

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.34594 of 2016

ORDER:

Vide the present petition, the petitioner seeks Mandamus declaring the action of the respondents in not permitting the petitioner to participate into the 46th Open National Juniors 31st Girls National Juniors Chess Championship dated 8th to 16th October, 2016 on primitive grounds, as illegal, arbitrary, un-constitutional and violation of articles 14, 16 and 21 of the Constitution of India and consequently to direct the respondents to permit the petitioner to participate in the above Juniors Chess Championship tournament.

The case of the petitioner is that the petitioner has been participating chess tournaments since her childhood i.e., from 3rd standard onwards. Thereafter, the petitioner has participated in many tournaments in entire Combined State and also now participating in Telangana and Andhra Pradesh. The petitioner has got many meritorious certificates since her childhood, and at the time of studying 8th standard, she was awarded Rs.2,000/- in Hyderabad chess tournaments, and also participated in tournaments, which were conducted in Nalgonda, Kurnool, Anantapur, Kadapa, Bhimavaram, Karimnagar, Hanamkonda, Hyderabad etc., and in entire tournaments, the petitioner has got meritorious results.

In the writ affidavit, it is stated that the petitioner has participated in the State Chess championship of Telangana State FIDE International Rating Tournament under 19 Junior Open Chess Championship-2016 conducted by All India Chess Federation Event code 143367/TEL/2016 from 3rd-6th October, 2016. This was conducted by the Telangana State Chess Association, which was affiliated to All India Chess Federation, and in the said tournament, the petitioner has got 3rd rank in the entire tournament.

It is further stated that the petitioner has submitted her application to the tournament of 46th Open National Juniors & 31st Girls National Juniors Chess Championship conducted from 8th to 16th October, 2016 as per rules and regulations with requisite fee of Rs.750/- on 6.10.2016 along with qualification certificates. Even the respondents have received the entry fee/accommodation fee, but not allowed the petitioner to participate in the tournament which was commenced on 08.10.2016, due to registration of her date of birth as 21.06.2013 instead of 20.04.1998. It is further stated that due to lack of knowledge and by virtue of oversight, the respondents did not register the date of birth of the petitioner correctly.

It is fairly conceded that due to lack of knowledge of the parents of the petitioner, the date of birth was registered by the authorities as 21.06.2013. Accordingly, the authorities

are not allowing the petitioner to participate in the Chess Championship tournament as noted above.

Learned counsel for the respondents submits that since the date of birth of the petitioner is registered as 21.6.2013, the petitioner is not eligible to participate in the tournament mentioned above.

With the consent of the learned counsel for the parties, I hereby dispose of the petition. It is not in dispute that the petitioner has participated in the different tournaments as noted above and certificates thereto were also attached with the application and in the writ petition as well. Therefore, in any sense, it cannot be said that the petitioner is just 3 years old who participated in different tournaments. This shows non-application of mind of the respondents, due to which, the respondents are not allowing the petitioner to participate in the tournament noted above.

Keeping in view the averments made in the instant petition, submissions of learned counsel for the petitioner and the material on record, it cannot be disputed that the date of birth of the petitioner is 20.04.1998. Thus, the petitioner is eligible to participate in the Chess Championship tournament as noted above.

Accordingly, this Writ Petition is disposed of directing the respondents to permit the petitioner to participate in 46th

Open National Juniors 31st girls National Juniors Chess
Championship dated 8th to 16th October, 2016. No costs.

Miscellaneous Petitions, if any pending, shall stand
closed.

JUSTICE SURESH KUMAR KAIT.

Date: 13-10-2016
Note : C.C.today.
B/o
gvl

