

W.P.No.39115 of 2026 etc.,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2026

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CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.39115, 37938, 38910 & 38941 of 2026
and W.M.P.Nos.42639, 42642, 42601, 42643, 42599, 43925, 43923,
43893, 43673, 43672, 43675, 43677, 43666, 43667, 43699, 43701, 43702,
43703 & 43704 of 2026

In W.P.No.39115 of 2026:-

1. Coimbatore Auto Sports Club,
By its Secretary, J.Prithiviraj

2. J.Prithiviraj

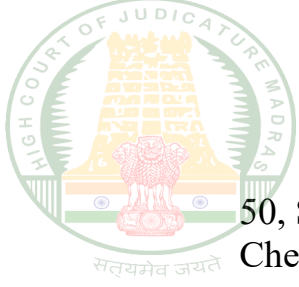
.. Petitioners

Versus

1. Union of India,
Represented by its Secretary,
Ministry of Youth Affairs and Sports,
Department of Sports,
Shastri Bhawan,
New Delhi – 110 001.

2. The Federation of Motor Sports Club of India,
By its Secretary General, V.S.Shriakant,
A-7, Krishna Towers,
50, Sardar Patel Road,
Chennai – 600 113.

3. V.S.Harish,
The Returning Officer,
C/o.The Federation of Motor Sports Clubs of India,
A-7, Krishna Towers,



50, Sardar Patel Road,
Chennai – 600 113.

W.P.No.39115 of 2026 etc.,

.. Respondents

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In W.P.No.37938, 38910 and 38941 of 2026:-

M/s.Madras Motor Sports Club,
Rep. by its Hon. Secretary Prabha Shankar .. Petitioner
(in W.P.No.37958 of 2026)

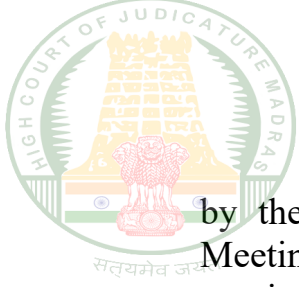
M/s. Indian Motorsport Marshals Club,
Rep. by its Partner – Prabha Shankar .. Petitioner
(in W.P.No.38910 of 2026)

M/s. Motor Sports Club of Chikmagalur,
Chikmagalur,
Rep. by its Hon. Treasurer –
Raichand Dilip Kumar Jain .. Petitioner
(in W.P.No.38941 of 2026)

Versus

1. Union of India,
Represented by its Secretary,
Ministry of Youth Affairs and Sports,
Department of Sports,
Shastri Bhawan,
New Delhi – 110 001.
2. The Federation of Motor Sports Club of India
(FMSCI),
Rep. by its Secretary General, V.S.Shriakant,
Having its registered office at:
A7, Krishna Towers,
50 Sardar Patel Road,
Chennai, Tamil Nadu – 600 113. .. Respondents

Prayer in W.P.No.39115 of 2026 : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records connected with the order dated 21.09.2026 passed



W.P.No.39115 of 2026 etc.,

by the 3rd respondent in the matter of FSMSCI 53rd Annual General Meeting : 25th September 2026: Chennai, debarring/rejecting the nomination/candidature of the petitioner's nominee for the post of Councillor and/or President of the 2nd respondent, and quash the same; and to appoint an independent Returning Officer from out of the National Sports Election Panel, formed under Sec.16 of the National Sports Governance Act, 2025 to ensure the smooth conduct of the election process of the 2nd respondent based on the Electoral College finalized and published on 11.09.2026 by the 2nd respondent.

Prayer in W.P.Nos.37938, 38910 and 38941 of 2026 : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the notice dated 07.09.2026 issued by the 2nd respondent convening the 53rd Annual General Meeting and proposing the election of Council, President and Vice-President, and quash the same, and consequently direct the 2nd respondent to conduct fresh elections strictly in accordance with its Memorandum and Articles of Association, applicable bye-laws, the National Sports Governance (National Sports Bodies) Rules, 2026 and the applicable NSF Guidelines, by appointing an independent Returning Officer in accordance with law.

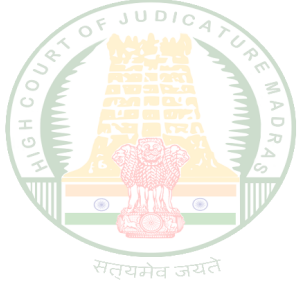
In W.P.No.39115 of 2026:-

For Petitioner : Mr.H.Karthik Seshadri

For Respondents : Mr.M.Ramamoorthi,
Central Government Standing Counsel,
for R1

: Mr.S.R.Rajagopal, Senior Counsel,
for Mr.B.Arvind Srevatsa, for R2

: Mr.Srinath Sridevan, Senior Counsel,
for Mr.S.Kavin, for R3



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Order QR

W.P.No.39115 of 2026 etc.,

In W.P.No.37938 of 2026:-

For Petitioner : Mr.V.P.Raman,
for Mr.R.Lakshmi Ratan

For Respondents : Mr.V.Venkatesan,
Senior Central Government Standing
Counsel, for R1

