

**BEFORE THE FORMER ACTING CHIEF JUSTICE V. ESWARAI AH
ETHICS OFFICER AND OMBUDSMAN ADDL. CHARGE
THE HYDERABAD CRICKET ASSOCIATION AT RGICS, UPPAL,
HYDERABAD**

CASE NO. 1 OF 2024

BETWEEN:

The Nalgonda District Cricket Association,

H.No.6-2-1155, Plot No. 34, Ward No. 39,

Old V.T. Colony, Hyderabad Road, Nalgonda – 508001

Rep. by its Secretary Syed Ameenuddin.

(Regn No : 1911 of 1985)

... Petitioner

AND

1. The Hyderabad Cricket Association

RGICS, Uppal, Hyderabad.

Rep. by its Secretary Mr. R. Devraj.

2. Nalgonda District Cricket Association,

Chandupatla Village, Nakrekal Mandal,

Nalgonda District – 508211.

Rep. by its Secretary Mr. N.Srinivasa Rao.

(Regn. No. 616 of 2006).

3. Nalgonda District Cricket Association,

Nalgonda, 12-6-Dw0011, Dwaraka Nagar,

Near Alkapuri Colony, MIG Road.

Rep. by its Secretary Mr. Shaik Raheem.

(Regn. No.235 of 2022).

4. District Cricket Association,

Nalgonda, D.No. 5-9-27,

Manyam Chelka, Nalgonda – 508001,

Rep. by its Secretary Mr. Mohammed Ismail.

(Regn. No. 687 of 2016).

... Respondents

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O/W No:- 295 24/6/2024

Proceedings dated 14.06.2024

1. The Petitioner i.e., Nalgonda District Cricket Association has got a chequered history. The Petitioner has made a representation dated 27.05.2024 enclosing various orders of the Hon'ble High Court, Orders of the earlier Ombudsman and Ethics Officer, and other material documents. The Petitioner submits that its Club is recognized by Hyderabad Cricket Association (HCA)/1st Respondent and it has been paying annual subscription fee and requested to permit to participate in all the league matches conducted by the HCA for the season 2024-25.

2. The Petitioner represented by its Secretary filed the representation in person on 27.05.2024. A notice dated 27.05.2024 was issued to the Respondents and the matter was posted to 07.06.2024. On 07.06.2024, Mr. Abhay Singh Advocate filed Vakalat for Respondent No.2 along with a Memo enclosing the copy of the judgements in SOP No. 587 of 2011 dated 04.09.2017 passed by the Principal District Judge, Nalgonda and requested time to file counter and material documents. The Secretary of the 3rd Respondent Association appeared and filed counter. The Secretary of the 4th Respondent also appeared and filed certain documents. At the request of

the learned counsel for the 2nd Respondent the matter is adjourned to 14.06.2024 for counter and hearing.

- 3.** All the parties to the proceedings appeared and advanced their arguments. 2nd Respondent has also filed their Counter along with certain Documents.

- 4.** It is the case of the Petitioner, that the Petitioner's Association is the earliest registered Association vide Regn No. 1911 of 1985 dated 30.08.1985 and its name is Nalgonda Cricket Association. The Hyderabad Cricket Association rep. by its President Mr. Arshad Ayub by letter dated 04.06.2015 informed the Mr. Syed Ameenuddin, Secretary of the Petitioner's Association to participate in the different age group tournament of HCA in the inter District under 23 Tournament in the month of July 2015. In the said letter it is further informed that all the grants to the Petitioner Association will be transferred directly to the account to the Petitioner Association for the development of Cricket in the Nalgonda district. Further, ID Cards for 82nd Annual General Meeting on 29.05.2016 and the special general meeting on 20.11.2016 were also issued to the Secretary of the Petitioner by the HCA/1st Respondent. The Petitioner is an affiliated district Association of HCA. The Petitioner attended the



meeting of the HCA held on 21.02.2017 at RGICS in the office of the 1st Respondent, Uppal as evident from the Minutes of the Meeting. The first Respondent represented by the then Secretary Mr.T.Seshnarayan by letter dated 28.07.2018 authorised the Petitioner to conduct selections of NDCA teams for various categories including under 14, under 16, under 19, under 23 and seniors for Inter-district leagues and tournaments 2018-19.

5. The Petitioner's Association paid the annual subscription fee, registration and renewals for the years 2016 to 2022 and obtained the receipts from the 1st Respondent. The 1st Respondent also issued ID Cards to attend the Special General Meeting on 08.07.2018, and the 85th Annual General Meeting on 28.03.2021.

