

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

FRIDAY, THE TWENTY THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 1217 OF 2026

Between:

Banothu Mahesh Karthik, S/o. B. Harilal, aged 21 years, R/o. House No. 16-1-42, Brahmana Bazar, New Palvancho, Bhadradi Kothagudem District, Telangana - 507115.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Department of Education, Secretariat Buildings, Hyderabad, Telangana.
2. Kaloji Narayana Rao University of Health Sciences, rep by its Registrar, Warangal, Telangana.

...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 pass appropriate orders or issue directions or issue any appropriate writ, more particularly in the nature of a WRIT OF MANDAMUS, declaring the action of the Respondent No. 2, namely Kaloji Narayana Rao University of Health Sciences, in declaring the petitioner as failed in the subject of Physiology by a marginal shortfall of 2 marks, despite the petitioner having answered the examination diligently and in accordance with the prescribed syllabus, and in not considering the petitioners case for grant of grace marks / moderation / re-evaluation, despite the petitioner having cleared all other subjects and the failure resulting in grave and irreparable loss of the petitioners medical career, as arbitrary, illegal, unreasonable and violative of Articles 14 and 21 of the Constitution of India, and consequently direct the respondent University to forthwith consider the petitioners case for grant of grace marks / moderation / re-

evaluation in accordance with the applicable regulations and pass appropriate orders within a strict time-bound period, preferably within a few days, so as to prevent loss of one academic year and medical seat, pending disposal of the writ petition.

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 to direct the Respondent Nos.2, namely Kaloji Narayana Rao University of Health Sciences, to immediately consider the petitioners case for grant of grace marks / moderation / re-evaluation / re-correction in the subject of Physiology, strictly in accordance with the applicable rules and regulations, and pass appropriate orders within a strict time-bound period, so as to prevent loss of one academic year and medical seat, in the interest of justice, pending disposal of the writ petition.

Counsel for the Petitioner : SMT.M. SHARADA DEVI

Counsel for the Respondent No.1 : GP FOR EDUCATION

**Counsel for the Respondent No.2 : SRI T.SHARATH,
SC FOR KNRUHS**

The Court made the following: ORDER

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

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.1217 OF 2026

DATE: 23.01.2026

Between :

Sri Banothu Mahesh Karthik

... **Petitioner**

A n d

The State of Telangana, Rep. by its
Principal Secretary, Department of Education
Secretariat Buildings, Hyderabad & another

... **Respondents**

ORDER:

**Heard Smt. M.Sharada Devi, learned counsel
appearing on behalf of the petitioner, learned Assistant
Government Pleader for Education appearing on behalf
of the respondent No.1 and Sri T.Sharath, learned
Standing Counsel for Kaloji Narayanrao University of
Health Sciences appearing on behalf of the respondent
No.2.**

**2. The petitioner approached the Court seeking
prayer as under:**

"...to pass appropriate orders to issue directions or issue any appropriate writ more particularly in the nature of a WRIT OF MANDAMUS declaring the action of the Respondent No. 2, namely Kaloji Narayana Rao University of Health Sciences in declaring the petitioner as failed in the subject of Physiology by a marginal shortfall of 2 marks despite the petitioner having answered the examination diligently and in accordance with the prescribed syllabus and in not considering the petitioners case for grant of grace marks / moderation / reevaluation despite the petitioner having cleared all other subjects and the failure resulting in grave and irreparable loss of the petitioners medical career as arbitrary, illegal, unreasonable and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondent University to forthwith consider the petitioner's case for grant of grace marks / moderation / re-evaluation in accordance with the applicable regulations and pass appropriate orders within a strict time-bound period preferably within a few days, so as to prevent loss of one academic year and medical seat pending disposal of the writ petition and pass..."

