

APHC010260072025



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI**

**WRIT APPEAL NO: 603 OF 2025**

Writ Appeal under clause 15 of the Letters Patent be pleased to set aside the order passed order in WP.No.229 of 2025 dated 28/04/2025 to the extent of appellant/petitioner no. 13 in writ petition and pass such

**Between:**

1. KATTA VAMSI, S/o Venkata Ramana, Aged about 29 years, Occ Un-employee, R/o H.No. 40/406, Eswarnagar, Beside Gopi Reddy Foams, Kurnool.

**...Petitioner**

**AND**

1. THE ANDHRA PRADESH MEDICAL COUNCIL, Rep by its Registrar, Gunadala, Vijayawada.
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Health Medical and Family Welfare Department, Secretariat, Velagapudi, Guntur District.
3. The Director Medical Education, The State of Andhra Pradesh, Vijayawada.
4. The National Medical Council of India, Rep by its Chairman, Pocket No. 14, Sector-3 Dwaraka, New Delhi.
5. Chukka Divya Keerthana Reddy, D/o Chukka Sridhar, aged 25 years, Occ Un-employee, R/o 58-21-47, NAD, Butchirajupalem, Visakhapatnam.
6. Chandaka Sai Manogna, D/o Venkata Surya Mahesh, aged 27 years, Occ Un-employee, R/o H.No.45-57-13/2, GF-I, Hari Towers, Narasimhanagar, Salagramapuram, Visakhapatnam.
7. Gonam Chaitanya, S/o Satyanarayana, aged 26 years, Occ Un-employee, R/o H.No.2-1-12/A, GBC main Road, Ponnuru, Guntur District.
8. Bathini Jessy Manisha, D/o Bathini Chittibabu, aged 26 years, Occ Un-employee, R/o.H.No.5/1094-2, Srirama Nagar, Proddatur, Kadapa District.

9. Repati Meghana, D/o Ramanjaneyulu, aged 25 years, Occ Un-employee, G-3, Block-2, Government Medical Quaters, Jesus Nagar, Ananthapur.
10. Ramavathu Pavan Kalyan Naik, S/o Ramavathu Govinda, aged 24 years, Occ Un-employye, R/o. Rukubazar, Ramalayam Bazar, Kothapet, Vinukonda.
11. Ranjitha Sushira Akella, D/o ASR Swamy, aged 27 years, Occ Un-employye, R/o. H.No. 3-69/3, Plot. No. MIG-134, Midhilipuri Vuda Colony, Madhuruwada, Visakhapatnam.
12. Seetala Naga Vara Prasad, D/o Seetala Babji, aged 26 years, R/o.H.No.68-20-1, PVSSEnterprises, Revenue colony Road.No.4, Lalacheruvu, Rajahmundry, E.G District.
13. Metta Pragathi, D/o Prema Rao, aged 25 years, Occ Un-employee, R/o.H.No.Sri Surya Vihar Apartments, T2, Sana Street, DCCBE Colony, Srikakulam.
14. Yalagala Narendra Srikar, S/o Prasad, aged 26 years, Occ Un-employee, R/o.H.No. 1-130/1, NearSivalyam Punuru, Bapatia District.
15. Munthalamadugu Samitaj, D/o. M.Jaffar Sadaq Peeran, aged 26 years, Occ un-employee, R/o.H.No.1/677/b/1, Rudrampeta By Pass, Behind D-Mart, Anantapur District.
16. Badam Pradeepa, D/o Vijaya Bhaskar Reddy, aged 25 years, Occ Un-employee, R/o.H.No. 11-3-2-1-5-2, Opposite HP Petrol Bunk, VN Puram, Podili, Prakasam District.
17. Katta Vamsi, S/o Venkata Ramana, aged 29 years, Occ Un employee, R/o.H.No.40/406, Eswarnagar, Beside Gopi Reddy Foams, Kurnool.
18. Kintali Tejesh, S/o Suryanarayna, aged 26 years, Occ Un-employee, R/o.H.No. 19-23-5, Nellimukku Gondesiveedhi, Pedagantyada, Visakhapatnam.
19. Tammineni Spandana, D/o. Tammineni Ramesh, aged 28 years, Occ Un-employee, R/o. Flat. No.SI, 3rd Floor, Harika Apartment, P.N.Colony Srikakulam,
20. Nerella Ravi Kiran, S/o. Sreenivasulu, aged 26 years, Occ Un-employee, R/o. Flatno.103 Pavani Apartment, Vedayapalem, Nellore.

