

OA.Nos.11 and 12 of 2020

P.T.ASHA, J.

The Original Application No.11 of 2020 is filed by the Chennai District Football Association and Original Application. No.12 of 2021 is filed by the Nilgiris District Football Association. Both applicants have put forward common contentions in the above applications and therefore a common order is passed.

2. The following circumstances have constrained the applicants to approach this Court seeking issue of an order of interim injunction restraining the respondent, their men or its other officials, assigns or any persons claiming through them to conduct the Executive Board Meeting of the Tamil Nadu Football Association namely the first respondent herein on 17.01.2021 at 11 am at the TFA office at Room No.73, Jawaharlal Nehru Stadium.

3. It is the case of the applicants that the second respondent herein whose tenure of office has ended as early as on 20.09.2018 has been resorting to various methods to continue to cling to the post of Presidentship of the first respondent association.

4. The applicant would accuse the second respondent of superseding the Associations which are against him and superseding it with Adhoc Committees consisting of persons loyal to him. The deponents would contend that the Trichy District Football Association was ousted illegally in the year 2017 by the second respondent and an Adhoc Committee was appointed. This action was challenged by the said Association in Arbitration proceedings and though the Arbitrator had upheld the decision of the first respondent, however ultimately the Award was set aside in the Section 34 Application moved in OP.No.663 of 2016 by the Trichy Association and the challenge to the said order in OSA.No.187 of 2019 also ended against the second respondent. They would contend that the elected body has not been put on notice about the impugned executive board

meeting by the first respondent.

5. Similarly the Coimbatore District Football Association was also superseded and they had moved A.Nos.7609, 7611 and 7613 of 2018 before this Court wherein this Court by order dated 03.04.2019 had appointed an Arbitrator to conduct the elections. The elected office bearers are not recognised by the first respondent since they do not see eye to eye with the second respondent and even they have not been put on notice about the impugned executive Committee meeting. Likewise the applicant in OA.No.11 of 2021 who had questioned the arbitrary authority of the second respondent is also not put on notice about the said meeting. In fact the second respondent had got one of his supporters to initiate proceedings before this court questioning the nomination of Mr. Sugumar for the election. In the guise of these proceedings, the activity of the entire association has been curtailed. The applicant in OA.NO.12 of 2020 which has not been superseded or suffered any kind of ban has also been de recognised by the first respondent and not put on notice regarding the

impugned executive meeting.

6. The applicant would further submit that the second respondent has been restrained to act as office bearer of the Association by orders dated 29.04.2019 in CS.No.126 of 2019. The injunction continues to date. While so, the second-respondent has called for the impugned meeting as President of the first respondent Association in total violation of the orders of this Court and therefore they have come forward with the present applications.

7. Heard the counsel for the applicants.

8. In the order dated 27.09.2019, in A.Nos. 1153, 1554 and 1555 of 2019 in A.No. 1774 of 2019 & O.A.No.128 of 2019 in C.S.No.126 of 2019, the learned Single Judge has observed as follows in paragraph 54 of the order:

“ I had passed an order on 29.04.2019 restraining the persons, who claimed to have been elected from functioning as office bearers of the Association. Despite the said order, the second respondent contemnor had continued to describe himself as a legal custodian of the Tamil Nadu Football Association even in subsequent communications.”

9. This order dated 27.09.2019 has not been challenged by the respondents and therefore the order restraining the second respondent from functioning as office bearer of the first respondent Association is in force. The Division Bench, before which the respondent had filed OSA.Nos. 277 to 281 of 2019, has only granted an order of status quo on 23.10.2019. Therefore, the fact remains that there is an order restraining the second respondent from functioning as the President of the first-respondent is still

in force. Therefore, convening of the executive board meeting of the first respondent on 17.01.2021 by the second respondent in his capacity as the President of the first respondent association is without authority. Consequently, *there shall be an order of interim injunction restraining the respondents the respondent, their men or its other officials, assigns or any persons claiming through them to conduct the Executive Board Meeting of the Tamil Nadu Football Association on 17.01.2021 at 11 am at the TFA office at Room No.73, Jawaharlal Nehru Stadium from conducting the Executive Board Meeting of the first-respondent Association till 05.02.2021.*

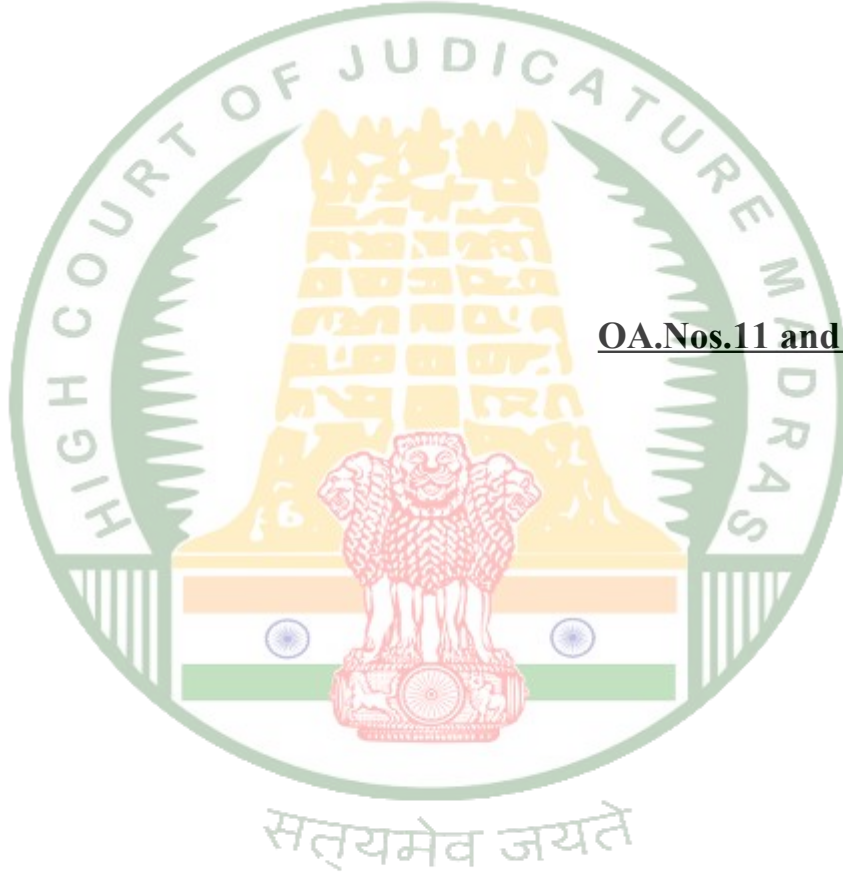
10. The applicants shall serve notice on the respondents returnable by 05.02.2021. Private notice is also permitted.

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08.01.2021

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