

**IN THE 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: 2108 OF 2026

Between:

Rakasi Arnab Reddy, S/o. R. Balavardhan Reddy, aged about 20 years, Occ ;
Student, R/o.41, Aditya Fort View, Manikonda, R.R. Dist, Hyderabad.

.....PETITIONER

AND

1. The State of Telangana, represented by its Principal Secretary, Medical & Health Family Welfare Department, Secretariat Buildings, Hyderabad-500 055.
2. Kaloji Nararayana Rao University of Health Sciences, represented by its Registrar, Warangal.

.....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 a writ of mandamus or any other direction declaring the action of the 2nd respondent in not conducting revaluation of answer sheets of MBBS First year Human Anatomy theory paper of the petitioner as bad in law and violation of Articles 14, 19 and 21 of the constitution of India and the principles of natural justice and consequently direct the Respondents to forthwith to re-evaluate answer sheet of MBBS First year Human Anatomy theory paper of the petitioner and permit the petitioner to verify the answer sheet of MBBS First year Human Anatomy theory paper.

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 allow the Petitioner to personally verify the answer scripts of MBBS First year Human Anatomy theory paper of the examination held in the month of November , 2025 pending disposal of the writ petition .

Counsel for the Petitioner : SRI SRINIVASA RAO PACHWA

Counsel for the Respondent No.1 : AGP FOR MEDICAL HEALTH AND FAMILY WELFARE

Counsel for the Respondent No.2 : SRI T.SHARATH, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES

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.2108 OF 2026

DATE: 23.01.2026

Between :

Rakasi Arnav Reddy

... **Petitioner**

A n d

The State of Telangana,
represented by its Principal Secretary,
Medical & Family Welfare Department,
Secretariat Buildings, Hyderabad-500 055
& another

... **Respondents**

ORDER

**Heard Sri Srinivasa Rao Pachwa, learned counsel
appearing on behalf of the petitioner, learned
Assistant Government Pleader for Medical Health
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 issue a Writ of Mandamus or any other direction declaring the action of the 2nd respondent in not conducting revaluation of answer sheets of MBBS First year Human Anatomy theory paper of the petitioner as bad in law and violation of Articles 14, 19 and 21 of the constitution of India and the principles of natural justice and constitution direct the respondents to forthwith to re-evaluate answer sheet of MBBS First Year Human Anatomy theory paper of the petitioner and permit the petitioner to verify the answer sheet of MBBS First year Human Anatomy theory paper and pass such other order..."

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

- i) The petitioner is an MBBS student studying at MNR Medical College & Hospital, having been admitted during the academic year 2024-25. The petitioner appeared for the First Year examination held in November 2025 and passed the subjects of Physiology and Biochemistry, but was declared as failed in Human Anatomy.
- ii) In the Human Anatomy examination, the petitioner secured 81 marks out of 100 in the practical examination and 78 marks in the theory examination, falling short by a

marginal two marks to be declared as passed. As the petitioner could not secure the required aggregate of 50% marks in theory and practical, the petitioner was declared as failed in Human Anatomy.

iii) Aggrieved by the result and suspecting improper evaluation, the petitioner approached the respondent University seeking verification of the answer scripts. The petitioner was informed that there is no provision for re-evaluation or personal verification of answer scripts and that only recounting is permitted. Aggrieved by the refusal of the respondent authorities to permit personal verification of the answer scripts, the petitioner approached this Court by filing the present writ petition.

4. PERUSED THE RECORD:

A) 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.**

DISCUSSION AND CONCLUSION:

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 09.01.2026 passed in W.P. No.1225 of 2026 and hence, the petitioner is entitled for the similar relief as extended to the petitioner in W.P. No. 1225 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 Human Anatomy 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 09.01.2026 passed in W.P.No.1225 of 2026.

(e) The discussion and conclusion as arrived at para Nos.5 to 7 of the present order,

The writ petition is disposed of in terms of the order of this Court dated 09.01.2026 passed in W.P. No. 1225 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 MBBS 1st year Human Anatomy 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.

