



**WP No. 104597 of 2022**

**IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH**

**DATED THIS THE 30<sup>TH</sup> DAY OF NOVEMBER, 2022**

**BEFORE**

**THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR**

**WRIT PETITION NO. 104597 OF 2022 (EDN-REG)**

**BETWEEN:**

SHREE HEMARADDI MALLAMMA EDUCATION TRUST  
C/O SRI VENKATESHWARA HOSPITAL,  
2ND CROSS, GANDHI NAGAR, BELLARI-583103.  
REPRESENTED BY ITS SECRETARY  
SRI. DR. ANAND S KRISHAL

...PETITIONER

(BY SRI. ABHISHEK C PATIL, ADVOCATE)

**AND:**

1. RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCE  
4TH BLOCK JAYANAGAR,  
BENGALURU-560041  
REP . BY ITS VICE -CHANCELLOR,
2. REGISTRAR  
RAJIV GANDHI UNIVERSITY OF HEALTH SCIENCES  
4TH BLOCK, JAYANAGAR, BENGALURU-560041.
3. NATIONAL COMMISSION FOR INDIAN SYSTEM OF  
MEDICINES MINISTRY OF AYUST,  
GOVERNMENT OF INDIA,  
OFFICE NO. 61-65, INSITUTIONAL AREA  
JANAK PURI, D BLOCK, NEW DELHI-110058  
REP BY THE SECRETARY
4. THE PRESIDENT  
MEDICAL ASSESSMENT AND RATING BOARD  
FOR INDIAN SYSTEM OF MEDICINE
5. STATE OF KARNATAKA  
DEPARTMENT OF AYUSH (AYURVEDA YOGA AND





**WP No. 104597 of 2022**

NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY  
H) DHANWANTRI ROAD, NEAR ANANDA RAO CIRCLE,  
BENGALURU-560009  
REP BY ITS PRINCIPAL SECRETARY

...RESPONDENTS

(BY SRI. J.M.GANGADHAR, ADVOCATE FOR R1 AND R2; SRI. V.S.KALASURMATH, HCGP FOR R5; SRI. ASHOK T. KATTIMANI, ADVOCATE FOR R3; SRI. MAHESH WODEYAR, ADVOCATE FOR R4)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO A) TO ISSUE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.1 TO ISSUE CONSENT OF AFFILIATION IN FORM NO. 5 AS REQUIRED UNDER ESTABLISHMENT OF NEW MEDICAL COLLEGE, OPENING OF NEW OR HIGHER COURSE OF STUDY OR TRAINING AND INCREASE OF ADMISSION CAPACITY BY A MEDICAL COLLEGE REGULATION, 2019. B) TO ISSUE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.5 TO ISSUE NO OBJECTION CERTIFICATE IN FORM NO. 4 AS REQUIRED UNDER ESTABLISHMENT OF NEW MEDICAL COLLEGE, OPENING OF NEW OR HIGHER COURSE OF STUDY OR TRAINING AND INCREASE OF ADMISSION CAPACITY BY A MEDICAL COLLEGE REGULATIONS 2019.

THIS PETITION COMING ON FOR ORDER, THIS DAY, THE COURT MADE THE FOLLOWING:



**WP No. 104597 of 2022**

**ORDER**

This writ petition is filed for issuing writ of mandamus directing the respondent No.1 to issue consent of operation in form No.5 and also direction to the respondent No.5 to issue no objection certificate in form No.4 required for establishment of new Ayurvedic medical college.

2. Learned counsel for the petitioner submits that the form No.5 was issued by the respondent No.1 and he further submits that form No.4 was issued by the respondent No.5 today at 3.30 p.m.

3. In view of the same, the relief sought for in this writ petition does not survive for consideration. However, it is made clear that if the petitioner submits an application for establishment of new Ayurvedic Medical Hospital and Research Institution, respondent No.3 to consider the same in accordance with law.

**Sd/-  
JUDGE**

AC  
List No.: 1 Sl No.: 14