6. The Petitioner filed a WP No. 19766 of 2021 on the file of the Hon'ble High Court seeking to issue a Writ of Mandamus declaring the action of the 1st Respondent in not permitting the Petitioner to participate in 2 day league for the year 2021-22 conducted by it as illegal and consequently permit the Petitioner in the 2 day league for the year 2021-22 and to further direct the Respondent to extend all the rights and privileges to the Petitioner which it is entitled to as an affiliated Club of



Hyderabad Cricket Association. Pending disposal of the W.P 19766 of 2021, the Petitioner filed an IA 01 of 2021 to direct the 1st Respondent HCA to permit the Petitioner to participate in 2 day league for the 2021-22 conducted by the HCA and by order dated 24.08.2021 granted interim directed as prayed for. The Hon'ble High Court by order dated 04.08.2022 in I.A No. 02 Of 2022 in WP No. 19766 of 2021 recording the Statement of the President of HCA stating that the Petitioner Association was permitted to participate in all the tournaments conducted by HCA and the Respondents would continue the same even during the current season of 2022-23 and accordingly the Hon'ble High Court permitted the Petitioner Association and its members to take part in all the tournaments during the current year Cricket season also. The said W.P. was finally disposed off by order dated 09.01.2024 after noticing that the Petitioner Association was permitted in all the tournaments in compliance of the aforesaid orders in the league matches conducted by the HCA. The Petitioner Association was permitted to make a fresh representation to participate in the matches in year 2024-25 and if such fresh representation is filed before the Respondents therein in the WP, the Respondents shall dispose of the same in accordance with law.



7. The then Ombudsman and Ethics Officer Sri. L. Narsimha Reddy by proceedings in Case No. 11/2018 dated 16.02.2018 held that though notice was issued to one Mr. Srinivas Chakravarthy in the previous hearing on 01.02.2018 requiring him to file reply by today but his address was not available on records, whereas the Petitioner Ameenudin has placed an intimation sent to him by HCA treating him as Secretary of Nalgonda District Cricket Association in the context of Special General Meeting held on 07.01.2018 and in the scenario, it was directed till the matter is decided finally Mr. Srinivas Chakravarthy shall not be permitted to represent Nalgonda District Cricket Association and it is left open to HCA to verify records and decide as to who should represent the Club. Before such representation, they shall take into account the claims of Mr. Ameenudin as well as Mr. Srinivas Chakravarthy. When the case no. 11 of 2018 was heard on 08.03.2018 it was observed that there was no response from Srinivas Chakravarthy when contacted on several occasions but whereas the Petitioner has produced an Identity Card issued in 2015 as well as receipts of payments of annual fee upto date and the applicant has been conducting summer camps events on behalf of Nalgonda Cricket Association and accordingly it was directed that the Nalgonda



District Cricket Association through the applicant Mr. Ameenudin shall be entitled to conduct summer camps under intimation to HCA and he shall present full particulars of the participants. The Ombudsman by order dated 07.04.2018 directed to extend all the benefits that are available to other district Association's Secretaries to Sri Ameenudin for the Ensuing Year IPL. T-20 matches.

8. The 3rd Respondent represented by its Secretary Mr. Shiek Raheem filed WP No. 19435 of 2023 seeking a declaration declaring the action of the 1st Respondent HCA in not according affiliation to its Association and its members and not allowing it (3rd Respondent) Association to participate in Cricket Tournaments as arbitrary, illegal and direct the HCA to accord affiliation to the 3rd Respondent Cricket Association and to allow it to play all Cricket tournaments. The said Writ Petition was taken up on two occasions i.e., 19.08.2023 and 19.09.2023 and there was no representation for the 3rd Respondent and the case was posted finally to 01.11.2023. None appeared for the 3rd Respondent on 01.11.2023 also which shows that the 3rd Respondent was not interested to prosecute the Writ Petition and therefore the Writ Petition was dismissed. It is stated that

the said order of the Hon'ble high Court dated 01.11.2023 in WP 19435 of 2023 has become final and binding on him and the 3rd Respondent is creating hurdles to the Petitioner Association without any justification. The 3rd Respondent filed copy of order dated 04.09.2017 in SOP No. 587 of 2011 on the file of the Principal District Judge, Nalgonda, and a representation dated 20.03.2024 filed before the President of HCA. The 3rd Respondent also enclosed the registration certificate No. 1911 of 1986 dated 30.09.1985 of the Petitioner and Certificate of Registration No. 235 of 2022 dated 04.06.2022 of the 3rd Respondent.

