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WP No. 17108 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K. SURENDER

WP No. 17108 of 2017

Dr.K.Thamilselvan,

Petitioner

Vs

The Member Secretary
Sports Development Authority of Tamil
Nadu Chennai-84

Respondent

PRAYER: This Writ Petition is filed under Article 226 of Constitution of India seeing Writ of Certiorari Mandamus to call for the records of the respondent in his Proceedings in Rc. No.1253/AO1/ 2017 dated 15.5.2017 and quash the same and consequently direct the respondents to promote the petitioner to the post of District Sports Officer from the date on which his juniors have been promoted.

For Petitioner(s): Mr.C.Vigneswaran

For Respondent(s): Mr.N.S.Tanvi

ORDER

The Writ Petition is filed challenging the Proceedings in Rc.No.1253/AO-1/2017 dated 15.05.2017 and for direction to the respondent to promote the petitioner to the post of District Sports Officer from the date on which his juniors have been promoted.

2. Brief facts of the case are that the petitioner was temporarily appointed as a full-time Yoga Coach on 03.02.1989. Thereafter, the petitioner's appointment was



WP No. 17.10001-2017

ratified vide memo dated 21.01.1991 and he was given additional charge as Warden of the hostel. It was informed vide memo dated 21.01.1991 that the petitioner had to undergo training in yoga for a period of six months in a reputed yoga institution at his own costs. He was designated as Yoga Coach cum Warden vide memo dated 21.01.1991.

3. According to the petitioner, he possessed a three year degree in B.A (History), M.A (History), M.Sc (Yoga), P.G.Diploma in Yoga and also acquired a Ph.D in Yoga.

4. On 21.09.1991, the petitioner was re-designated as Yoga Instructor. Aggrieved by the said re-designation, the petitioner approached this Court and filed W.P.No.18171 of 1992. This Court, by order dated 13.01.2000, directed the respondent to allow the petitioner to give a representation about his re-designation and decide the matter afresh. Pursuant to which, the petitioner submitted orally and also provided documentary proof. It was resolved by the Executive committee that no redesignation as Yoga Coach was possible. Further there will be no revision of scale of pay an graduate coach.

5. According to the respondent, the post of Yoga Coach cum Warden was



WP No. 17.000012017

abolished and re-designated as Yoga Instructor by proceedings of the Managing Director of the Tamil Nadu Sports Development Corporation. The petitioner was regularized in the post of Yoga Instructor vide Rc.No.62870/E5/89 dated 21.06.1991. Though the petitioner possessed a degree, he did not have a diploma from National Institute of sports.

6. Several requests was made by the petitioner to promote him as DSO. The petitioner continued to work as Yoga Instructor. A letter was again given by the petitioner on 15.02.2011, requesting him to promote him as District Sport Officer. By communication dated 15.03.2011 vide Rc.No.8951/AO-1/2004, the Member Secretary of the Sports Development Authority of Tamil Nadu informed that the petitioner was a degree holder but did not have a Diploma/Certificate in coaching for not less than 10 months duration awarded by the Nataji Subash National Institute of Sport, SAI. Accordingly, as per the service rule of SDAT, the request for promotion as District Sports Officer was denied.

7. The grievance of the petitioner is that his request to re-designate him as Yoga Coach or promote him as District Sports Officer was declined by way of the impugned order dated 15.05.2017.



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8. According to the Sports Development Authority of Tamil Nadu Service Rules 1998, promotion from the category of Coach to the post of District Sports officer is as follows:

“1. Any Bachelor’s degree of not less than three years duration.

2. A diploma/ Certificate in coaching of not less than 10 months duration Awarded by the National Institute of Sports, SAI.

3. Experience not less than 5 years in coaching activities in SDAT.

4. Must have passed the Account Test for EO conducted by the TNPSC (to be acquired during the period of probation)

Saving Clause-1: Existing incumbents as on the date of issue of these rules should pass the Account Test for EO within the period of their probation or within two years from the date of issue of these rules whichever is later.

Saving Clause-2: A diploma/ certificate in coaching awarded by the national Institute of sports need not be insisted upon for existing incumbents who do not possess these qualification.”

9. The petitioner was initially appointed as Yoga Coach on 03.02.1989 and thereafter re-designated as Yoga Instructor on 21.01.1991, even before the Rules were framed. The post of Yoga Coach was re-designated as Yoga Instructor. The change of nomenclature will not make any difference, since the duties executed by the petitioner are that of a Coach in Yoga.

10. The denial of promotion to the petitioner by way of the impugned order is



WP No. 17.00001/2017

unjustified. The ground that the petitioner was not a Yoga Coach but a Yoga Instructor is not tenable, as the change in nomenclature was merely a change of designation and did not alter the nature of his duties. He was appointed as a 'Coach' in yoga. Moreover, the Saving Clause-2 of the service Rules extracted above, dispenses with the requirement of a Diploma / Certificate in coaching from National Institute for the existing incumbents. According to the Rules, a Coach is 'Class-V' and Category-7. A yoga instructor is 'Class-V' and Category -8. At the cost of repetition, this petitioner was appointed as yoga 'Coach'.

11. In view of the above discussions, the Writ Petition is allowed. The impugned order dated 15.05.2017 is set aside. It is informed by the learned counsel for the petitioner that petitioner has retired from service in the year 2017 on attaining the age of superannuation. Therefore, respondents are directed to promote the petitioner to the post of District Sports Officer notionally with effect from the date on which his juniors were promoted, and fix his pensionary benefits accordingly, within a period of eight weeks from the date of receipt of copy of this order. There shall be no order as to costs.

K.SURENDER, J.
21-11-2025

Jai
Index: Yes/No
Speaking/Non-speaking order



WEB COPY

To

1.The Member Secretary
Sports Development Authority of Tamil
Nadu Chennai-84



WP No. 17108 of 2017

K.SURENDER, J.

jai

WP No. 17108 of 2017

21-11-2025