



WEB COPY



W.P.No.11426 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11426 of 2023

And

W.M.P.No.11321 of 2023

Master Nitin Krishna V.G. (Minor)
Represented by Natural Guardian
Mr.Gopalakrishnan Subramanian

... Petitioner

Vs.

1.The Chairperson,
Special Olympics Bharat,
J-47, Lower Ground Floor,
Lajpat Nagar – III,
Delhi – 110 024.

2.The Area Director,
Special Olympics Bharat Tamil Nadu,
A3-A4, Golden Fortune,
No.1, Nolambur Main Road,
Mogappair West, Chennai – 600 107.

3.The Director General,
Sports Authority of India,
Jawaharlal Nehru Stadium Complex (East Gate),
Lodhi Road,
New Delhi – 110 003.

4.Union of India
Under Secretary,
Ministry of Youth Affairs and Sports,
Room No.15-C, Shastri Bhavan,
New Delhi – 110 001.

... Respondents



W.P.No.11426 of 2023

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the report dated 14.07.2022 filed by the Area Director, Special Olympics Bharat Tamil Nadu in W.P.No. 17714 of 2022 rejecting consideration of the representation made by the petitioner dated 11.06.2022 and quash the same as non-est in law.

For Petitioner : Mr.G.Rajagopalan
Senior Counsel
for M/s.S.Arunkungumaraj

For Respondents : Mr.A.Prakash for R1, R3 & R4
ACGSC

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the report dated 14.07.2022 filed by the Area Director, Special Olympics Bharat Tamil Nadu in W.P.No. 17714 of 2022 rejecting consideration of the representation made by the petitioner dated 11.06.2022 and quash the same as non-est in law.

2.The learned Senior Counsel appearing for the petitioner submitted that the petitioner's son was selected to represent Tamil



W.P.No.11426 of 2023

Nadu Special Olympics Bharat Swimming at the Special Coaching Camp conducted by Special Olympics Bharat at Mumbai, Maharashtra between 13.02.2022 and 18.02.2022 which was conducted in furtherance of Special Olympics World Games, 2023, however, due to Covid lockdown, the training camp was re-scheduled and the venue changed to Mandia, Karnataka. Thereafter new list was prepared by the second respondent removing the name of the petitioner's son. Hence, the petitioner made representation to the respondents for inclusion of his son's name in the Special Coaching Camp. Since no action was taken, he filed W.P.No.17714 of 2022 before this Court seeking to consider his representation and this Court vide order dated 11.07.2022 directed the respondents to file a report, pursuant to which, the second respondent filed the impugned report dated 14.07.2022. Thereafter, vide order of this Court dated 15.07.2022, the said writ petition was dismissed. Challenging the report of the second respondent dated 14.07.2022, the present writ petition has been filed.

3.Per contra, the learned ACGSC submitted that the impugned report form part and parcel of the order of this Court dated



W.P.No.11426 of 2023

15.07.2022 made in W.P.No.17714 of 2022 and further submitted that as against the order of this Court dated 15.07.2022, the petitioner preferred W.A.No.1705 of 2022 and the Hon'ble Division Bench of this Court confirmed the order of this Court dated 15.07.2022. Once the report merge with the order of this Court made in the writ petition and confirmed by the judgment of the Hon'ble Division Bench of this Court, the petitioner has no locus standi to challenge the report of the second respondent dated 14.07.2022.

4.The facts in the present case is not in dispute. Admittedly, the impugned report was filed by the second respondent in W.P.No.17714 of 2022. Thereafter, this Court dismissed the said writ petition, as against which, the petitioner preferred appeal in W.A.No.1705 of 2022 before the Hon'ble Division Bench of this Court and the Hon'ble Division Bench of this Court confirmed the order of this Court dated 15.07.2022 made in W.P.No.17714 of 2022. Hence, the petitioner has no locus standi to independently challenge the report of the second respondent dated 14.07.2022 since the report merge with the order of this Court.



W.P.No.11426 of 2023

WEB COPY

5.The writ petition is accordingly dismissed. No costs.

Consequently, the connected miscellaneous petitions are closed.

17.04.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

- 1.The Chairperson,
Special Olympics Bharat,
J-47, Lower Ground Floor,
Lajpat Nagar – III,
Delhi – 110 024.
- 2.The Area Director,
Special Olympics Bharat Tamil Nadu,
A3-A4, Golden Fortune,
No.1, Nolambur Main Road,
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M.DHANDAPANI,J.
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