

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A. Nos.747 to 749 of 2015 and M.P. Nos.1 of 2015

Bridge Federation of India
a Society registered under the Societies Registration Act, 1860
through its President
I-F Ammaayiammal Street
Ayyavoo Colony
Aminjikarai
Chennai 600 029

Appellant in all the WAS

vs.

- | | | |
|---|--|---------------------------|
| 1 | Padmanabhan Sridharan | R1 in W.A. No.747 of 2015 |
| 1 | Subash Gupta | R1 in W.A. No.748 of 2015 |
| 1 | Sunderram Srinivasan | R1 in W.A. No.749 of 2015 |
| 2 | Ministry of Youth Affairs and Sports
Government of India
through the Secretary
Department of Sports
Room No.504-B, Wing, Shastri Bhavan
New Delhi 110 001 | R2 in all the WAS |
| 3 | G. Venkatesh | R3 in all the WAS |

Writ Appeals filed under Clause 15 of the Letters Patent challenging the order dated 22.04.2015 in M.P. Nos.2 of 2015 in W.P. Nos.11431 to 11433 of 2015.

Writ Petitions under Article 226 of the Constitutions of India praying that in these circumstances stated therein and in the respective affidavits filed therewith the High Court will be pleased to

(i) issue a writ, or order in the nature of Certiorari or Mandamus or any other appropriate writ,, calling for the records of Respondent No.1 relating to its announcement in its WebSite in WWW.bfi.net.in

dated 12/03/2015 and its consequential actions, quash the same, direct respondents No.1 & 2 to permit, authorise the winner of the Team in the trial dated 15-16/8/2014 played at New Delhi to represent India in the 2015 Bermuda Bowl Bridge Championship' due to he held in chennai from 26/09/2015 to 10/10/2015 in terms of the representation dated 17/03/2015 sent to the respondent 1 & 2 (in WP.11431 to 11433/2015) and

(ii)pleased to stay the operation of the impugned publication dated 12/3/2015 in its website www.bfi.net.in passed by the 1st respondent (in MP.2 to 2 /15 in WP.11431 to 11433/2015) respectively pending WP.Nos.11431 to 11433 of 2015.

For appellant Mr. Gopal Subramaniam, Sr. Counsel
in all the WAs for Mr. S. S. Sethuraman

For R1 in Mr. V.T. Gopalan, Sr. Counsel
all the WAs For Mr.K.Murthy

For R3 in Mrs. Hema Sampath, Sr. Counsel
all the WAs for Mrs. R. Meenal

COMMON JUDGMENT

(Judgment of the Court was delivered by SATISH K. AGNIHOTRI, J.)

The instant intra-Court appeals arise from the common order dated 22.04.2015 passed in M.P. Nos.2 of 2015 in W.P. Nos.11431 to 11433 of 2015, whereunder, the learned Single Judge, while ordering notice of motion returnable by 30.06.2015, granted interim stay of operation of the publication dated 12.03.2015 made in its website www.bfi.net.in, wherein, the writ petitioners were not permitted to participate in the selection process and international Bridge tournaments.

2 Mr. Gopal Subramaniam, learned Senior Counsel appearing for the appellant-Bridge Federation of India assails the impugned order inter alia, primarily on the ground that a Non-Resident Indian, having no voting right, is not entitled to participate in the aforesaid tournaments under the Indian flag. It is further contended that the time schedule for the World Transnational Open Teams Championship provides for submission of all entires by 15.06.2015 and registration of players and NBO Delegation members by 15.07.2015. It is next contended that on account of the impugned interim order of stay, the selection trial cannot be held before the submission of entries to the Championship on or before 15.06.2015.

3 Mr. V.T. Gopalan, learned Senior Counsel appearing for the first respondent and Mrs. Hema Sampath, learned Senior Counsel,

appearing for the third respondent submit that the impugned order is an interim order and the appellant is at liberty to raise all the grounds before the learned Single Judge and as such, no interference is warranted, at this stage. However, it is pointed out by the learned Senior Counsel appearing for the writ petitioners that entries have already been finalised.

4 We have heard the learned Senior Counsel appearing for the parties.

5 Without expatiating all the grounds raised on merits, we are of the considered view that the observations made by the learned Single Judge in the impugned order are tentative in nature and not conclusive. The parties are at liberty to raise all the available grounds on merit and also on facts, at the time of final hearing of the writ petitions.

6 As a sequel, we are not inclined to interfere with the impugned order, at this stage. However, we deem it fit and proper to request the learned Single Judge to take up the matter at the earliest, preferably, in the next week for final hearing, regard being had to the nature of the tournament and also the time schedule, as aforesaid.

7 We are informed that the third respondent herein as well as in the writ petitions, had also filed a writ petition being W.P. No.2559 of 2011 against the letter dated 23.12.2010, which is pending consideration before the learned Single Judge.

8 In another proceedings arising from the said petition, the third respondent had approached the Supreme Court in SLP (Civil) Nos.11837 and 11838 of 2015 against the judgment and order dated 09.03.2015 passed in W.A.Nos.482 of 2011 and 483 of 2011, wherein, the Supreme Court, while continuing the interim order for a week, reserved liberty to the parties to approach the High Court for disposal of the writ petition.

9 On a perusal of the materials available on record, it is luculent that the issue involved in the writ petition filed by the third respondent herein viz., W.P. No.2559 of 2011 and also the instant writ petitions, viz., W.P. Nos.11431 to 11433 of 2015, is identical.

10 Thus, it would be just and proper to consider all the writ petitions, viz. W.P. No.2559 of 2011 and W.P. Nos.11431 to 11433 of 2015 together, on merits. Accordingly, we request the learned Single Judge to take up W.P. No.2559 of 2011 and 11431 to 11433 of 2015, next week, for final hearing.

11 The learned Senior Counsel appearing for the parties undeniably and indisputably undertake not to seek adjournment before the learned Single Judge in the instant writ petitions.

The writ appeals stand disposed of with the above observation. Costs made easy. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cad
To

- 1 The President
Bridge Federation of India
a Society registered under the Societies Registration Act, 1860
I-F Ammaayiammal Street
Ayyavoo Colony
Aminjikarai
Chennai 600 029
- 2 The Secretary
Ministry of Youth Affairs and Sports
Government of India
Department of Sports
Room No.504-B, Wing, Shastri Bhavan
New Delhi 110 001.

3.The Section Officer,
Writ Section, High Court, Madras.

2 cc to Mr. S. S. Sethuraman ,Advocate, SR.No.25739/15

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W.A. Nos.747 to 749 of 2015

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