3. The case of the petitioner in brief is that The petitioner is an MBBS student admitted to MediCiti Institute of Medical Sciences, Karimnagar, on 20.09.2023. In the MBBS First Year Examinations conducted by the respondent, the petitioner appeared for Biochemistry, Anatomy, and Physiology, bearing Hall Ticket No. 2301009013. While the petitioner cleared all other subjects, the petitioner was declared failed in Physiology (Theory) by a very marginal shortfall of only two

(2) marks in the fourth and final attempt, despite having answered the examination diligently. This failure would adversely affect the petitioner's career. The petitioner has therefore filed the present Writ Petition seeking the grant of grace marks/moderation/revaluation.

DISCUSSION AND CONCLUSION:

4. **The Apex Court in the Judgment reported in 2011 (8) SCC Page 497 in Central Board of Secondary Education Vs. Aditya Bandopadhyay and others at Para No.18 observed as under:**

"18.... What arises for consideration is the question whether the examinee is entitled to inspect his evaluated answer books or take certified copies thereof. This right is claimed by the students, not with reference to the rules or bye-laws of examining bodies, but under the RTI Act which enables them and entitles them to have access to the answer books as 'information' and inspect them and take certified copies thereof. Section 22 of RTI Act provides that the provisions of the said Act will have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force. Therefore the provisions of the RTI Act will prevail over the provisions of the bye-laws/rules of the examining bodies in regard to examinations. As a result, unless the examining body is able to demonstrate that the answer books fall under the exempted category of information described in clause (e) of

section 8(1) of RTI Act, the examining body will be bound to provide access to an examinee to inspect and take copies of his evaluated answer books, even if such inspection or taking copies is barred under the rules/bye-laws of the examining body governing the examinations. Therefore, the decision of this Court in Maharashtra Board (supra) and the subsequent decisions following the same, will not alter or interfere with the right of the examinee seeking inspection of answer-books or taking certified copies thereof."

5. Learned counsel appearing on behalf of the petitioner submits that the subject issue in the present writ petition is squarely covered by the order of this Court dated 07.01.2026 passed in W.P. No.585 of 2026 and hence, the petitioner is entitled for the similar relief as extended to the petitioner in W.P. No. 585 of 2026.

6. Learned Assistant Government Pleader appearing on behalf of the respondent No.1 and the learned Standing Counsel appearing on behalf of the respondent No.2 do not dispute the said submission made by the learned counsel appearing on behalf of the petitioner.

7. **This Court opines that the Grievance Committee of the 2nd respondent University is bound to consider**

the request of the petitioner for revaluation of answer sheets of MBBS 1st year Physiology Theory paper of the petitioner in view of the specific observations of the Apex Court Judgment (referred to and extracted above),

8. TAKING INTO CONSIDERATION:

(a) The aforesaid facts and circumstances of the case,

(b) The submissions made by the learned counsel appearing on behalf of the petitioner, learned Assistant Government Pleader appearing on behalf of the respondent No.1 and the learned counsel appearing on behalf of the respondent No.2,

(c) The Apex Court judgment reported in 2011 (8) SCC Page 497 (referred to and extracted above).

(d) The order of this Court, dated 07.01.2026 passed in W.P.No.585 of 2026.

(e) The discussion and conclusion as arrived at para Nos.4 to 7 of the present order,

The writ petition is disposed of in terms of the order of this Court dated 07.01.2026 passed in W.P. No. 585 of 2026, with an observation that, as and when the petitioner approaches the Grievance Committee of the 2nd respondent University by paying the requisite fees, the petitioner shall be permitted to reverify petitioner's answer sheet of MBES 1st year Physiology Theory paper, duly taking into consideration the observations of the Apex Court in the judgment (referred to and extracted above). However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

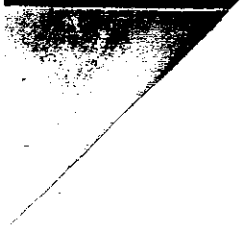
SD/-A.F. S.GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Education, Secretariat, Telangana State, Hyderabad, Telangana.
2. The Registrar, Kaloji Narayana Rao University of Health Sciences, Warangal, Telangana.
3. One CC to SMT.M. SHARADA DEVI, Advocate. [OPUC]
4. Two CCs to GP FOR EDUCATION, High Court for the State of Telangana. [OUT]

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5. One CC to SRI T.SHARATH, SC for Kaloji Narayana Rao University of Health Sciences, Warangal. [OPUC]
 6. Two CD Copies.