: Mr.Satish Parasaran, Senior Counsel,
for Mr.B.Arvind Srevatsa, for R2

In W.P.No.38910 of 2026:-

For Petitioner : Mr.R.Lakshmi Ratan

For Respondents : Dr.G.Babu, Senior Panel Counsel for R1

: Mr.Satish Parasaran, Senior Counsel,
for Mr.B.Arvind Srevatsa, for R2

In W.P.No.38941 of 2026:-

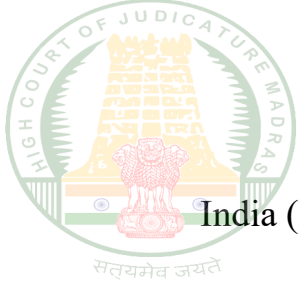
For Petitioner : Mr.R.Lakshmi Ratan,

For Respondents : Mr.B.Sudhir Kumar,
Senior Panel Counsel, for R1

: Mr.Satish Parasaran, Senior Counsel,
for Mr.B.Arvind Srevatsa, for R2

COMMON ORDER

All these Writ Petitions are connected to each other and as such,
are disposed of by this common order. The matter pertains to election of
the office bearers - Executives of the Federation of Motor Sports Clubs of

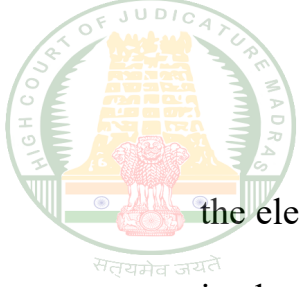


W.P.No.39115 of 2026 etc.,

India (hereinafter referred to as 'FMSCI').

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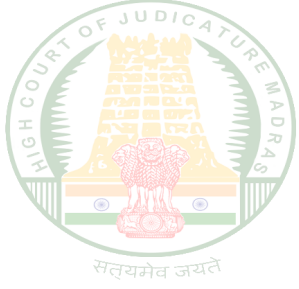
2. W.P.No.37938 of 2026 is filed by the M/s.Madras Motor Sports Club, which is one of the founding member of the FMSCI. Upon hearing *Mr.V.P.Raman*, learned Counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that it is a founding member of FMSCI. FMSCI is the recognised National Federation for Motor Sports. By the impugned notice calling for Annual General Meeting, it is also proposed to conduct an election to the Members of the Council in accordance with the provisions of the Articles of Association of the Company and to elect President and Vice-President in accordance with the provisions of the Articles of Association of the Company. While the petitioner does not have any difficulty with the other agendas with reference to election, the present office bearers themselves have published and decided the electoral process. As a matter of fact, the entire process is conducted in order to re-elect the existing President merely because he is going to cross the age of 70 years in the month of October, 2026 and the election is conducted in an unfair manner only to accommodate him. He himself published a list of electoral college in Form-I on 11.09.2026 consisting of 20 members. To suit him, he revised



W.P.No.39115 of 2026 etc.,

the electoral college himself on 14.09.2026 by including totally 23 persons in the electoral college. On 07.09.2026, the present notice was issued convening the Annual General Body meeting on 25.09.2026 and on 11.09.2026, one *V.S.Harish* was appointed as the Electoral Officer.

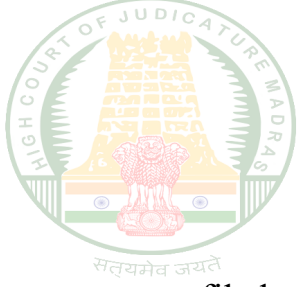
3. It is the contention of the petitioner that the election of the National Sports Federation is no more an internal affair based on the bye-laws/Articles of Association. It is now governed by the National Sports Governance Act, 2025 (hereinafter referred to as 'Act') and the rules framed thereunder namely, National Sports Governance (National Sports Bodies) Rules, 2025 (hereinafter referred to as 'Rules'). Rule 9 of the said Rules mandates that election of all elected posts in the Executive Committee shall be conducted at least once in every four years in a fair and transparent manner and in accordance with the election rules consisted in Schedule – II. The Schedule – II prescribes the definitions, scope and applicability, conduct of elections, Electoral Officer, calling of elections and electoral roll, nominations, scrutiny and finalisation of nominations, campaign practices, neutrality and independence, polling, counting of votes, declaration of results, sanctions and complaints and as such, is a complete code in itself.



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W.P.No.39115 of 2026 etc.,

4. After coming into force of the Rules, the election cannot be conducted as per the erstwhile bye-laws/articles. Even as per the erstwhile bye-laws, an independent person usually a Hon'ble Judge of this Court used to be appointed as a neutral Returning Officer. Even that is given a go-by and a person who is very much interested is appointed. The induction of new members cannot be done except with the approval with due quorum. The same is arbitrarily done only to suit the present person. Even if the present incumbent gets elected, as per the bye-laws, he cannot continue in office if he completes 70 years of age. Several other violations with reference to the Articles of Association/bye-laws, the Rules and the provisions of the Act, were also pointed out. Therefore, the Writ Petition is filed with a prayer to call for the records with reference to the notice, dated 07.09.2026, whereby, the 53rd Annual General Body meeting is called for inasmuch as it proposes the election of the Council, President and Vice-President and quash the same and consequently, direct the second respondent to conduct fresh elections in accordance with the Articles of Associations, bye-laws, the Acts and the Rules framed thereunder.