21. Sayed Imran, S/o. Sayedibrahim, aged 25 years, Occ Un-employee, R/o. H.No.5-9M-21/2, Hazinagar, Nandikotkurkurnool District.
22. Akula Narayana Datta, S/o Akula Kula Sekhar, aged 26 years, Occ Un-employee, R/o.H.No.20-1 471, LI 8 Maruthi Nagarkorlagunta, Tirupati.
23. Boddeti Harsha Vardhan, S/o. Hanumanthu Rao, aged 26 years, Occ Un-employee, R/o. H.No. 163, Rajeev Nagar Colony, Dasannapeta, Vizianagaram,
24. Gara Sravya Sri, D/o Satyanarayana, aged 25 years, Occ Un-employee, R/o.H.No. 14-127, Godu Street, Nellimarla Village, Nellimarla (M), Vizianagaram district.
25. Dandu Ganesh Reddy, S/o Dharma Reddy, aged 26 years, Occ Un-employee, R/o.H.No. 51/98-27-6B, Narasimha Reddy Nagar, Kothapeta, Rayachoty, Kadapa District.
26. Chode Evangelin Vijay Kumar, S/o Chode Vijaya Kumar, aged 26 years, Occ Un-employee, R/o. C- 60 KPT colony, Gopalpuri, Gandhidham, Kutchdistrict.
27. Krovi Bhavana, D/o KroviSrinivasa Rao, aged 25 years, Occ Un-employee, R/o.H.No. 16/373/24, Vinayak Street, Machilipatnam, Krishna District.
28. Vajji Harshitha, D/o. Vajji Kameswara Rao, aged 25 years, Occ Un-employee, R/o. H.No. 49-90/2, Vajji Street, Gollapalli, Bobbin, Vizianagaram District,
29. Bathala Chaitanya Krishna, S/o Bathala Yellappa, aged 29 years, Occ Un-employee, R/o. Plotno 102, Machani Gardens Extension, Nallagangamma Temple street, Srinivasa Mangapuram Road Tirupati (Rural).

**...Respondent(S):**

**IA NO: 1 OF 2025**

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 may be pleased to dispense with filing of the certified copy of the order passed in W.P. No. 229 of 2025 and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

**IA NO: 2 OF 2025**

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 may be pleased to direct the 1st respondent to allow the appellant's application for issuance of permanent registration number and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

**IA NO: 3 OF 2025**

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 suspend the order dated 28/04/2025 passed in W.P No. 229 of 2025 and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

**Counsel for the Petitioner: AMIRISETTY SAI RAGHAVA**

**Counsel for the Respondent(S): AMIRISETTY SAI RAGHAVA,GP FOR  
MED HEALTH AND FAMILY WELFARE**

**CORAM: THE CHIEF JUSTICE DHIRAJ SINGH THAKUR  
SRI JUSTICE RAVI CHEEMALAPATI**

**DATE : 09.07.2025**

**JUDGMENT**

(Per Sri Justice Ravi Cheemalapati)

Challenging the order dated 28.04.2025 passed by a learned single Judge in Writ Petition vide W.P.No.229 of 2025, the writ petitioner No.13 therein preferred this intra court appeal under clause 15 of Letters Patent.

2. Through the impugned orders the writ petition filed by the petitioner along with others challenging the action of respondent no.1 in not issuing the

permanent Registration Certificates/Final Registration Certificate to the petitioners, was dismissed.

