

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4997 of 2019

ORDER:

The prayer of the petitioner-Crown Cricket Club, Hyderabad, in this case reads as under:

'For the reasons stated in the accompanying affidavit, the petitioner herein respectfully prays that this Hon'ble Court may be pleased to issue Writ, Order or Direction more particularly one in the nature of Writ of mandamus declaring the proceedings No.HCA/Legal/2019/279 dated 12-02-2019 issued by 3rd respondent as illegal, arbitrary and contrary to the Rules and Regulations of the Hyderabad Cricket Association and consequently direct the 3rd respondent to place the complaint dt. 07-02-2019 of the petitioner before the 2nd respondent herein for consideration and pass such other order or orders or directions as this Hon'ble Court may deem fit and proper in the circumstances of the case.'

Perusal of the representation dated 07.02.2019 reflects that Ch.Satya Sekhar Babu, the deponent to the writ affidavit, claiming to be the Secretary of the petitioner-Club, asked the Hyderabad Cricket Association to issue club passes for the cricket matches scheduled to be held on 02.03.2019 and 25.03.2019 at Uppal Stadium. By the impugned proceedings dated 12.02.2019, the Hyderabad Cricket Association informed Ch.Satya Sekhar Babu that there was no order from the Court in SROP No.900 of 2013 to issue any such passes, as claimed in the representation dated 07.02.2019, and that as per records available with the Hyderabad Cricket Association, C.Hanumantha Rao, the fourth respondent herein, was the Secretary of the petitioner-Club.

Be it noted that in the representation dated 07.02.2019, the deponent never asked for the dispute as to who is the Secretary of the petitioner-Club to be placed before the Ombudsman appointed by the Supreme Court, arrayed as the second respondent herein.

Sri I.V.Radhakrishna Murthy, learned counsel for the petitioner-Club, would state that such a request was made in the earlier representation dated 24.12.2018.

Apart from the fact that there is no mention of the representation dated 24.12.2018 in the prayer portion of this writ petition, perusal of the said representation also does not demonstrate any request having been made by Ch.Satya Sekhar Babu to place the issue as to who is the Secretary of the petitioner-Club before the second respondent even therein.

In that view of the matter, it is clear that Ch.Satya Sekhar Babu never approached the authorities seeking reference of this particular issue to the second respondent at any stage. Without doing so, he filed the present writ petition only in relation to the representation made for issuance of club passes and denial of the same by the Hyderabad Cricket Association. The scope of the writ petition is therefore sought to be enlarged beyond the prayer made in the said representation. In any event, it would not be within the domain of this Court in exercise of writ jurisdiction to decide as to who is the Secretary of the petitioner-Club.

Be it viewed from any angle, this writ petition is not maintainable and the same is accordingly dismissed. This order shall however not preclude Ch.Satya Sekhar Babu from taking recourse to appropriate remedies available to him in law before the competent forum in accordance with the due procedure.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

JUSTICE SANJAY KUMAR

Date:12.03.2019
GJ