



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.14555 of 2020

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A.Angappan

... Petitioner

Vs

- 1.The Ministry of Youth Affair and Sports,
Represented by its Secretary,
Room No.3, C-Wing, Shastri Bhawan,
New Delhi-110 001.
 - 2.The Department of Empowerment of Persons with Disabilities,
Ministry of Social Justice Empowerment,
Represented by its Secretary,
Room No.515, New Delhi-110 003, (India).
 - 3.All India Chess Federation,
Represented by its Secretary,
Room No.70, Jawaharlal Nehru Stadium,
Periyamet, Chennai-600 003,
 - 4.Chess Federation for Physically Disabled,
Represented by its Secretary,
18/1, Sengol Udaiyar Street, Ponamalaipatti,
Ponmalalai, Trichy-620 004.
- ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third and fourth respondents to conduct fair and transparent selection process and consequently, register and forward four national teams with four reserved teams to the 1st Fide Online Chess Olympiad for people with disabilities on or before 20.10.2020 by strictly following the procedure contemplated under the Constitution and Bylaws of the third respondent by considering the petitioner's representation dated 15.09.2020.

For Petitioner

: Mr.V.Meenakshisundaram

For R-1 & R-2

: Mr.G.Rajaraman,
Standing counsel

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the third and fourth respondents to conduct a fair and transparent selection process and consequently, to register and forward four National teams with four reserved teams to the 1st



Fide Online Chess Olympiad for People with Disabilities on or before 20.10.2020, by strictly following the procedure contemplated under the Constitution and By-laws of the third respondent, by considering the petitioner's representation dated 15.09.2020.

2. Heard Mr.V.Meenakshisundaram, learned counsel appearing for the petitioner and Mr.G.Rajaraman, learned counsel, accepts notice for the respondent Nos.1 and 2. Notice to the respondents 3 and 4 is dispensed with, as no adverse order is going to be passed against them.

3. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner claims that he is a physically challenged person and he is a chess player. According to him, he regularly participates in various chess tournaments. It is his case that International Chess Federation (FIDE), which is the governing body for the 1st Fide Online Chess Olympiad for People with Disabilities, is scheduled to conduct an online tournament, between 20th November to 3rd December 2020. According to the petitioner, the FIDE Disabled Commission has prepared General Regulations stipulating all the rules and procedure governing the Olympiad.

5. According to the petitioner, as per 2F of the General Regulation, FIDE Member Federation having registered 101 or more disabled players on FIDE DIS Website by 20th October, 2020, is entitled to send four National Teams with any disabled composition. Further, according to the petitioner, as per 3A of the General Regulation, each national team may consist of four players (three men and at least one woman) and each team may have upto four reserved players. Therefore, FIDE Member Federation may select upto totally 32 players to participate in the reputed Olympiad.

6. According to the petitioner, the fourth respondent, being an FIDE Member Federation having more than 102 disabled players may allow four national teams including four reserved teams to represent India in the Olympiad. According to the petitioner, the fourth respondent has not even informed the eligible chess players about the proposed Olympiad, which is to be held between 20th November to 3rd December 2020. According to the petitioner, the Olympiad does not prescribe any specific selection process. But the fourth respondent has clandestinely sent E-mail only to few pre-determined players seeking for their willingness to participate in the Olympiad excluding the others.

7. It is the case of the petitioner that there is no transparency in the selection process by the fourth respondent. In such circumstances, the petitioner has sent a representation, dated 15.09.2020 to all the respondents, requesting them to conduct selections for the Olympiad in a fair, reasonable and transparent



manner. According to the petitioner, excepting the fourth respondent, who had sent a reply, dated 26.09.2020, the remaining respondents have not sent any reply. According to him, there must be transparency in the selection process. In such circumstances, he has filed this Writ Petition.

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8. The relief sought for in this Writ Petition is an innocuous relief. The petitioner claims that he is a physically challenged person and he is a competent chess player and he is regularly participating in chess tournaments. He has also stated that the 1st Fide Online Chess Olympiad for People with Disabilities is scheduled to be conducted through online between 20th November to 3rd December 2020. It is his contention that the fourth respondent, who is the Selecting Authority, has failed to adopt transparent methods for selecting the players. He has also given a representation to all the respondents to ensure that the third and fourth respondents has to conduct the selection process for selecting the players for the people with disabilities, in a fair and transparent manner.

9. After considering the aforementioned factors, this Court is of the considered view that the relief sought for by the petitioner has to be granted in his favour as it is in the interest of the game and further no prejudice will be caused to anyone.

10. Accordingly, this Court directs the third and fourth respondents to consider the petitioner's representation, dated 20.10.2020 requesting them to select the players for the Fide Online Chess Olympiad for People with Disabilities, which is scheduled to be conducted through online between 20th November to 3rd December 2020, by adopting a fair and transparent selection process and finalise the selection process, by giving opportunity to all the eligible players.

11. With the above observations and directions, the Writ Petition stands disposed of accordingly, No costs.

Sd/-

Assistant Registrar (Records)

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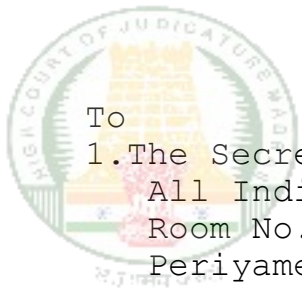
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Sub Assistant Registrar(CS)

tsg

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Secretary,
All India Chess Federation,
Room No.70, Jawaharlal Nehru Stadium,
Periyamet, Chennai-600 003,

2.The Secretary, Chess Federation for Physically Disabled,
18/1, Sengol Udaiyar Street, Ponamalaipatti,
Ponmalalai, Trichy-620 004.

+1 CC to M/s.G. RAJARAMAN, Advocate (SR-20414[F] dated
16/10/2020)

+1 CC to M/s.V. MEENAKSHI SUNDARAM, Advocate (SR-20421
[F] dated 16/10/2020)

W.P. (MD) No.14555 of 2020
16.10.2020

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