9. It is the case of the 2nd Respondent that the Petitioner has filed an SOP No. 587 of 2011 on the file of the Principal District Judge, Nalgonda against HCA praying the Court restraining the HCA from allowing the candidates played on behalf of the Petitioner Association without its authorization/recommendation and further directed the 1st Respondent to allow the team of Cricket players duly selected by the Petitioner's Association in the ensuing tournaments and that SOP was dismissed by order dated 04.09.2017. It is contended by the 2nd Respondent that the said SOP was dismissed with

certain observations that the Petitioner has not filed any document to show that it is recognized by the HCA and as per the counter filed by one Mr. Durga Prasad Kode on behalf of the 1st Respondent that the Nalgonda district Court has no jurisdiction to entertain the matter and that the Petitioner should have filed the SOP before the Court at Hyderabad or at Rangareddy as the registered office of the 1st Respondent is at Hyderabad and that the Petitioner has failed to file any proof regarding the recognition and continuation of relations with the 1st Respondent and the petition is very vague and as per the evidence of PW1. The Petitioner has no locus standi to file various petitions seeking the orders against the 1st Respondent Association and the Petitioner failed to establish its case and therefore the SOP was dismissed by order dated 04.09.2017.

The learned Counsel appearing for the 2nd Respondent submits that its Society viz., Nalgonda District Cricket Association, Chandupatla(V), Nakrekal(M), Nalgonda(D) was registered as per the Certificate of Registration No. 616 of 2006 dated 17.11.2006. The 2nd Respondent also filed receipt dated 23.03.2012 received from Nalgonda Cricket Association, towards payment of Annual Fee and another receipt dated



16.03.2015 from Nalgonda Cricket Association towards the Annual Fee and Identity Cards for the Annual General meetings, Special general meetings for 2014, 2017 and 2018, and registration of certain players said to have been attested by the Honorary Secretary of HCA. Thus, it is contended that the Identity Card was issued in the name of Mr. Srinivas Chakravarthy for the 80th and 83rd annual general meeting on 07.09.2014 and 28.05.2017 and special general meeting on 02.07.2017 and 07.01.2018 and also attested the players name by the Honorary Secretary of HCA. The 2nd Respondent paid the annual fee in the name of Nalgonda District Cricket Association for the year 2012, 2015 and identity Card was also issued in the name of Mr. Srinivas Chakravarthy, the Secretary of the 2nd Respondent. It is submitted that the 2nd Respondent Association, represented by its Secretary Mr. N. Srinivas Rao is the real & genuine society to be recognized as an affiliated Club of 1st Respondent HCA and requested to dismiss the representation of the Petitioner.

- 10.** The 3rd Respondent also advanced similar arguments to that of the 2nd Respondent stating that the SOP No. 587 of 2011 filed by the Petitioner restraining the HCA from allowing the

candidates/played on behalf of the Petitioner Association without its authorization/recommendations and further the Respondent may be directed to allow the team of the Cricket players duly selected by the Petitioner's Association in the ensuing tournaments was dismissed by order dated 04.09.2017 by the Principal District Judge Nalgonda. The 3rd Respondent also filed a certificate of registration no. Regn. No. 235 of 2022 in the name of Nalgonda District Cricket Association, Nalgonda and submits that the Petitioner is entitled to participate in the tournaments conducted by the HCA. The 3rd Respondent has not filed a single document relating to the payment of the annual fee or issuance of any identity Cards, etc., but requesting to consider for its affiliation by the 1st Respondent.

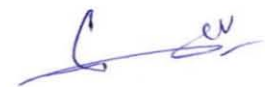
- 11.** It is the case of the 4th Respondent, that it is a registered society vide Regn. No 687 of 2016 and the Petitioner Association is not an affiliated Club of the 1st Respondent and the Petitioner society has been training the Cricketers and it is a genuine society to be recognized as affiliated Club of the 1st Respondent.
- 12.** I have considered rival contentions, perused the material documents and available records. As narrated in paras 1 to 8, the Petitioner Association is the earliest registered Association



with Regn. No. 1911 of 1985. The payments of Annual Subscription Fees, Registration and Renewals from the year 2016 to 2022 and the letter dated 04.06.2015 issued by the President of the 1st Respondent HCA, Identity Cards issued for Special General Meeting and Annual General Meeting for the year 2016 in the name of Syed Ameenuddin, Secretary of the Petitioner, the Minutes of the District Cricket Associations dated 21.02.2017 at RGIC, Uppal in which Mr. Syed Ameenuddin, Secretary of the Petitioner attended, letter of the Secretary of the HCA dated 28.07.2018 etc., clearly shows that the Petitioner is an affiliated Club of the HCA. The Petitioner conducted inter-district under 23 tournament in July 2015 and attended the 82nd Annual General Meeting on 29.05.2016 Special General Meeting on 20.11.2016 and the Petitioner is found in the addresses of the HCA affiliated Cricket Associations and as per the letter dated 28.07.2018, the Secretary of 1st Respondent permitted the Petitioner to conduct the selection of NDCA teams including under 14, under 16, under 19, under 23 and seniors for inter-district leagues and tournaments for 2018-19. The Ombudsman and the Hon'ble High Court by various orders directed the 1st Respondent to permit the Petitioner to participate in 2 day league for the year

2021-22, and for the Season 2022-23 and the ombudsman directed to extend all the benefits that are available to other district Associations secretaries to the Petitioner.

