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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1296 of 2024

Tamil Nadu Sport Archery Association
Rep By S N Udheya Kumar (President)
S/o.Natandurai, No.4/41, Stage, 2nd Extension,
Chinmaya Nagar,
Koyambedu, Chennai- 092.

... Petitioner

Vs.

- 1.Archery Association of India,
Rep By Authorised Signatory,
Archery Cricket Stadium,
DDA Yamuna Sports Complex,
Gate No.2, Surajmal Vihar,
Delhi.
- 2.The Archery Association of Tamil Nadu,
T 16/ 2 Kalashetra Colony,
Besant Nagar,
Chennai – 600 090.
Rep By Mr.Kumar Rajendran (President)
and Mr.Syed Ali Hussaini Alias Shinhan Hussain.
- 3.The Secretary of the Union Of India,
The Ministry of Youth Affairs and Sports,
Room No.401, C – Wing, Shastri Bhawan,
New Delhi-110 001.
- 4.Sports Authority of India,



Rep by its Authorised Signatory,
Jawaharlal Nehru Stadium Complex (East Gate),
Lodhi Road, New Delhi-110 003.

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5. Paraolympic Committee of India,
No.2, Sports Authority of Karnataka Building,
Sri Kant'eerva Stadium,
Kasturba Road,
Bengaluru- 560 001.
6. The Secretary to the Government of Tamil Nadu,
Youth Welfare And Sports Development Department,
The Secretariat, Fort St. George,
Chennai-600 009.
7. Sports Development Authority of Tamil Nadu,
Rep By Its Authorised Signatory,
No.116-A, Periyar E.V.R. High Road,
Nehru Park, Chennai – 600 084.
8. The Secretary
Indian Olympic Association,
Olympics Bhawan,
B-29 Qutub Industrial Area,
New Delhi – 110 016.
9. The Secretary,
Tamil Nadu Olympics Association,
No.78, Jawaharlal Nehru Stadium,
Syenams Road,
Periamet, Chennai-600 003.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing i) the 1st respondent to include petitioner association in the upcoming election and to recognize them as an



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member of the 1st respondent. ii) the 1st respondent to remove the unrecognized 2nd respondent from the 1st respondent's association, which is unrecognized by Tamil Nadu Society Act and disqualify them in the upcoming electoral on 19.01.2024. iii) the 3rd to 9th respondents to postpone the election date and to conduct the election as per the direction of W.P.No.3447 of 2019 and W.M.P.No.3745 / 2019 and National Sports Code 2011.

For Petitioner	: M/s.Lakshmi Raja
For R1	: Mr.S.T.Bharath Gowtham
For R7	: Ms.N.S.Tanvi
For R9	: M/s.J.Madhumitha
For R6	: Mr.T.Venkatesh Kumar Special Government Pleader
For R2, R4 & R5	: No Appearance
For R8	: Not Ready in Notice

ORDER

The writ petition admittedly was instituted prior to the election conducted to the petitioner / Association. The petitioner / Association is a Society registered under the Tamil Nadu Societies Registration Act, 1975.



2. The learned counsel for the petitioner would submit that the 2nd respondent was a registered Society and their registration was cancelled by the competent authority under the Tamil Nadu Societies Registration Act, 1975.

3. May that as it be, this Court is of the considered opinion that the election dispute cannot be adjudicated even by the Registrar of Societies under Section 36 of the Tamil Nadu Societies Registration Act, 1975. All such election disputes between the registered Societies are to be adjudicated before the Competent Civil Court of Law.

4. Writ Court cannot entertain a petition, which is filed regarding election disputes. The election has already been completed and new office bearers have taken charge.

5. That being the factum, the petitioner is at liberty to raise election dispute before the Competent Civil Court of Law.



6. With this liberty, this Writ Petition stands disposed of. No costs.

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Index : Yes

Speaking order

Neutral Citation : Yes

To

- 1.The Secretary of the Union Of India,
The Ministry of Youth Affairs and Sports,
Room No.401, C – Wing, Shastri Bhawan,
New Delhi-110 001.
- 2.The Authorised Signatory,
Sports Authority of India,
Jawaharlal Nehru Stadium Complex (East Gate),
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- 3.Paraolympic Committee of India,
No.2, Sports Authority of Karnataka Building,
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- 4.The Secretary to the Government of Tamil Nadu,
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