



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2024

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**CORAM :
THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

WP.No.913 of 2024 and

WMP.Nos.941, 942, 944 & 947 of 2024

1.Minor G.Tamilselvan
S/o. Gnanasekaran,
Represented by his mother (Natural Guardian)
Mrs.Vasanthi,
No.3/36, Valluvar Street, Saleri,
Naannilam Taluk, Saliperi,
Thiruvavarur District 610 105.

2.Minor.G.S.Sudharson
S/o Mr.Shanmugasundharam Ganesan
Represented by his Father (Natural Guardian)
Mr.Shanmugasundharam anesan
Ezhilagam
Pechiyamman Nagar
Kitchipalayam, Salem District 636 015

3.Minor R.Subashree
D/o. Mr.V.S.Rajarathinam
Represented by her Father (Natural Guardian)
Mr.V.S.Rajarathinam
No.333/A, East Pandy Road,
Salaigaram,
Villupuram District 605 103

4.Minor P.Priyanka
D/o Mr.P.Paramaraj
Represented by her Father (Natural Guardian)



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Mr.P.paramaraj
No.L3/3, Mullai Nagar,
Aranmanaipudur,
Theni District 625 531

5.Minor Varshini
D/o Sathish Babu
Represented by her Mother (Natural Guardian)
Mrs.Mahalakshmi
No.42/42, Thiruppur Kumaran Street Extension
New Perungalathur, Perungalathur,
Kancheepuram District 600 063. ... Petitioners

vs.

1.The Joint Secretary,
Ministry of Youth and Sports
Department of Sports
Government of India
Shastri Bhavan, New Delhi 110 001

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

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

4.The General Secretary,
All India Sports Council of the Deaf
No.1-B, Institutional Area,
Near Janata Flats, Sarita Vihar,



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New Delhi – 110 076

5.The Principal Secretary
Sports Development Authority of Tamil Nadu
Govt. of Tamil Nadu,
Jawaharlal Nehru Stadium,
Periyamet, Chennai-600 003.

6.The Secretary,
Department of Welfare of Differently Abled Persons,
Govt. of Tamil Nadu,
Secretariat, Chennai-600 009.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ Certiorarified Mandamus to call for the records pertaining to the Impugned mail Communication sent by the 3rd Respondent dated 05.01.2024 and Quash the same as illegal and consequently direct the Respondents Nos.1 to 4 to permit the petitioners to travel and participate in the First World Deaf Youth Games, SAO PAULO, Brazil Scheduled to be held on 14th January 2024 to 20th January 2024.

For Petitioner : Mr.R.Prabhakaran

For Respondents : Mr.J.Ravindran,
Additional Advocate General
assisted by
Mrs.Geetha Thamaraiselvan (for R5 & R6)
Special Government Pleader

Mr.B.Rabu Manohar (for R1 to R4)
Senior Central Government Standing Counsel



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ORDER

There are five petitioners before me, all minors and Sportspersons, who are hearing impaired.

2.Mr.G.Tamilselvan Gnanasekaran is an Athlete, who runs in the 100 metres as well as participates in long jump. Ms.Priyanga Paramaraj, is also an Athlete who runs in the 100 and 200 metres girls events, Ms.Subasree Rajarathinam, again an Athlete who runs 100 metres and 400 metres girls events and Mr.Sudharson Ganesan S.S. and Ms.Varshini Sathish Babu participate in the Badminton Boys and Girls events respectively. They wish to participate in the First World Deaf Youth Games ('Games'), to be held at SAO Paulo, Brazil from the 14th to 20th of January of 2024.

3.The petitioners were selected in the qualifying events and R4, the General Secretary of the All India Sports Council of the Deaf, had sent a proposal to R3, the Assistant Director, Sports Authority of India (SAI) for approval and for initiation of necessary procedures. However, R3 has declined to proceed with the matter, citing the cost to the Government. With this, a press release has been issued by R4, rejecting the request for approval of the proposal. This is indeed unfortunate.

4.However, the State of Tamil Nadu has risen to the occasion and has come to the aid of the petitioners. Mr.Rabu Manohar, who appears for the SAI states that they would have no objection to the participation of the petitioners if the cost is borne by the State.



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5.Mr.Ravindran, learned Additional Advocate General assisted by Mrs.Geetha Thamaraiselvan, learned Special Government Pleader, were thus requested to obtain specific instructions on whether the State would bear the cost and happily, the State indeed confirms that the State would bear the cost, quantified at a sum of Rs.4,75,725/- and (rounded of to Rs.5,00,000/-) per participant.

6.The amount as above (Rs.5,00,000/- per participant, towards five petitioners amounting to Rs.25,00,000/-) will be remitted by the State to Sports Development Authority of Tamil Nadu/R5 forthwith to enable the processing of their Visas and other formalities. All respondents are directed to ensure that the needful is done to facilitate and ensure participation of the petitioners in the Games. Needless to say, if, for some reason, the trip does not transpire, the State may make a request for refund of the money from SDAT.

7.This prayer in the writ petition is moulded and allowed in terms of the above order. No costs. Connected miscellaneous petitions are closed.

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vs

Index:Yes/No

Speaking order

Neutral Citation:Yes

Note to Registry : Upload today.



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To

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Ministry of Youth and Sports
Department of Sports
Government of India
Shastri Bhavan, New Delhi 110 001
- 2.The Director-General
Sports Authority of India,
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