The Writ Petition No. 19435 of 2023 filed by the 3rd Respondent was dismissed by order dated 01.11.2023. The dismissal of the SOP No. 587 of 2011 by order 04.09.2017 rejecting the prayer of the Petitioner to restrain the Respondent/HCA from allowing the players on behalf of the Petitioner's Association without its authorization has no bearing for the issue involved in the present case. After the dismissal of the SOP by order dated 04.09.2017, the Ombudsman passed the orders in Case No. 11/2018 dated 16.02.2018, 08.03.2018 and 07.04.2018 in favour of the Petitioner. The Hon'ble High Court granted relief to the Petitioner in WP No.19766 of 2021 permitting the Petitioner to participate in 2 day league for the year 2021-22, 2022-23, and for 2024-25, the Petitioner was permitted to make a fresh representation to participate in the matches for the year 2024-25. Therefore, the Petitioner filed the present petition to permit it to participate in all league matches conducted by the HCA for the Season 2024-25.



13. Admittedly, the 3rd and 4th Respondent never paid any Annual Subscription Fee in the name of the Nalgonda District Cricket Association and the W.P. No.19435 of 2023 filed by the 3rd Respondent was dismissed by the Hon'ble High Court and the 3rd Respondent is a fresh Society registered in the year 2022 and it was never affiliated or recognized by the 1st Respondent HCA and therefore the contentions of the 3rd Respondent are without any merits and accordingly rejected. The 4th Respondent making certain allegations against the Petitioner and seeking to conduct an enquiry and requesting to affiliate its Society that is District Cricket Association, Nalgonda with Regn. No. 687 of 2016 as affiliated Club of HCA. I am of the opinion that the 4th Respondent is not entitled for any relief. The Petitioner is simply seeking a relief to permit the Petitioner Association to participate in all league matches conducted by HCA for the Season 2024-25 without any foundation and no relief can be granted to the 4th Respondent.

14. The controversy is only between the Petitioner and the 2nd Respondent. I am of the opinion that the 2nd Respondent is a different Society No. 616 of 2006 registered under the name Nalgonda District Cricket Association, Chandupatla(V), Nakrekal(M), Nalgonda(D) which is a different and distinct from


that of the Petitioner's registered Society No. 1911 of 1985 in the name of Nalgonda District Cricket Association, Nalgonda. No doubt it has filed a copy of the receipt dated 22.03.2012 towards the annual fee and receipt dated 16.03.2015 towards the annual fee and the identity Cards in the name of Mr. Srinivas Chakravarthy but I am of the opinion that the said annual fee for the year 2012-13 and 2015 was paid on behalf of the Petitioner's Association only and identity Cards have been obtained fraudulently with hand in glove of the then Officers of the HCA. Mr. Srinivas Chakravarthy, failed to appear before the Ombudsman in Case No. 11 of 2018 filed by the Petitioner and the Ombudsman and the High Court recognized the Petitioner alone and therefore the 2nd Respondent is not entitled to any relief and the contentions of the learned Counsel for the Respondents No.2 to 4 are untenable, without any merits and accordingly liable to be rejected.

- 15.** It is unfortunate to note that the HCA is not maintaining the records relating to each and every Club and therefore the litigations are sprouting in the cases of the Institutional Member Clubs and Inter Sea disputes among the Clubs. I am of the opinion that HCA shall maintain the records of each and every Club and update the Office Bearers of the Clubs as and when

there is a change of office bearers or secretaries of the Clubs to avoid the frivolous, fraudulent claims. The 1st Respondent/HCA shall reconstruct the genuine record relating to each and every Member Club affiliated by the HCA.

- 16.** In view of the aforesaid foregoing facts and circumstances, I am of the opinion that the Petitioner Association is a recognized Club by the 1st Respondent but due to the mischief played without reference to the records of HCA, the Respondents 2 to 4 took advantage and made a frivolous application creating confusion and troubles to the Petitioner. The 1st Respondent HCA shall continue to recognize the Petitioner Association as a recognized Club of HCA and permit the Petitioner to participate in all league matches conducted by the HCA for the Season 2024-25 onwards. The Petitioner alone is entitled to pay the Annual Subscription Fee, Registration and Renewals.

With the above declaration and directions, the above case is disposed off.



Justice V. Eswaraiah
Ethics Officer and Ombudsman Addl. Charge
The Hyderabad Cricket Association