(Along with a copy of the Order, dated 07-01-2026 in W.P.No.585 of 2026 to this Order)

BSK

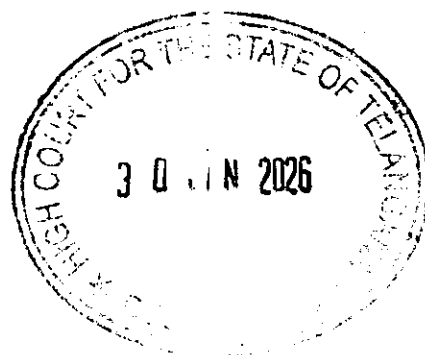
HIGH COURT

DATED:23/01/2026

CC TODAY

ORDER

WP.No.1217 of 2026



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑨ MT
29/1/26

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

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.585 of 2026

Dated : 07.01.2026

Between

Ms. Harshini Kishore, D/o. Kishore Eswaran,
Aged 21 years, occ : Medical student,
R/o. F.No.212, SMR Vinay, Miyapur, Hyderabad

.... Petitioner

AND

The Kaloji Narayana Rao University
of Health Sciences, (NRUHS), rep. by its
Registrar, Warangal & 2 others

... Respondents

ORDER:

**Heard Sri P. Rama Sharana Sharma, learned counsel
appearing on behalf of the petitioner and Sri T. Sharath,
learned Standing Counsel for Kaloji Narayana Rao
University of Health Sciences, (NRUHS), appearing on
behalf of respondent Nos.1 and 2.**

**2. The petitioner approached the Court seeking the
prayer as follows:**

".....to pass an order or direction or writ
particularly in the nature of Writ of *Mandamus* duly

declaring the inaction of the 2nd respondent in considering the request of the petitioner dated 30.12.2025 seeking re-verification of her answer sheets in the subject of Human Anatomy in the I year of MBBS exam held in the month of November, 2025 and the petitioner appeared through hall ticket number 2401032051 as illegal, arbitrary and against the principles of natural justice and consequently direct the 2nd respondent to consider the request of the petitioner dated 30.12.2025 for re-verification of her answer sheet in the subject of Human Anatomy in the interest of justice and to pass...".

3. The case of the petitioner in brief as per the averments made in the affidavit filed in support of the present Writ Petition is as under:-

The petitioner has been pursuing the medical course from the respondent's university and had appeared for MBBS 1st year examination vide hall ticket number 2401032051 in the month of November, 2025 and the results were announced on 23.12.2025 in which the petitioner failed in Human Anatomy with just one mark short. The petitioner applied for re-verification of marks through online on 26.12.2025 but the 2nd respondent has not taken any action till date. Aggrieved by the

same, the petitioner approached the Court by filing the present writ petition.

PERUSED THE RECORD

4. The learned counsel appearing on behalf of the petitioner submits that the subject issue in the present writ petition is squarely covered by the order of this Court dated 28.01.2025 passed in W.P. No.2249 of 2025.

5. Bringing the said submissions of the learned counsel appearing on behalf of the petitioner, the writ petition is disposed of granting liberty to the petitioner to approach the Grievance Committee appointed by the respondent No.1-University by submitting representation with request to re-verify the petitioner's answer sheets in the subject of Human Anatomy of the petitioner's MBBS 1st year examination held in the month of November, 2025, for which the petitioner had appeared through Hall Ticket No.2401032051 on any working day within two weeks from the date of receipt of a copy of the order, by paying the requisite fee as per the rules and on receipt of the said payment and the representation, the Grievance

Committee appointed by the respondent No. . shall permit the retotalling of the marks of the aforesaid subject. Thereafter, if the petitioner has any grievance, the petitioner can take steps to ventilate her grievance in accordance to law. However, there shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any pending, in the Writ Petition shall also stand closed.

MRS. JUSTICE SURESH PALLI NANDA

Date: 07.01.2026

Note

Issue C.C. today

B/o.

Skj