

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE K. LAKSHMAN
AND
THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

WRIT APPEAL No.1422 of 2025

DATE OF JUDGMENT: 28.04.2026

Between:

Dr.Goteti Ravindranath.

Appellant.

AND

Union of India, represented by its Secretary, Department of Health and Family Welfare, Ministry of Health and Family Welfare, Nirman Bhawan, New Delhi and eight others.

Respondents.

JUDGMENT *(Per Hon'ble Sri Justice K.Lakshman)*

Heard Mr.Sreenivasa Rao Velivela, learned counsel for the appellant, Mr.K.Shanthan Rao, learned Assistant Government Pleader for Higher Education appearing for respondent Nos.2, 5, 8 and 9 and Mr.T.Sharath, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences i.e., respondent No.7.

2. Feeling aggrieved and dissatisfied with the order dated 30.07.2025 passed by the learned Single Judge in W.P.No.15250 of

2025, unsuccessful writ petitioner preferred the present intra - court appeal under clause 15 of the Letters Patent.

3. Appellant joined in respondent No.8 – College in DM/MCh (Doctorate of Medicine, Master of Chirurgiae). At the time of joining, respondent No.8 - College has obtained an undertaking to serve the Government of Telangana by working in Government Hospitals for a period of two (2) years after successful completion of Super Specialty Course (if required). In case, if he fails to join as Senior Resident or in case of not completing two years of service within maximum period of 36 months, he undertook to pay a sum of Rs.50,00,000/- (Rupees fifty lakhs only) to Government. While joining the said course, he has submitted the originals of the following certificates to respondent No.8 – College:

- i) Permanent Medical Registration Certificate (MBBS & PG);
- ii) Permanent MBBS Degree Certificate;
- iii) Provisional PG Degree Certificate;
- iv) Internship Completion Certificate;
- v) Bonafide Certificate (MBBS & PG);
- vi) Conduct Certificate (MBBS & PG);
- vii) SSC/CBSE (10th) Marks Memo;
- viii) 12th Marks Memo;
- ix) MBBS Marks Memo/Consolidated Memo;

- x) PG Marks Memo/Consolidated Memo;
- xi) Transfer Certificate; and
- xii) Migration Certificate.

He has successfully completed the said course during the academic year 2024-2025. Even then, respondent No.8 – College has not returned the aforesaid original certificates on the ground that appellant failed to work in Government Hospitals for a period of two years in terms of the undertaking dated 11.04.2022 given by the appellant.

4. It is the specific contention of the appellant herein in the said writ petition that respondent No.8 – College has no power or authority to withhold the original certificates. In case of violation of the aforesaid undertaking given by the appellant, at the most, respondent No.8 – College can file a suit seeking recovery of money, but it can't withhold the certificates.

5. Learned counsel for the appellant has also placed reliance on the principle laid down by this Court in *Malraju Suhitha v. The State of Telangana, Rep. by its Principal Secretary, Higher*

*Education Department*¹ and *Ms.Bhashapaka Pragna Vardhini v. The State of Telangana, Rep. by its Principal Secretary, Higher Education Department*².

6. *Vide* the order dated 24.01.2020 in W.P.No.21137 of 2019, the Division Bench of this Court struck down paragraph No.7 (iii) of G.O.Ms.No.114, dated 05.07.2017 i.e., original certificates submitted by the candidates shall not be returned to them, till they complete their course of study and appear for the university examination holding it as un-constitutional. A similar view was also taken by this Court in *Mahatma Gandhi Law College, NTR Nagar, Hyderabad v. State of Telangana*³ and in *Sai Lakshmi Saranya v. The State of Telangana*⁴.

7. Thus, respondent No.8 – College has no lien over the original certificates of the candidates including the appellant herein. If appellant violates the aforesaid undertaking, dated 11.04.2022, respondent No.8 – College is entitled for an amount of Rs.50,00,000/- from the appellant on the ground of the violation of

¹ W.P.No.27361 of 2025, decided on 12.09.2025

² W.P.No.40238 of 2025, decided on 09.01.2026

³ W.P.No.22417 of 2018, decided on 09.12.2022.

⁴ W.P.No.25359 of 2014, decided on 29.10.2024.

the said undertaking, respondent No.8 – College has to file a suit against the appellant seeking recovery of money but it can't withhold the original certificates of the appellant and it has no lien.

8. Mr.K.Shanthan Rao, learned Assistant Government Pleader for Higher Education appearing for respondent Nos.2, 5, 8 and 9, on instructions, would fairly submits that respondent No.8 – College has no power or authority to withhold the original certificates of the appellant.

9. Mr.T.Sharath, learned Standing Counsel for Kaloji Narayana Rao University of Health Sciences for respondent No.7, also fairly submits that respondent No.8 – College has no lien to withhold the original certificates of the appellant.

10. Without considering the said aspects, *vide* impugned order dated 30.07.2025 in W.P.No.15250 of 2025, learned Single Judge dismissed the writ petition filed by the appellant herein.

11. In the light of the aforesaid discussion, this Writ Appeal is allowed. The impugned order dated 30.07.2025 in W.P.No.15250 of 2025 is set aside. W.P.No.15250 of 2025 is allowed. Respondent No.8 - College is directed to return the original certificates i.e., i)

Permanent Medical Registration Certificate (MBBS & PG); ii) Permanent MBBS Degree Certificate; iii) Provisional PG Degree Certificate; iv) Internship Completion Certificate; v) Bonafide Certificate (MBBS & PG); vi) Conduct Certificate (MBBS & PG); vii) SSC/CBSE (10th) Marks Memo; viii) 12th Marks Memo; ix) MBBS Marks Memo/Consolidated Memo; x) PG Marks Memo/Consolidated Memo; xi) Transfer Certificate; and xii) Migration Certificate, to the appellant under due acknowledgment, within one (1) week from the date of receipt of a copy of this Judgment.

As a sequel thereto, miscellaneous applications, if any, pending in the Writ Appeal shall stand closed. There shall no order as to costs.

K. LAKSHMAN, J

B.R.MADHUSUDHAN RAO, J

28th April, 2026.

Note: Issue CC forthwith.

B/o
ynk

**THE HON'BLE SRI JUSTICE K. LAKSHMAN
AND
THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO**

WRIT APPEAL No.1422 of 2025

Note: Issue CC forthwith.

28th April, 2026.
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