3. For convenience, the parties, hereinafter, will be referred to with their status in the writ petition.

4. The contents of the writ petition, in brief, are as follows:

The petitioners have completed five (05) years course of Foreign Medical Graduate Course i.e. Medical Doctor equivalent to MBBS course in India in a foreign country viz., Kyrgyzstan, Philippines and Kazakhstan and accordingly they obtained study certificates from respective universities. They appeared for Foreign Medical Graduate Examination (FMGE) conducted by the National Board of Examination in Medical Sciences and got through the examination. Thereafter, the National Medical Commission (Undergraduate Medical Examination Board) issued circular dated 09.05.2023 giving clarification regarding conduct of internship for Foreign Medical Graduates (FMGs). The petitioners were issued allotment orders permitting them to undergo one year internship programme at the college mentioned in the allotment order and accordingly they underwent internship. But, respondent no.1 refused to issue Permanent Registration Certificates/ Final Registration Certificate even after successful completion of internship. Hence, the writ petition.

5. Respondent no.1 filed counter affidavit denying material averments of the writ petition *inter alia* contending that respondent no.4-National Medical Council of India (NMC), which is the Regulatory body in respect of Medical Education in the country, has issued public notice pursuant to directions of Hon'ble Supreme Court of India in SLP No.2536-37 of 2022 that the FMGs have to undergo Compulsory Rotating Medical Internship (CRMI) for a period of two years to make up for the clinical training which they could not physically attend during their undergraduate medicine course in the foreign institutions. That thereafter, NMC issued subsequent guidelines on 22.11.2023 and 07.12.2023 stating that the FMGs who studied in online Mode during their final year and penultimate years of their study, have to undergo Two/three years of internship. That as the petitioners have not sufficiently compensated their online study being in India with the offline studies abroad, respondent no.1 has not considered their request to issue Permanent Registrations after completion of one year of internship and they were also instructed to continue their internship for one more year. That the letters of foreign universities that online education was supplemented with offline training do not provide adequate evidence that online learning is equivalent to offline training. That verification of medical degrees through the Indian Embassy/High Commission is under process and the confirmations are also being received in phased manner and permanent registrations will be issued to eligible FMGs as per

NMC guidelines after confirming the genuineness of their medical degrees. That only four petitioners filed certificates/confirmation letters, as per which their course was from 2017 to 2022 and 2016 to 2021 and though they contend that they studied fourth year but not final year during covid-2019, there is no material to show that they attended classes during the pandemic period from June, 2021 to June,2022 in offline mode. That the petitioners did not state period of their online study/offline study and when they completed their respective courses in the affidavit so also relevant documents were not filed. There are no merits in the writ petition and the same is liable to be dismissed.

6. The learned single Judge upon considering the submissions made by the learned counsel for the parties and upon perusal of the material available on record, dismissed the writ petition with a specific observation that in view of the Circular of the Government of India dated 07.06.2024, the contention of petitioner no.13 that he had completed his course through offline and as his stay in India was for short duration he need not undergo two years compulsory internship does not merit consideration.

7. Assailing the orders passed by the learned single Judge, writ petitioner no.13 preferred this intra court appeal.

8. Heard Sri *Ponnada Shree Vyas*, learned counsel, representing Sri *Amirisetty Sai Raghava*, learned counsel for appellant/writ petitioner no.13, Sri *Vivek Chandra Sekhar S.*, learned standing counsel for National Medical Council of India, and Sri *V.V.Anil Kumar*, learned Standing Counsel for A.P.Medical Council.

9. Sri *Ponnada Shree Vyas*, learned counsel, would contend that since the appellant had successfully compensated all the practical studies in physical form in the university, which he missed during pandemic period, and had given the final exams in person as is evidenced by the confirmation letter issued by the university dated 08.09.2022; clause-viii and ix of the circular dated 09.05.2023 are not applicable and he falls within the ambit of clause-x which prescribes one year mandatory inturn ship. He would further contend that the learned single judge did not take into consideration the additional affidavit filed by the petitioner and the documents enclosed to it, which clearly shows that the petitioner was abroad for a total period of 48 months and 7 days as per the visa entries in the passport and so out of 54 months offline course period, the petitioner attended online course for six months. He would further contend that the said six (06) months online course was compensated in the final year and therefore as per public notice dated 19.06.2024, since the petitioner had sufficiently compensated classes in physical onsite in lieu of the online classes, he is eligible for one year mandatory internship, but not for



Compulsory Rotating Medical Internship for a period of two years. He would further contend that there is a clear admission by respondent no.1 in counter affidavit that after confirming the genuineness of the medical degrees with the concerned Indian Embassies and however the Embassy of India at Kyrgyzstan sought information from university as to whether the petitioner attended offline or online course, the same was not answered by the university and hence the petitioner cannot be penalized for the negligent act of the university in not furnishing information. He would further contend that anyhow the confirmation letter dated 08.09.2022 issued by the Ministry of Education and Science of the Kyrgyz Republic, Osh State University says that the petitioner had successfully compensated all practical studies and therefore, he is eligible for one year mandatory internship.

