

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 7205 of 2015 (A)

PETITIONER(S):

**M.HARRIS, ANJALA APARTMENT,
JAIL ROAD, CALICUT 673004.**

**BY ADVS.SRI.PIRAPPANCODE V.S.SUDHIR
SRI.JELSON J.EDAMPADAM**

RESPONDENT(S):

**1. THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF SPORTS AND YOUTH AFFAIRS
GOVERNMENT OF KERALA, SECRETARIAT
THIRUVANANTHAPURAM 695001.**

**2. THE KERALA STATE SPORTS COUNCIL,
THIRUVANANTHAPURAM 695001,
REPRESENTED BY THE SECRETARY.**

**R1 BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE
R2 BY SMT.LATHA KRISHNAN, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 7205 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1** **TRUE COPY OF THE LETTER DATED 3.12.2013 OF THE DISTRICT
SPORTS COUNCIL, KOZHIKODE TO THE 2ND RESPONDENT
FORWARDING THE LIST OF KOZHIKODE DISTRICT SPORTS COUNCIL
MEMBERS.**
- EXT.P2** **TRUE COPY OF THE LIST OF KOZHIKODE DISTRICT SPORTS COUNCIL
MEMBERS, FORWARDED ALONG WITH EXT.P1 LETTER.**
- EXT.P3** **TRUE COPY OF THE JUDGMENT DATED 29/10/2013 OF THIS HON'BLE
COURT IN W.P(C) NO.25834/2013.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.7205 OF 2015
.....

Dated this the 19th March, 2015

J U D G M E N T

The petitioner has approached this Court with the following prayers:

"i) issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents to forthwith conduct the election to the District Sports Council, Kozhikode.

ii) issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondents to permit the present member of the District Sports Council, Kozhikode, other than Ex-officio members, to continue in office till the next reconstitution of the said District Sports Council, in terms of Section 9(6) of the Kerala Sports Act, 2000; and

iii) grant such other reliefs as this Hon'ble Court deems fit and proper in the circumstances of this case including the cost of this writ petition"

2. The learned Counsel for the petitioner points out that the petitioner is constrained to approach this Court because of the laxity on the part of the concerned respondent in conducting

election despite expiry of the tenure of the present Committee. It is also pointed out that there is chance to appoint an adhoc Committee and to supersede the petitioner.

3. The learned Standing Counsel for the second respondent/Sports Council submits that the second respondent has already moved the first respondent/Secretary to Government for appropriate steps and that it has been revealed that some steps are going on to amend the statute. The learned Standing Counsel further points out that in so far as **Section 9(6)** of the Kerala Sports Act, 2000, (Act 2 of 2001) is there, as it exists today, there is no basis for the apprehension expressed by the petitioner, as the petitioner and other elected members can continue till election takes place and the newly elected members are inducted . The said submission is recorded.

The writ petition is disposed of. The petitioner is at liberty to approach this Court , if at all any further occasion arises in the due course.

P.R.RAMACHANDRA MENON
JUDGE