



W.P. No.21112 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM:

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P. No.21112 of 2021

and

W.M.P. No.22373 of 2021 & 1258 of 2022

Tamil Nadu Modern Penthathlon Association,
Rep. by its General Secretary,
Mr.T. Balavinayakam

.... Petitioner

vs.

1. The Ministry of Youth Affairs and Sports,
Room No.401, C-Wing,
Shastri Bhawan,
New Delhi – 110 001.

2. The Secretary to the Government
Tamil Nadu Youth Welfare and
Sports Development Department,
Secretariat,
Chennai – 600 009.

3. Sports Development Authority of Tamil Nadu,
Rep. by its Member Secretary
116-A, Periyar EVR High Road,
Nehru Park,
Chennai – 600 084.

4. Tamil Nadu Olympic Association,
Rep. by its General Secretary,
Room No.78, Jawaharlal Nehru Stadium,
Chenani – 600 003.

.... Respondents



W.P. No.21112 of 2021

Prayer : Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Mandamus directing the 4th respondent to consider the petitioner's representation dated 12.09.2019 within a reasonable time to be fixed by this Court and grant Affiliation to the petitioner's Association so as to enable the petitioner to participate in the election of Office Bearers to the 4th respondent Association for the year 2021-2022.

For Petitioner	: Mr.P.Venkatraman
For Respondent 1	: Mr.V. Udayakumar Senior Panel Counsel
For Respondent 2	Mr.P. Sanjay Gandhi Govt. Advocate
For Respondent 3	: Mr.K. Azhagu Raman
For Respondent 4	: Mr.J. Madhumitha

ORDER

This writ petition has been filed for direction to the 4th respondent to consider the representation submitted by the petitioner seeking affiliation to the petitioner's association so as to enable the petitioner to participate in the election of Office Bearers to the 4th respondent Association.



W.P. No.21112 of 2021

WEB COPY

2. The Modern Pentathlon is an Olympic Sport that comprises five events : Running, Swimmig, Pistol Shooting (Laser Gun) and a final combined event of Fencing and Show Jumping. The sport has been a core sport of the Olympic Games since 1912. In order to develop the sports in Tamilnadu the TamilNadu Modern Pentathlon Association is formed and the main object of the association is to promote the Modern Pentathlon games in the State and to grant recognition to the clubs and members in every District and to conduct inter District championship games in all levels i.e., senior, Junior and youths. Further, to prepare the sports personal to participate in the national and international events in different age category. The members of the petitioner's association had taken part in the national championship organized by the Modern Pentathlon Federation of India. Therefore, the petitioner made an application before the 4th respondent for affiliation and submit relevant documents. So far, it was not considered, though the petitioner repeatedly sent representations.



W.P. No.21112 of 2021

WEB COPY

3. On perusal of the counter affidavit filed by the 3rd respondent revealed that the 4th respondent had granted affiliation only if the applicant State Association satisfies all the conditions requisite to grant an affiliation and it has the power and discretion to reject any application which does not have necessary qualifications. Further, the precondition for granting affiliation to any State Sports Association is that it should have proper District Associations to promote it from the Grass Root level. Insofar as the petitioner's association is concerned, they are lacking the essential qualifications. Therefore, the petitioner failed to fulfil the required conditions for seeking affiliation. That apart, a person, who is representing the petitioner's association as General Secretary, is also the General Secretary of the TamilNadu Throwball Association. As per Rule 10 of the bye-laws of the Tamilnadu Olympic Association clearly states that an office bearer of one association cannot simultaneously be the office bearer of more than one State Sports Association. The said Rule 10 is extracted hereunder:

"10. Holding of Office:

No office bearer of the Association shall be eligible to be the office bearer simultaneously of more than one State Sports Association."



W.P. No.21112 of 2021

4. On perusal of the letter, dated 15.08.2021, revealed that Modern Pentathlon Federation of India has granted Annual Affiliation for the year 2021. The said Affiliation will only valid subject to submit requires documents from the petitioner's association and it is subject to approval of constitution board. Therefore, it was granted subject to required documents. Admittedly, the petitioner/association did not file any documents so far.

5. In view of the above, the representation submitted by the petitioner seeking affiliation cannot be considered. However, the petitioner is at liberty to submit fresh application for fulfilling the entire requirements.

6. Therefore, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

15.04.2024

Internet: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
gvn



WEB COPY



W.P. No.21112 of 2021

G.K. ILANTHIRAIYAN, J.

gvn

To

1. The Ministry of Youth Affairs and Sports,
Room No.401, C-Wing,
Shastri Bhawan,
New Delhi – 110 001.

2. The Secretary to the Government
Tamil Nadu Youth Welfare and
Sports Development Department,
Secretariat,
Chennai – 600 009.

3. The Member Secretary
Sports Development Authority of Tamil Nadu,
116-A, Periyar EVR High Road,
Nehru Park,
Chennai – 600 084.

4. The General Secretary,
Tamil Nadu Olympic Association,
Room No.78, Jawaharlal Nehru Stadium,
Chennai – 600 003.

W.P. No.21112 of 2021

15.04.2024