He would further contend that the learned single Judge did not consider the public notice dated 19.06.2024 issued by National Medical Commission which was issued in continuation of public notice dated 07.06.2024 and which clarifies regarding eligibility for one year mandatory internship for the students who have sufficiently compensated classes in lieu of online classes, and came to an erroneous conclusion that case of the petitioner does not merit consideration. The order impugned in this appeal is unsustainable and the same is liable to be set aside. Accordingly, prayed to allow the appeal.

10. Per contra, Sri *Vivek Chandra Sekhar S.*, learned counsel for National Medical council of India, would contend that since the appellant had attended online classes for a period of six (06) months, the appellant has to undergo a compulsory internship for a period of two years, in view of the circulars issued by National Medical Commission dated 09.05.2023 and 07.06.2024. The writ petition is devoid of merits and the same deserves dismissal.

Whereas Sri V.V.Anil Kumar, learned Standing counsel for A.P.Medical council, while reiterating the submissions made by learned standing for National Medical Council of India, would further contend that the confirmation letter dated 08.09.2022 issued by the University is not genuine and the same lacks particulars of periods of online and offline study undergone by the appellant and hence the same cannot be considered to extend the benefit of one year internship to the appellant. He would further contend that the number of days of stay of the appellant abroad as per the details of visa entries in the passport do not ipso facto prove that the appellant had attended offline classes in physical onsite and therefore, the same does not in any manner offer any aid to the appellant to prove his case. He would further contend that the learned single Judge upon meticulous analysis of facts and circumstances of the case has rightly dismissed the writ petition and the said

order does not require any interference of this Court in this appeal. The writ appeal lacks merits and the same deserves dismissal.

11. Perused the material available on record and considered the submissions made by learned counsel for the parties.

12. The National Medical Commission (Undergraduate Medical Education Board) in order to clarify the queries received from various stakeholders including the State Medical Councils regarding mode and method of conducting Medical Internship for Foreign Medical Graduates in India issued Circular No.U.15024/01/2022-UGMEB, dated 09.05.2023. Clause-ix of the said circular states that two years internship referred to in public notice dated 28.07.2022 is applicable to those Foreign Medical Graduates who were in their last year of study of medical qualification and returned to India due to covid-19 and Russia-Ukraine war etc. According to respondent no.1, the appellant/petitioner no.13 comes within clause-ix and therefore, he has to undergo Compulsory Rotating Medical Internship for a period of two years.

13. Whereas according to appellant, since he had sufficiently compensated classes in physical onsite in lieu of the online classes and subsequently passed examination equivalent to MBBS in India, he falls under clause (x) of the said circular, and therefore, he is eligible for Compulsory

Rotating Medical Internship (CRMI) for a period of one year in accordance with CRMI Regulations, 2021.

14. Subsequent to the above circular dated 09.05.2023, the National Medical Commission(UGMEB) issued public notice dated 07.06.2024, which states that FMGs who have attended their classes online for any duration during their course completion are required to undergo CRMI for a period of two/three years. It further states that Certificate regarding the compensation/ supplementation of online theory subjects/classes with offline practical and clinical training shall not be accepted.

15. As per the above public notice dated 07.06.2024, certificate regarding the compensation/ supplementation of online theory subjects with offline practical and clinical training will not be accepted and the FMGs who have attended online for any duration shall undergo CRMI for a period of two/three years. In view of the above public notice, the confirmation letter issued by the University, placed reliance on by the appellant to show that he had compensated all the practical studies which he missed during the pandemic period in physical form in the university, does not deserve acceptance.

