



W.P(MD)No.31101 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.31101 of 2024

and

W.M.P(MD)Nos.26105 & 26106 of 2024

Thoothukudi District Cricket Association,
Represented by its President,
V.Easwaran

... Petitioner

Vs

- 1.The District Registrar,
Thoothukudi District.
- 2.The Tamil Nadu Cricket Association,
Represented by its Secretary,
M.A.Chidambaram Stadium,
No.5, Victoria Hostel Road,
Chepauk, Chennai – 5.
- 3.R.N.Baba,
Hon'ble Assistant Secretary,
The Tamil Nadu Cricket Association,
No.5, Victoria Hostel Road,
Chepauk, Chennai – 5.
- 4.Albert Muralidharan
- 5.J.Crispin

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the proceedings of the impugned communication dated 28.11.2024 on the file of the third respondent and the consequential impugned



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communication dated 12.12.2024 of the second respondent and quash the same.

For Petitioner : Mr.G.Prabhu Rajadurai
For R – 1 : Mr.S.P.Maharajan
Special Government Pleader
For R – 2 : Mr.P.R.Raman
Senior Counsel

ORDER

This Writ Petition has been filed by the petitioner challenging the communication dated 28.11.2024 on the file of the third respondent and communication dated 12.12.2024 on the file of the second respondent.

2.The petitioner is a Tuticorin District Cricket Association registered under the Tamil Nadu Societies Registration Act, 1975. It consists 24 members and each member would represent 24 cricket clubs in Tuticorin District. It has a President, Secretary, Joint Secretary, Assistant Secretary, Treasurer, 5 Vice Presidents and 6 Executive Committee members. The committee would be elected once in three years by the general body comprising 24 members. It is also affiliated with the Tamil Nadu Cricket Association (TNCA). The Tamil Nadu Cricket Association is in turn affiliated to the Board of



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Control for Cricket in India (BCCI). The fourth respondent was the President of the petitioner's Association since 2008 and another person Sivakumar has also functioned as Secretary. Both were elected unanimously in all elections. While being so, in order to conduct an election for the next turn, convened a meeting among the general body members on 10.08.2024 and the meeting was chaired by the fourth respondent. In the meeting, it was resolved to conduct the next election by appointing a third party as the election officer. Accordingly, the Managing Committee also conducted and approved the guidelines for election as decided in the general body meeting. One Advocate was appointed as election officer and received the nominations from the members including the respondents 4 and 5. Even before the annual general body meeting, the fourth respondent sent a message as if he was elected as a President and one Muralikannan as a Secretary and the same was accepted by the Tamil Nadu Cricket Association/the second respondent.

3.The learned counsel appearing for the petitioner would submit that the second respondent has no right to interfere with the Management of the petitioner's Association which is an independent



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one. As per the annual general body meeting, new office bearers were elected in which the petitioner was elected as President and one Sivakumar was elected as Secretary of the petitioner's Association. It was communicated to the second respondent on 30.09.2024. Even thereafter, the fourth respondent sent another message thereby inviting the members to attend the extraordinary general body meeting to be conducted on 12.10.2024. Thereafter, the fifth respondent sent a message as if the second respondent had accepted the fourth respondent as the President and the fifth respondent as the Secretary. Accordingly, the third respondent by its communication dated 28.11.2024 called upon the Secretary to hand over the administration to the fifth respondent. Thereafter, by the communication dated 12.12.2024, the second respondent directed the Secretary to hand over the administration to the fifth respondent. Though the dispute between the petitioner and the respondents 4 and 5 herein and in order to maintain this Writ Petition, the learned counsel appearing for the petitioner relied upon the Judgment of the Hon'ble Division Bench of this Court in W.A(MD)Nos.896 and 915 of 2024 dated 12.06.2024 [The Tiruchirappalli District Cricket Association Vs. Anna Nagar Cricket Club and another] in which, the Hon'ble Division Bench of this Court held as follows:



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12. The role of the District Cricket Association assumes significance because, the players in the rural and village level in each district, who play Cricket by joining in their respective Clubs are identified and recommended by these District Cricket Associations to the Tamil Nadu Cricket Association, where, they get a chance to represent in the national team and thereafter, they also have a chance to be recommended to the BCCI for representing the Team India in international matches. Therefore, all these District Cricket Associations are autonomous bodies performing the functions akin to the State, as they are having the authority to select the players to represent the State and thereafter, even to represent the country and therefore are amenable to the jurisdiction of this Court under Article 226 of the Constitution of India.'

4. There is no quarrel that if any dispute with regard to the selection of players to represent the respective District, State and National team, it involves public interest and the Writ Petition is very much maintainable under Article 226 of the Constitution of India.

5. In the case on hand, admittedly, the dispute between the petitioner and the respondents 4 and 5 with regard to their election. The petitioner and the respondents 4 and 5 are claiming the post of President and Secretary of Thoothukudi District Cricket Association. Therefore, the above judgment is not applicable to the



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case on hand. The entire dispute is civil in nature and the Writ Petition itself is not maintainable. Further, the first respondent has nothing to do with the averments made in this Writ Petition, who is the registering authority. Already the petitioner's Association was registered under the Tamil Nadu Societies Registration Act, 1971. Therefore, the dispute with regard to their election of President and Secretary posts is outside the jurisdiction of this Court under Article 226 of the Constitution of India. In view of the above, the Writ Petition itself is not maintainable and the same is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. The petitioner is at liberty to work out his remedy before the appropriate forum in the manner known to law, if so advised. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

20.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

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- 2.The Secretary,
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G.K.ILANTHIRAIYAN, J.

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Order made in
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