



WEB COPY

W.P.No.24369 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24369 of 2023
and
W.M.P.No.21628 of 2023

A.Mohammed Ibrahim

... Petitioner

Vs.

- 1.The Secretary to the Union of India,
The Ministry of Youth Affairs and Sports,
Room No.401, C-Wing, Shastri Bhawan,
New Delhi – 110 001.
- 2.Hockey India,
B1/E14, Mohan Co-Op. Industrial Estate,
(1km Ahead of Mohan Estate Metro Station),
Mathura Road, New Delhi – 110 044.
- 3.Sports Authority Of India,
Represented by its Authorised Signatory,
Jawaharlal Nehru Stadium Complex (East Gate),
Lodhi Road, New Delhi- 110 003.
- 4.Sports Development Authority of Tamil Nadu,
Represented by its Authorised Signatory,
No.116-A, Periyar E.V.R. High Road,
Nehru Park, Chennai 600 084.
- 5.The Secretary to the Government Of Tamil Nadu,
Young Welfare and Sports Development Department,



The Secretariat, Fort St. George,
Chennai-600 009.

6. The General Secretary,
Hockey Unit of Tamil Nadu,
Room No.1, Mayor Radhakrishnan Stadium,
Egmore, Chennai- 600 008.

7. Mr. Sekar J. Manoharan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to implement or appoint the Sports Persons as President, Vice President, Secretary in Hockey Unit of Tamil Nadu, Chennai in light of the directions of the High Court in W.P.No.3447 of 2019 and W.A.No.1202 of 2022 and direct the respondents 1 to 6 to declare the 7th respondent's appointment as President, Hockey Unit of Tamil Nadu, Chennai as illegal and complete violation of the High Courts directions in W.P.No.3447 of 2019 and W.A.No.1202 of 2022 .

For Petitioner	: Mr.K.Sivasubramanian
For R1 & R3	: Mr.A.Kumaraguru Central Govt. Standing Counsel
For R2	: Mr.S.Chella Pandi
For R4	: Ms.N.S.Tavi
For R5	: Mr.K.Surendran Additional Government Pleader



WEB COPY

W.P.No.24369 of



For R6 & R7

: Mr.M.Dinesh

ORDER

The writ petition has been instituted to direct the respondents 1 to 6 to implement or appoint the Sports Persons as President, Vice President, Secretary in Hockey Unit of Tamil Nadu, Chennai in light of the directions of the High Court in W.P.No.3447 of 2019 and W.A.No.1202 of 2022 and direct the respondents 1 to 6 to declare the 7th respondent's appointment as President, Hockey Unit of Tamil Nadu, Chennai as illegal and complete violation of the High Courts directions in W.P.No.3447 of 2019 and W.A.No.1202 of 2022 .

2. The respondents 1 to 5 are not the authority competent to appoint the President and General Secretary of an Association, which is a society registered under the Tamil Nadu Societies Registration Act, 1975. A society registered under the Act is an independent legal entity and the affairs are governed under the by-laws as approved by the competent authority. The post of President or General Secretary are selected through elections conducted by following the procedures.



WEB COPY

3. No doubt the learned counsel for the petitioner relied on the judgment of the learned Single Judge of this Court and confirmed by the Hon'ble Division Bench stating that Hockey Association must be headed by a person, who is interested in Hockey or by a sports person. The complaint of the petitioner is that the political persons are holding the post of President and General Secretary and they are not even aware of the sports activities and therefore, the Association is unable to function efficiently.

4. Once the appointment of the President and General Secretary are through election, it is for the members to decide, who should be their leader of the Association. The wisdom of the members are of paramount important and their choice plays a pivotal role in respect of such elections. If any by-laws are violated, then the aggrieved person may approach the competent Civil Court of Law challenging the election. By-laws must contain that sport person alone must be the president of the Association. If such by-laws are made available in the Association and it is violated, then the aggrieved persons may approach the Civil Court of law. However, the Writ Court cannot direct the official respondents to appoint the President and the General Secretary of the Society,



which is an independent entity governed by its by-laws. Thus, the petitioner is at liberty to work out his remedy in the manner known to law.

WEB COPY

5. Thus, the Writ Petition stands disposed of. No costs.

12.04.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

- 1.The Secretary to the Union of India,
The Ministry of Youth Affairs and Sports,
Room No.401, C-Wing, Shastri Bhawan,
New Delhi – 110 001.
- 2.Hockey India,
B1/E14, Mohan Co-Op. Industrial Estate,
(1km Ahead of Mohan Estate Metro Station),
Mathura Road, New Delhi – 110 044.
- 3.Sports Authority Of India,
Represented by its Authorised Signatory,
Jawaharlal Nehru Stadium Complex (East Gate),
Lodhi Road, New Delhi- 110 003.
- 4.Sports Development Authority of Tamil Nadu,
Represented by its Authorised Signatory,
No.116-A, Periyar E.V.R. High Road,
Nehru Park, Chennai 600 084.



W.P.No.24369 of



5. The Secretary to the Government Of Tamil Nadu,
Young Welfare and Sports Development Department,
The Secretariat, Fort St. George,
Chennai-600 009.

6. The General Secretary,
Hockey Unit of Tamil Nadu,
Room No.1, Mayor Radhakrishnan Stadium,
Egmore, Chennai- 600 008.



WEB COPY

W.P.No.24369 of



S.M.SUBRAMANIAM, J.

Jeni

W.P.No.24369 of 2023

12.04.2024