

**In the office of Amateur Kabaddi Federation of India (AKFI)
E-386 Basement Greater Kailash Part 1 New Delhi – 110 048**

In the matter of request of Mr. A.C Thangavel and Mr. Manojan Rajan to have personal meeting with Administrator / President AKFI by WhatsApp dated 17.04.2023

ORDER

AKFI has received request dated 17.04.2023 from Mr. A.C Thangavel by WhatsApp to meet the Administrator / President of AKFI.

Hearing was scheduled in the office of AKFI on 21.04.2023 at 5 pm and took place accordingly on 21.04.2023 at 5 pm.

Present

1. Mr. Manojan Rajan
2. Mr. A. C Thangavel

Both the persons were heard at length. Mr. A.C Thangavel had filed the WP (C) 9287/2019 in which II round of election of AKFI was stayed by Hon'ble Delhi High Court. Later Mr. A.C Thangavel withdrew his Writ Petition on 18.08.2021 stating as follows:

"Learned counsel for the petitioner submits that petitioner has no grievance against the respondent and is no longer interested in pursuing the present petition and seeks to withdraw the same".

Hon'ble Delhi Court vide order dated 18.08.2021 transposed AKFI as Petitioner. The relevant portion of the order is as follows:

7. I am inclined to agree with the contention of respondent no. 2 since AKFI is the parent body in the country and is today represented by an Administrator appointed by the Court. Accordingly, respondent no. 2- AKFI is transposed as a petitioner.

8. In view of the transposition of respondent no. 2 as a petitioner, Mr. A.C. Thangavel, the original petitioner is permitted to withdraw from the proceedings. Let amended memo of parties be filed within one week.

Accordingly, AKFI was transposed as petitioner in the WP (C) 9287/2019.

I have examined the various letters written by Mr. Mr. A.C Thangavel, Mr. Manojan Rajan along with various other letters of similar contents.

Hon'ble Delhi High Court vide its order dated 10th February 2023 in WP(C) 8915/2019, 9287/2019, 6355/2021, 6366/2021 and 8439/2021 has directed the Administrator to conduct Election of Amateur Kabaddi Federation of India (AKFI).

"62. Since the AKFI continues to be under the control of the Administrator and elections of the Executive Committee of AKFI have to be held, the petitions are disposed of in the following terms:

(i) the 'age and tenure restriction' on the members of the Governing Body imposed by the National Sports Development Code of India 2011 applies not only to the Amateur Kabaddi Federation of India but also to all its constituents at the State and District Level; and

(ii) the amendments carried out to Clause 15.10 and Clause 30 of the AKFI Constitution are quashed. The Original Clause 15.10 and Clause 30, extracted hereinabove, are restored; and

(iii) all the State and District Associations and bodies, if they want to continue to be members of the AKFI have to amend their Memorandum of Associations/Constitutions and bring them in conformity with the Sports Code particularly in respect of the Age and Tenure restrictions imposed by the Sports Code; and

(iv) if, the District Associations/bodies and/or State Association refuse or fail to comply with the 'age and tenure restriction' imposed by the Sports Code, they would be liable for action which may entail disaffiliation and/or removal as a recognized District and State constituent of the AKFI; and

(v) the representatives of the State Associations to the National Federation have to be compliant of the 'age and tenure restriction' imposed by the Sports Code and likewise the representatives of the District Associations/bodies to the State Association have to be compliant of the 'age and tenure restriction' imposed by the Sports Code; and

(vi) if the representatives of the State Associations to the National Federation and the representatives of the District Associations/bodies to the State Association are not compliant of the 'age and tenure restriction' imposed by the Sports Code, then they shall not constitute the electoral college and shall be disqualified from contesting for any post of the executive committee and also from casting their vote for such an election; and

(vii) the State Associations and the District Associations, after the expiry of the term of the existing Executive Committee, shall hold fresh elections strictly in accordance with the 'age and tenure restriction' imposed by the Sports Code; and

(viii) the election notification dated 07.08.2019 for elections to the AKFI and the notification of the electoral college of AKFI issued by the Administrator are quashed; and

(ix) the Administrator shall prepare and notify the schedule for the holding of the elections of the office bearers of AKFI in accordance with these directions, which should not be later than 3 months from the date of this order; and

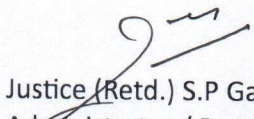
(x) the President and Secretary of the affiliated Member unit should attend the General Body Meeting of AKFI, however if the President and Secretary of an affiliated member are unable to attend or are not compliant of the 'age and tenure restriction' imposed by the Sports Code, they may nominate, in accordance with the Constitution of AKFI, a person who is compliant. If there is a dispute on the nomination, then the nomination by the President shall prevail."

Similar objections were raised by Mr. A.C Thangavel during I round of election of AKFI and by Mr. A.C Thangavel and Mr. Manojan Rajan along with some other complainants who have again filed the complaints during II round of elections of AKFI and were decided vide order dated 24.01.2019 and 17.08.2019.

All issues raised by Mr. A.C Thangavel, Mr. Manojan Rajan are covered in the above judgment and will be implemented if the State or District Association want to remain affiliated to State and AKFI respectively. The matter is sub-judice before Hon'ble Madras High Court in WP (C) 11993 / 2022 where election of Tamilnadu Amateur Kabaddi Association (TAKA) has been stayed. Response was sought from TAKA. TAKA by email dated 15.04.2023 has informed that interim stay is only on election not on the functioning of TAKA.

In view of the above, the representations / complaints filed by Mr. A.C Thangavel, Mr. Manojan Rajan along with various other complainants can't be an impediment to deny representation of Tamilnadu Amateur Kabaddi Association an affiliated unit of AKFI in the election of AKFI on 7th May 2023.

Scanned copy of the order be sent by email today itself.


Justice (Retd.) S.P Garg
Administrator / President
Amateur Kabaddi Federation of India
New Delhi
26.04.2023