

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.13365 of 2019

Pondicherry Cricket Association
Represented by Honorary Joint Secretary
N.Sivacoumare
Door No.22, 1st Floor
Thiruvalluvar Street
Radhakrishnan Nagar
Kathirkamam Post
Puducherry 605 009

..Petitioner

.Vs.

1. The State of Puducherry
Rep. by its Secretary
Education Department
Puducherry Secretariat
Beach Road, Puducherry - 605 001
2. The State of Puducherry
Rep. by its Minister
Sports & Youth Affairs
Puducherry Assembly
Puducherry - 605 001
3. The Director
The Director of School Education
PKEC Building, 100 feet Road,
Anna Nagar Puducherry
4. Pondicherry State Sports Council
Rep. by its Member Secretary
Indira Gandhi Sports Complex
Uppalam, Puducherry 605 001
5. Cricket Association of Pondicherry
Cricket Association
Rep. by its Honorary Secretary
R.S. No.104/8 & 105/7,
Sethuramapet Main Road
Pondicherry 605 101

.. Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing respondents 1 to 4 to dispose of the representation of petitioner Association dated 16.11.2018 in accordance with law.

For Petitioner : Mr.P.C.Harikumar

For Respondents: Mr.A.V.Ramalingam

AGP (Puducherry) for R1 to R3

ORDER

The prayer in the writ petition is to issue a writ of mandamus, directing the respondents 1 to 4, to dispose of the representation of the petitioner Association dated 16.11.2018.

2. The representation is to withdraw the grant of professional recognition to Cricket Association of Puducherry by the Member Secretary, Puducherry State Sports Council, Indira Gandhi Sports Complex, vide letter Ref.No.808/PSSC/Estt/Cricket/2017-2018 dated 23.01.2018.

3. The said representation is making several allegations against several persons including the Hon'ble Chief Minister of Puducherry, who had issued a letter dated 11.07.2018. Admittedly, the petitioner has not challenged the provisional recognition granted to the Cricket Association of Puducherry. It is not known, whether they have been given a permanent recognition, as no counter affidavit has been filed by the official respondents, despite granting adjournments.

4. Though it is stated by the learned Additional Government Pleader appearing for the respondents 1 to 4, that it is a negative prayer that has been sought for, there is no reason, as to why the representation is kept pending from 16.11.2018.

5. The learned counsel for the petitioner would state that the petitioner is unable to challenge the provisional recognition granted to Cricket Association of Puducherry, as they are not a party to the proceedings. Even if they are not a party to the proceedings, it is open to the petitioner to challenge the same if they are otherwise aggrieved. However, without going to the merits of the case, the fourth respondent is directed to dispose of the representation of the petitioner dated 16.11.2018, and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and by affording them an opportunity of personal hearing or virtual hearing, within a period of four weeks from the date of receipt

of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary
The State of Puducherry
Education Department
Puducherry Secretariat
Beach Road, Puducherry - 605 001
2. The Minister
Sports & Youth Affairs
State of Puducherry
Puducherry Assembly
Puducherry - 605 001
3. The Director
The Director of School Education
PKEC Building 100 feet Road,
Anna Nagar Puducherry
4. The Member Secretary
Pondicherry State Sports Council
Indira Gandhi Sports Complex
Uppalam, Puducherry 605 001
5. The Honorary Secretary
Cricket Association of Pondicherry
Cricket Association
R.S. No.104/8 & 105/7, Sethuramapet Main Road
Pondicherry 605 101

+1cc to Mr.p.C.Harikumar & Associates, Advocate, S.R.No.36569
+1cc to the Government Pleader, S.R.No.36869

W.P.No.13365 of 2019

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