

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2015

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.29078 of 2014
and M.P.No.1 of 2014

T.Mohanraj

.. Petitioner

v.

1.The Secretary

Department of School Education
Fort St.George
Chennai 600 009.

2.The Director

Directorate of Tamil Nadu School Education
DPI Complex
Chennai 600 006.

3.The School Games of Federation of India

Rep by the Chief Inspector Physical Education
Office of Chief Inspector Physical Education
DPI Complex
Chennai 600 006.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the third respondent to consider the petitioner's representation dated 09.10.2014 and to conduct selection process afresh in a fair manner with an object to find out suitable players to the under 17 State Football team.

For Petitioner : Mr.R.Sivakumar

For Respondents : Mr.S.Gunasekaran. Govt.Advocate

ORDER

Heard Mr.R.Sivakumar, learned counsel for the petitioner and Mr.S.Gunasekaran, learned counsel for the respondents.

2. The petitioner has filed this writ petition praying for a writ of mandamus directing the third respondent to consider his representation dated 09.10.2014 and to conduct selection process afresh in a fair manner with an object to find out suitable players for the Under-17 State Football Team.

3. Though the writ petition was entertained, the same was adjourned on several occasions to consider and grant the relief sought for in the writ petition. Eventually, by efflux of time, the matches were over and substantive part of the relief sought for by the petitioner did not any longer survive for consideration. Yet, this Court was of the view that in the future years, there should be absolute transparency in the matter of selecting Under-17 State Football Team, so that it would not give room for any complaint from any quarter. Keeping this in mind, the respondents were directed to file their additional counter affidavit, to suggest ways and means by which they will ensure that there is no complaint from any of the players or their Team Managers, etc.

4. Accordingly, the Chief Inspector of Physical Education, DPI Campus, has filed an additional counter dated 07.01.2015. This additional counter once again dealt with the manner in which the selection was done for the team which had to re-present the State in the matches to be conducted in the Nationals conducted in October 2014. Hence, this Court was not convinced with the additional counter dated 07.01.2015. Therefore, the learned Government Advocate was directed to get written instructions from the Chief Inspector of Physical Education, with regard to the manner in which they propose to conduct the State selections for Football team, both at the Regional and State levels.

5. Accordingly, the third respondent has given written instructions dated 26.02.2015, addressed to the learned Government Advocate. In paragraph no.10 of the said written instructions, the following have been stated:

"10. It is further submitted that the following norms of the Selection Process in both Regional and State Selections of Foot Ball, which is in practice, shall be adopted in future selection trails with few modifications which is as followed.

a) Selection committee should be constituted under the chairmanship of District Inspector of physical education of the concern district, where the selection is held. The following members shall constitute the committee.

1. Three selectors among the Physical Education Teachers / Physical Directors who are well experienced in the field of Foot Ball shall be appointed for the Technical Selection of the Team.
2. Two officials to officiate the selection trail matches.
3. One time keeper and one table official as management staff.

b) All the participants shall be divided into different teams of 7 each instead of 11 to enable the selection process to monitor the individual observation rather than overcrowding.

c) Then each selection trial match among the different teams shall be given minimum of 30 minutes of duration each match to show their skills and tactics.

d) After identifying the individual Skills and Talent, entire participants shall be divided into different teams of 11 each and they shall be made to play trial matches among themselves to identify their Positional Playing Talent for a minimum of 30 minutes of each match. During this process, the players shall be inter-changed on a rotational basis to get ample chances to show their talents till the participants and the selectors are satisfied.

e) After assessing the talent of the players on the I and II Rounds of Trial matches, the total participants shall be short listed on "Positional Wise" and the short listed players shall be announced on their performance and talent for the final selection trails.

f) The short listed players shall be then divided into 2 teams and they shall be made to play trial match among themselves. During this processes, the players shall be inter-changed on a rotational basis to get ample chances to show their talents till the participants and the selectors are satisfied. In this process maximum of 60 minutes shall be given to identify the players' talent and skill.

g) From the above lengthy duration of the selection process, the players' actual endurance stability shall be tested and observed by the selectors.

h) After this process, the selection for the Goal Keeper shall be held separately and it may take nearly 30 minutes.

i) The selections shall be conducted for the different 11 "Positions" namely Goal Keeper, Right Wing Back, Right Stopper Back, Left Stopper Back, Left Wing Back, Right Half Line, Centre Half Line, Left Half Line, Right Extreme, Striker and Left Extreme with a formation of 4 (Defenders)- 3 (Mid Fielders) - 3 (Forward/Attackers)-1 (Goal Keeper).

j) Finally, the 18 member squad shall be announced on their Talent and their day's performance along with the Stand by / Reserve."

6. Thus, from the above instructions given, it is seen that there has been a slight shift in the mindset of the third respondent from that of the rigid mindset which was adopted at the time when they initially contested the writ petition during January 2015.

7. The learned counsel for the petitioner, on instructions, submitted that the petitioner is satisfied by the manner in which the respondents have set down the modified guidelines for the selection process, in both Regional and State levels and he has got two more suggestions to make with regard to the modified selection process.

8. Under clause 10(a)(i), three Selectors among the Physical Education Teachers/Physical Directors who are well experienced in the field of Football are proposed to be appointed for the Technical selection of the Team. In this regard, the petitioner would suggest that instead of three Selectors, all being drawn from the Physical Education Department or from among the Physical Directors in the various Institutions under the control of the second respondent, it would be better to have one Selector from the Tamil Nadu Football Association and one Selector from the Tamil Nadu Sports Development Authority.

9. This Court is of the prima facie view that the proposal given by the petitioner is fair and reasonable. It is a basic requirement that any selection process, be that for academics or in the field of Sports and Games, the selection process should be fair and transparent. This is with a view to select the best candidates to represent the State. Therefore, inducting two members who are not under the control of either the Director of School Education or Chief Inspector of Physical Education, would improve the transparency in selection process and would have a wider base for selecting the proper candidates. Therefore, the third respondent is requested to take note of this suggestion and the suggestion being reasonable, there should not be any difficulty for the respondents 2 and 3 to accept the same and accordingly, amend clause 10(a)(i) suitably.

10. The other suggestion put forth by the petitioner is to provide uniforms for the players during the trial matches. The need for providing uniforms is being emphasised, since 88 players are selected from throughout the States and they are divided into 4 or 5 teams and these teams play trial matches. Though these matches are called trial matches, in reality, they are akin to a real match. Further it is stated that the team members, being drawn from the entire State will not be familiar with one another and there is a likelihood of confusion when the game is on. Therefore, it is stated that uniforms should be provided for these trial matches,

which, in turn, are matches to select the candidates for the National Team. Therefore, it is stated that with utmost seriousness, the candidates will play the matches and providing proper uniforms will add more seriousness to the entire matches.

11. Accordingly, this suggestion should be accepted by the third respondent without any reservation, since it will go to improve the selection process and ultimately, to select the best team for the State of Tamil Nadu to represent the Nationals. There will be a further direction to respondents 2 and 3 to suitably amend the selection process in terms of the above suggestions/directions and ensure compliance for the next selection process.

With the above observation, this writ petition is disposed of.
No costs.

gms

-s/d-
Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Secretary
Department of School Education
Fort St. George, Chennai 600 009.
2. The Director
Directorate of Tamil Nadu School Education
DPI Complex, Chennai 600 006.
3. The Chief Inspector Physical Education
School Games of Federation of India
Office of Chief Inspector Physical Education
DPI Complex, Chennai 600 006.

+ 1 cc to Mr. R. Sivakumar, Advocate SR 17730

+ 1 cc to Government Pleader SR 17915

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