16. However, the National Medical commission issued another public notice dated 19.06.2024 in continuation of the above public notice dated

07.06.2024, clarifying that the students who have sufficiently compensated classes in public onsite in lieu of the online classes and subsequently passed examination equivalent to MBBS in India, shall be eligible for one year Compulsory Mandatory Internship as specified in the CRMI Regulations, 2021.

17. The petitioner claims that in view of the above public notice dated 19.06.2024, since he had successfully compensated all the practical studies which he missed during the pandemic period in physical form in the university and also had given the final exams in person himself (offline mode) for the academic year 2021 to 2022 (final year) as evidenced by confirmation letter dated 08.09.2022 issued by Ministry of Education and Science of the Kyrgyz Republic, Osh State University, he is eligible for one year Compulsory Rotating Medical Internship (CRMI) as specified in the CRMI Regulations, 2021. He further claims that since he had completed Compulsory Rotatory Medical Internship at Santhiram Medical College & General Hospital, Nandyal as evidence by Compulsory Rotatory Internship Certificate dated 05.06.2024 issued by the said College, the respondent no.1 shall issue Permanent Registration Certificate/ Final Registration Certificate to him.

18. The communication dated 19.11.2024 of the national Medical Commission would indicate that all the State Medical Councils are directed to invariably seek confirmation of medical degrees from the concerned foreign Medical College/University through concerned Indian Embassy/High

Commission either before granting Permanent Registration or before recommending them for registration in National Medical Register (NMR).

19. The letter dated 16.12.2024 placed on record would indicate that in pursuance of the communication dated 19.11.2024; the Embassy of India, Kyrgyzstan addressed the letter to the Rector, Osh State University requesting for confirmation of the authenticity of the documents/degree/ diploma in respect of some of the Indian students enlisted therein and also seeking further details. In the said list the appellant/writ petitioner No.13 was found at Sl.No.10.

20. In response to the above request dated 16.12.2024, the Rector, Osh State University, vide verification letter dated 25.12.2024 furnished the details as sought by Embassy of India, Kyrgyzstan. According to the said confirmation letter, it seems that the appellant did the course by attending online classes during the period September,2020 to June,2021, however, he compensated for the same in offline mode with additional classes.

21. The confirmation letter dated 08.09.2022 and the verification letter dated 25.12.2024 make the things clear that the appellant had compensated all the practical studies which he missed during the pandemic period. If that was so, as per public notice dated 19.06.2024, the petitioner is eligible for one year mandatory internship as specified in the CRMI Regulations, 2021.

22. The respondent no.1 contends that the confirmation letter dated 08.09.2022 and the verification letter dated 25.12.2024 issued by Osh State University are vague and do not contain the period during which the petitioner had attended the course offline and online with specificity and further respondent no.1 suspects the veracity and genuineness of those documents.

23. It is fairly settled that burden lies on the party who challenges validity of any document. Hence, it is for respondent no.1 to disprove veracity of the documents referred to above. Therefore, the respondent no.1, who is suspecting the veracity of the document, shall ensure the validity of the documents and obtain necessary particulars that are essential for issuing Permanent Registration Certificates/Final Registration Certificates from the University through Indian Embassy with the least possible delay. Upon such, if the appellant is found eligible for one year mandatory internship as specified in the CRMI Regulations, 2021 as per public notice dated 19.06.2024; since he had already completed the same, Permanent Registration Certificate/Final Registration Certificate shall be issued to him.

24. The learned single Judge did not consider the public notice dated 19.06.2024 and also the documents filed along with additional affidavit of the appellant before rejecting his contention.

25. In view of the above, this Writ Appeal is disposed of, directing respondent no.1 to ascertain genuinity of confirmation letter dated 08.09.2022 and the verification letter dated 25.12.2024 issued by Osh State University and also get information if any required from the said University through Indian Embassy and thereupon if the appellant is found to have met the necessary criterion of public notice dated 19.06.2024, Permanent Registration Certificate/Final Registration Certificate shall be issued. The entire exercise shall be completed within a period of one (01) month from this day. In the event of their failure to get it done within the time stipulated, the authorities shall issue Permanent Registration Certificate/Final Registration Certificate, after fulfilling other formalities, if any, required. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

**DHIRAJ SINGH THAKUR,CJ**

**RAVI CHEEMALAPATI,J**

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