

THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.29393 of 2018

ORDER:

This writ petition is filed challenging the Memo No.4160/Sports/2016, dated 06.02.2017, whereby the 1st respondent accords permission to the 4th respondent for placing the petitioner under blacklist.

Learned counsel for the petitioner submits that the period for which he was elected as the General Secretary has expired. But by virtue of the impugned order in the writ petition the respondents are not allowing the petitioner to participate in the elections or in other activities as member of the Fencing Association of Andhra Pradesh. He further submits that the 1st respondent has no power to place the petitioner under blacklist, it is the 2nd respondent, as per the rules and regulations, who is competent to take action. But, as on today, no action has been taken by the 2nd respondent. He further submits that the term of the petitioner is over and the impugned order causes stigma on the career of the petitioner, therefore, prayed to set aside the impugned order.

Learned Standing Counsel submits that basing on the impugned order, dated 06.02.2017, Adhoc Committee is functioning, but the same has not been challenged.

Heard learned counsel for the petitioner and learned Standing Counsel for the 4th respondent.

In this case, it is to be seen that there is no order of blacklisting the petitioner's name even from the additional counter filed by the respondent. Basing on the proceedings, dated 16.06.2019, the petitioner cannot be prevented in participating elections or other activities, to which he is entitled. In view of the same, the impugned order in the writ petition cannot be treated as if petitioner was placed under the blacklist and he cannot be prevented from participating in the activities including the elections, if he is entitled as per rules.

In view of the fact and circumstances of the case, the writ petition is allowed setting aside the impugned order, dated 06.02.2017.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed. No order as to costs.

17th July 2019

mar

A. RAJASHEKER REDDY, J