

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD ✓
(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF NOVEMBER TWO THOUSAND AND ✓
TWENTY TWO ✓

:PRESENT:

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI ✓
WRIT PETITION NO: 40234 OF 2022 ✓

Between:

The Telangana Cricket Association, Having its Administrative Office at Plot No.1267/A, Road No.63/A, Jubilee Hills, Hyderabad, Rep. by its Secretary, Dharam Guruva Reddy, S/o. Dharam Ramchandra Reddy, Age 48 years, R/o. Plot No.39, High Court Colony Lake View, Kalyanpuri, Uppal Road, Habsiguda, Hyderabad.

...Petitioner ✓

AND

1. The State of Telangana, Rep. by its Principal Secretary, Youth Advancement, Tourism and Culture (Sports) Department, Secretariat, Hyderabad.
2. The Board of Control for Cricket In India, Rep. by its Secretary, Having its Administrative Office at Cricket Centre, Wankhede Stadium, 'D' Road, Churchgate, Mumbai, Maharashtra State – 400 020.
3. The Hyderabad Cricket Association, Rep. by its Supervisory Committee, Rajiv Gandhi International Cricket Stadium, Uppal, Hyderabad.
4. The Director General, ACB, Telangana State and Vice-Chairman, Supervisory Committee of Hyderabad Cricket Association, Rajiv Gandhi International Cricket Stadium, Uppal, Hyderabad.

...Respondents ✓

WHEREAS the Petitioner above named through its Advocate Mr. Y. NEELAKANTA REDDY presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction, more particularly a Writ of MANDAMUS by declaring the proceedings issued by the 1st respondent vide memo no.247/SPORTS/2022, dated: 15.10.2022 in directing all the District Collectors in the State to take immediate necessary action for formation of Cricket Associations in all the Districts and Municipal Corporations in the State of Telangana, contrary to the Supreme Court Approved BCCI Constitution and in violation of the recommendations made by Justice R.M. Lodha Committee just basing on the Letter addressed by the 4th respondent and concerned Minister who are not having any jurisdiction in the affairs of Cricket Administration controlled by the BCCI and its Members, though the District Cricket Committees formed by the petitioner Association are already existing in all the Districts, as illegal, arbitrary, without jurisdiction, violation of Principles of Natural Justice and contrary to the BCCI Constitution and violation of Article 14, 19 of the Constitution of India and set aside the proceedings issued by the 1st respondent vide memo no.247/SPORTS/2022, dated 15.10.2022 in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. Y. NEELAKANTA REDDY Advocate for the Petitioner and the learned Government Pleader for Sports, who takes notice on behalf of the respondent No.1, directed issue notice to the Respondent Nos.2 to 4 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Board of Control for Cricket In India, Having its Administrative Office at Cricket Centre, Wankhede Stadium, 'D' Road, Churchgate, Mumbai, Maharashtra State – 400 020.
2. The Supervisory Committee, Hyderabad Cricket Association, Rajiv Gandhi International Cricket Stadium, Uppal, Hyderabad.
3. The Director General, ACB, Telangana State and Vice-Chairman, Supervisory Committee of Hyderabad Cricket Association, Rajiv Gandhi International Cricket Stadium, Uppal, Hyderabad.

are directed to show cause on or before 16-11-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant interim suspension of the proceedings issued by the 1st respondent vide memo no.247/SPORTS/2022, dated: 15.10.2022, in the interest of justice, pending disposal of WP.No.40234 of 2022, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Issue notice to respondents No.2 to 4.

Learned Government Pleader for Sports takes notice on behalf of the respondent No.1 and waives further notice.

Registry is directed not to take out notice to respondent No.1 in view of this waiver.

Learned counsel for the petitioner is permitted to take out personal notice to respondents No.2 to 4 through RPAD and file proof of service in the registry.

Mr.G.K.Deshpande, learned counsel appears and submits that he is representing Hyderabad Cricket Association but not Supervisory Committee.

Learned counsel for the petitioner submits that he is challenging the memo dated 15.10.2022 on the ground that it is in violation of the recommendations made by Hon'ble Justice R.M.Lodha Committee. He submits that as per the recommendations of the Lodha Committee, no Minister or government servant can be part of executive body of any association. He submits that as per the memo, the District Associations are directed to be formed and headed by the government servants which is just against the recommendations of the Committee.

Therefore, he is seeking an interim suspension of all further proceedings pursuant to the memo till his objections dated 15.10.2022 and 18.10.2022 are taken into consideration.

Mr.G.K.Deshpande, learned counsel representing the Hyderabad Cricket Association submits that the said memo has been issued at the behest of the Supervisory Committee which has been formed by the Hon'ble Supreme Court in Petition for Special Leave to Appeal (C) No.6779 of 2021 dated 22.08.2022 to look into the affairs of the Hyderabad Cricket Association. He also submits that the petitioner has no locus standi to file the Writ Petition as it is not a member of Hyderabad Cricket Association or BCCI. He submits that in similar case i.e., W.P.No.7723 of 2022, this Court has directed the petitioner therein to approach the Supervisory Committee with its objections which would look into the matter.

Having regard to the rival contentions, this Court is of the opinion that prima facie it appears that memo dated 15.10.2022 is against the directions of the Lodha Committee where it is made clear that no Minister or government servant shall be part of any association.

In view of the same, there shall be interim suspension of all the proceedings of the memo dated 15.10.2022 for a period of ten (10) days.

In the meanwhile, the respondents i.e., respondents No.2 and 3 shall look into objections of the petitioner and pass speaking orders thereon and intimate the decision to the petitioner.

At the request of learned counsel for the petitioner, the matter shall be listed for hearing on 16.11.2022.

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Youth Advancement, Tourism and Culture (Sports) Department, State of Telangana, Secretariat, Hyderabad (By RPAD).
2. The Secretary, Board of Control for Cricket In India, Having its Administrative Office at Cricket Centre, Wankhede Stadium, 'D' Road, Churchgate, Mumbai, Maharashtra State – 400 020.
3. The Supervisory Committee, Hyderabad Cricket Association, Rajiv Gandhi International Cricket Stadium, Uppal, Hyderabad.
4. The Director General, ACB, Telangana State and Vice-Chairman, Supervisory Committee of Hyderabad Cricket Association, Rajiv Gandhi International Cricket Stadium, Uppal, Hyderabad (RR 2 to 4 by RPAD along with a copy of petition and affidavit).
5. One CC to Mr. Y NEELAKANTA REDDY, Advocate [OPUC].
6. Two CCs to GP FOR SPORTS, High Court for the State of Telangana at Hyderabad [OUT].
7. One spare copy
ZEE

HIGH COURT

PMDJ

DATED:02/11/2022

LIST ON 16.11.2022



NOTICE BEFORE ADMISSION

WP.No.40234 of 2022

INTERIM SUSPENSION