 and 5 and learned Standing Counsel for KNRUHS, appearing for respondent Nos.2 and 3 opposed for the same.

6. It is not in dispute that the petitioner submitted her original certificates to respondent No.5 at the time of admission to the M.D. Geriatrics course and the said certificates are presently in the custody of respondent No.5. The original certificates, being the petitioner's personal and academic documents, cannot be withheld merely on the ground of any outstanding liability. Even if the petitioner has violated any undertaking or rule or instructions, etc., the proper remedy, if any, available to the respondents is to pursue appropriate proceedings, for recovery of the amounts due, in accordance with law. However, retention of the petitioner's original certificates as security for recovery of such amounts is impermissible. Therefore, this Court is of the considered opinion that the petitioner is entitled to the immediate return of her original certificates.

7. For the foregoing discussion and considering that the petitioner is required to submit her original certificates on or before 03.11.2026 in the NEET-PG 2026 counselling process, this Writ Petition is disposed of, directing respondent No.5 to return the original certificates i.e., Memorandum of Marks in MBBS, MBBS Degree Certificate, Compulsory Rotatory Internship Certificate, MBBS Permanent registration certificate, caste certificate, transfer certificate, Migration certificate, OBC Certificate, SSC date of birth certificate and SSC Memorandum of Marks, Intermediate Memorandum of Marks, Bonafide certificate, study certificate, conduct certificate, Original Medical registration certificate issued by the Telangana State Medical council, to the petitioner by 17.10.2026. It is made clear that respondent Nos.2 and 5 are at liberty to initiate appropriate proceedings, in accordance with law, for recovery of amounts, if any, due from the petitioner. No costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/- K.V.O. NARSI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Medical and Health Department Secretariat building, State of Telangana at Hyderabad.
2. The Registrar, Kaloji NarayanaRao Health Sciences University, Warangal, Warangal District.

3. The Controller of Examination, The Kaloji Narayana Rao Health Sciences University Warangal, Warangal District.
4. The Principal, Kakatiya Medical College,, Hanumakonda.
5. The Principal, Gandhi Medical College, Secunderabad.
6. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
7. One CC to SRI A.PRABHAKAR RAO, Advocate [OPUC]
8. One CC to SRI T.SHARAT, SC FOR KNRUHS (OPUC)
9. Two CD Copies

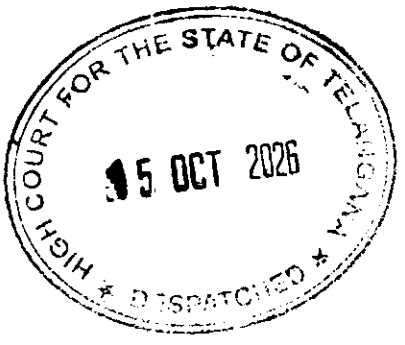
SA



C.C.TODAY

HIGH COURT

DATED: 13/10/2026



ORDER

WP.No.23916 of 2026

DISPOSING OF THE W.P

WITHOUT COSTS.

(12) 15/10/26