//TRUE COPY//

SD/- M.OSMAN ALI BAIG
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Principal Secretary, Medical & Health Family Welfare Department, Secretariat Buildings, State of Telangana at Hyderabad-500 055.
2. The Registrar, Kaloji Nararayana Rao University of Health Sciences, Warangal.
3. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI SRINIVASA RAO PACHWA, Advocate [OPUC]
5. One CC to SRI T.SHARATH, SC FOR KALOJI NARAYANA RAO UNIVERSITY OF HEALTH SCIENCES, Advocate (OPUC)
6. Two CD Copies

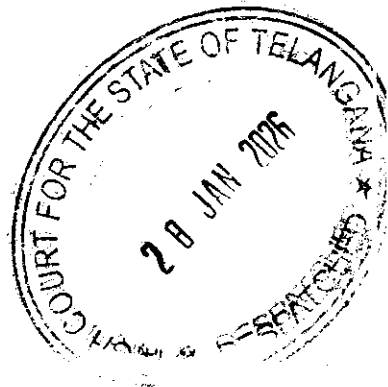
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C.C. TODAY

HIGH COURT

DATED:23/01/2026



ORDER

WP.No.2108 of 2026

DISPOSING OF THE W.P
WITHOUT COSTS.

⑨
28/01/26
OK

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

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.1225 OF 2026

DATE: 09.01.2026

Between :

Ette Rahul Siddarth Reddy

... **Petitioner**

A n d

The State of Telangana, Rep. by its
Principal Secretary, Health Medical and
Family Welfare Department, Hyderabad & another

... **Respondents**

ORDER:

Heard Sri L. Ram Singh, learned counsel appearing on behalf of the petitioner, learned Assistant Government Pleader for Medical Health 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 issue a Writ of Mandamus or any other direction declaring the action of the 2nd respondent in not conducting revaluation of answer sheets of MBBS First year Human Anatomy theory paper of the petitioner as bad in law and

violation of Articles 14, 19 and 21 of the constitution of India and the principles of natural justice and consequently direct the Respondents to forthwith to re-evaluate answer sheet of MBBS First Year Human Anatomy theory paper of the petitioner and permit the petitioner to verify the answer sheet of MBBS First year Human Anatomy theory paper and pass such other order..."

3. The case of the petitioner in brief is that the petitioner is an MBBS student at RVM Institute of Medical Sciences & Research Centre, Mulugu, who had been admitted in the academic year 2024-2025 and appeared for the MBBS First Year Examination conducted by the 2nd respondent University in November 2025. On declaration of the results, the petitioner passed in Biochemistry and Physiology but failed in Human Anatomy. In Human Anatomy, the petitioner secured 79 out of 200 marks in theory—one mark short of the minimum required—and 71 out of 100 marks in practicals. As the petitioner failed to secure the requisite aggregate of 50% in theory and practical combined, the petitioner was declared failed in the subject. Believing that the petitioner had performed well in the theory examination and suspecting improper evaluation, the petitioner sought revaluation of petitioner's theory answer script. The University informed him that its regulations permit only recounting of marks and not revaluation. The petitioner accordingly applied for recounting, but no change in marks was found. Subsequently, the petitioner

requested personal verification and supply of petitioner's answer script, which was also denied on the ground that the University rules do not provide for personal verification or furnishing of answer scripts beyond recounting. Aggrieved by the denial of revaluation and personal verification, and apprehending errors in decoding, scanning, uploading, or evaluation of petitioner's theory answer script, the petitioner filed the present writ petition seeking appropriate relief.

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."**

4. 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.

5. 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.

6. **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 Human Anatomy Theory paper of the petitioner in view of the specific observations of the Apex Court Judgment (referred to and extracted above),

7. 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 6 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 MBBS 1st year Human Anatomy 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.

MRS. JUSTICE SURESH ALLI NANDA

Date: 09.01.2026

Yvkr

Note:

Registry is directed to append copy of the order of this Court dated 07.01.2026 passed in W.P. No.585 of 2026 .