

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.31463 OF 2016

ORDER:

Vide the present writ petition, the petitioner seeks direction thereby directing the second respondent to permit the team selected by the petitioner-Association to represent the State of Telangana in the forthcoming championship to be held on 22.09.2016 to 25.09.2016, at Anandpur Sahib, Punjab, and sports events of Taekwondo.

2. The present writ petition was listed on 17.09.2016 and the petitioner was directed to serve the respondents with personal notice. Apart from the personal notice, the petitioner has sent e-mail on 17.09.2016 at 5:20 PM to Secretary, Taekwondoindia@gmail.com and President, Taekwondoindia@gmail.com to R2 and other respondents. However, none appeared on their behalf.

3. It is stated in the petition affidavit that the petitioner-Association was carved out of bifurcation of the erstwhile Andhra Pradesh Taekwondo Association and was registered vide Registration No.371 of 2014 under Section 3 of Societies Registration Act, 2001 by the Government of Telangana. The election to the office bearers was conducted on 14.03.2015 in the presence of observers from the A.P. Olympic Association and the Taekwondo Federation of India. In the said election, the President and Secretary were elected. Pursuant to the said election, the second respondent TFI also recognized them as the office bearers

and issued order dated 16.03.2015 accordingly. The second respondent TFI also issued the Affiliation Certificate to the petitioner by showing names of President and Secretary.

4. It is further stated that the Andhra Pradesh Olympic Association issued a certificate dated 23.03.2015 certifying that Telangana Taekwondo Association headed by the office bearers who are President, General Secretary and Treasurer is an affiliated and recognized unit of Andhra Pradesh Olympic Association for the term of four years with effect from 2015 to 2019.

5. Learned counsel appearing on behalf of the petitioner submits that the petitioner-Association is the only body recognized to represent the sport of Taekwondo in the State of Telangana and this right is recognized by the affiliation granted to it by the A.P. Olympic Association and the second respondent Taekwondo Federation of India. The parent body is entitled to govern and administer the sport of Taekwondo in the entire country. Learned counsel further submitted that the petitioner-Association conducted the 33rd National Junior Taekwondo Championship at Hyderabad for which the second respondent had granted an amount of Rs.2 Lakhs for the purpose of conducting the events.

6. It is pertinent to mention that earlier the petitioner-Association filed Writ Petition No.17538 of 2016 against respondent Nos.1 and 2 and others by praying the second respondent to permit the office bearers of the petitioner-Association to participate in the election of the office bearers to the second respondent-Association therein. Accordingly, this Court

granted interim directions vide Order dated 07.06.2016. The second respondent intentionally and wrongly permitted the fourth respondent to allow the athletes to participate in the National Championship though the petitioner-Association is recognized by the second respondent. Except the petitioner-Association, respondent Nos.3 and 4 have no right to select the athletes for participation in National Championship.

7. The petitioner is aggrieved by the decision of the second respondent whereby respondent No.4 was directed to select the team for the State of Telangana. It is an admitted fact that there are two associations in Telangana, the petitioner and the third respondent as well.

8. It is admitted by the petitioner that the third respondent-Association is neither recognized by the State of Telangana nor by the second respondent. Therefore, only the petitioner-Association has right to send athletes for the Taekwondo Championship to be held from 22.09.2016 to 25.09.2016 at Anandpur Sahib, Punjab.

9. It is important to note that vide order dated 16.03.2015, respondent No.2 made it clear that any other person or group of persons claiming to be the office bearers of Telangana Taekwondo Association are not recognized by TFI for which TFI will not be liable for any activity of these persons. In the said order, in para 5, it is stated that as per the report of TFI observer, Shri Anil Dwivedi, has accepted as President and General Secretary of petitioner-Association affiliated with TFI. The President is Shri Dasugari

Satyanarayana (Satish Goud) and General Secretary is Shri Arravally Parveen Kumar.

10. In view of the facts recorded above and submissions made by learned counsel appearing on behalf of the petitioner, I am of the view that the decision of the second respondent to direct respondent No.4 to select the athletes is not justified. However, I make it clear that the selection shall be made from the petitioner-Association, who is recognized by the State of Telangana, and the second respondent herein.

11. Accordingly, the Writ Petition is allowed. No costs. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date: 19.09.2016

Note: Issue CC by tomorrow
(B/o)
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SURESH KUMAR KAIT, J

