



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.11080 of 2020

and

W.M.P.No.13489 of 2020

R.Geetha

... Petitioner

Vs.

- 1.The Principal Secretary/Member Secretary,
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.
- 2.The Chairman,
Internal Complaint Committee,
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.
- 3.K.Xaveri Jothi Sargunam,
Senior Manager (under suspension),
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.
- 4.Samuel Raja Daniel
Deputy General Manager,
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.



5.R.Shanmugam,
Superintendent,
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.

6.J.David Daniel,
District Sports and Youth Welfare Officer,
Kanyakumari District,
Nagercoil.

7.Youth Welfare and Sports Development Department,
Represented by its Principal Secretary to Government,
Youth Welfare and Sports Development Secretariat,
Chennai – 600 009.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the 1st respondent herein to dissolve the 2nd respondent committee and constitute a new Internal Complaint Committee in accordance with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal), Act, 2013 consisting of impartial, independent members and also by including a third party from amongst non-Governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment and consequently direct the 1st respondent to array the 6th respondent herein as one of the respondents before the Internal Complaint Committee and further directs the 1st respondent to expeditiously and in a fair manner redress the complaint of the petitioner dated 20.03.2020.



For Petitioner	: Ms.Pavithra Muralidharan for Mr.PJ.Rishikesh
For R1 & R2	: Mr.S.Santhosh Kumar for Mr.K.Azhaguraman
For R3	: Mr.S.Thankasivam
For R4 & R5	: Mr.R.Ganeshkumar
For R6	: Mr.S.Udayasankar
For R7	: Mr.T.Arunkumar Additional Government Pleader

ORDER

The writ of mandamus has been instituted to direct the 1st respondent to dissolve the 2nd respondent committee and constitute a new Internal Complaint Committee in accordance with the provisions of Sexual Harrasment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013. Thus, the writ petition came to be instituted.

2. It is not in dispute that the writ petitioner has filed sexual harrasement complaint against the respondents 3 to 6. The grievance of the petitioner is that the respondent 1 and 2 had not constituted Internal



Compliant Committee in accordance with the Section 4 of the Act 14 of 2013. Thus, the writ petition came to be instituted.

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3. Learned Counsel appearing on behalf of the Sports Development Authority of Tamil Nadu has furnished a copy of the proceedings of the Principal Secretary/Member Secretary, Sports Development Authority of Tamil Nadu dated 17.07.2020. The said proceedings would reveal that the Internal Complaint Committee constituted had been revised and a new composition of Internal Complaint Committee has been stated as follows:

“6. Consequent to the above order, the composition of the ICC will be as follows:

- | | |
|---|---------------------------------|
| <i>(i) Tmt.L.Sujatha, Stadium Officer, Nehru Indoor Stadium</i> | <i>...Presiding
Officer</i> |
| <i>(ii) Tmt.M.Renukalakshmi, General Secretary, Hockey Unit
of Tamil Nadu</i> | <i>...Member</i> |
| <i>(iii) Thiru.D.Sathasivam, Superintendent, HO</i> | <i>...Member</i> |
| <i>(iv) Tmt.R.M.Kavitha, Console Operator</i> | <i>...Member</i> |
| <i>(v) Thiru. A.Kumaran, Assistant, HO.</i> | <i>...Member”</i> |



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4. In view of the fact that a revised Internal Complaint Committee has been constituted, in consonance with Section 4 of Act 14 of 2013, the parties are liberty to participate in the process of enquiry to be conducted by ICC by following the procedures and by affording opportunity to all the parties. The said exercised is directed to be completed within a period of three (3) months from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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09.02.2024

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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no



To

1. The Principal Secretary/Member Secretary,
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.
2. The Chairman,
Internal Complaint Committee,
Sports Development Authority of Tamil Nadu,
Chennai – 600 084.
3. Youth Welfare and Sports Development Department,
Represented by its Principal Secretary to Government,
Youth Welfare and Sports Development Secretariat,
Chennai – 600 009.



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S.M.SUBRAMANIAM, J.

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