W.P.No.39115 of 2026 etc.,

5. W.P.No.38941 of 2026 and W.P.No.38910 of 2026 are also

filed with identical prayers by Motor Sports Club of Chikmagalur and Indian Motorsports Marshals Club respectively on identical grounds. *Mr.R.Lakshmi Ratan*, learned Counsel for the petitioner, while adopting the submissions made by *Mr.V.P.Raman*, learned Counsel for the petitioner in W.P.No.37938 of 2026 would further submit that several other provisions, with reference to the timelines prescribed under the Rules and the several mandates of the Articles of Association, also stood violated. He would take this Court through the various e-mail communications, by which, several members had objected to the hasty and arbitrary manner, in which, the elections are being conducted.

6. W.P.No.39115 of 2026 is filed by Coimbatore Auto Sports Club, represented by its Secretary, *J.Prithiviraj* and in his individual capacity. The Writ Petition is filed aggrieved by the rejection of nomination of the said *Prithiviraj* for the post of President by the impugned order, dated 21.09.2026. When the said *Prithiviraj* filed nomination for the post of President, by the order, dated 21.09.2026, the Returning Officer rejected the same on the ground that the nomination is filed on behalf of the said member namely, Coimbatore Auto Sports Club,



W.P.No.39115 of 2026 etc.,

which has become defunct long back and is struck off from the rolls of registered societies by the statutory authorities. Once the authority, under the Tamil Nadu Societies Registration Act, 1975 strikes off the society as defunct, thereafter, it ceases to be a legal person and therefore, the nomination was rejected.

7. *Mr.H.Karthik Seshadri*, learned Counsel for the petitioner in W.P.No.39115 of 2026 would submit that while it is true that the society has become defunct, they have already filed an application for its revival and the proceedings are pending on the file of the concerned Registrar. The society was only struck off for non-filing of returns and payment of dues etc., which is now being paid and it is being considered by the Registrar. However, the said body is a founding member of the FMSCI and it cannot be denied an opportunity to contest the election. Earlier, in the year 2020, on the same ground, the nomination was rejected. However, the petitioner filed a Civil Suit in C.S.No.388 of 2020 and by a detailed order in the interlocutory application, dated 21.06.2021, this Court held that without removal of the club as the founding member and when the Tamil Nadu Societies Registration Act, 1975 itself grants exemption for Sports Associations from compulsory registration, rejection of the

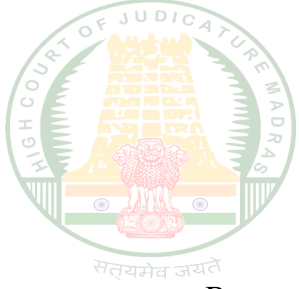
9/24



W.P.No.39115 of 2026 etc.,

nomination could not be made and an interim injunction was granted in favour of the petitioner. The FMSCI, being aggrieved by the same, filed an intra-Court appeal which recently came to be disposed of on the ground that the period itself is over.

8. As a matter of fact, while, in the year 2020, the nomination was rejected, thereafter, elections happened in the year 2022 and 2024. In both the elections, the second petitioner, *Prithiviraj* filed a nomination which was accepted and he participated in the election. While so, illegally, in violation of the observations made in the injunction order, the nomination is wrongly rejected. The Returning Officer refers to the order passed by the Division Bench in the Original Side Appeal which only dismissed the Original Side Appeal as having become infructuous. Therefore, when the legal position has not changed, the rejection of nomination is illegal. Therefore, he prays that the said order be set aside and consequently, to appoint an independent Returning Officer from and out of the National Sports Election Panel, formed under Section 16 of the Act and to ensure smooth conduct of election process of the FMSCI on the basis of the electoral college finalized and published on 11.09.2026.

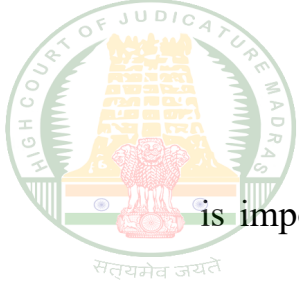


W.P.No.39115 of 2026 etc.,

9. The Writ Petitions are resisted by the FMSCI. *Mr.Satish*

Parasan, learned Senior Counsel for the Federation would draw the attention of this Court to the earlier bye-laws and the National Sports Development Code of India, 2011, prior to the coming into force of the new Act and the Rules and submit that it is only the articles/bye-laws and the Model Election Guidelines to be followed by the National Sports Federation prescribed under the National Sports Development Code of India, 2011 that is applicable. Clause 4 of the said Code made it only the duty of the existing President to prepare the list of authorized representatives and finalise the electoral college in Form-I. It is only thereafter the Returning Officer has to be appointed. While so, when the due Act came into force and a provisional affiliation to the FMSCI has been granted by an order dated 23.07.2026. By duly writing to the Government of India, the election was proceeded with. As on date of the publication of the notice i.e., on 07.09.2026, the Government of India did not publish the election panel consisting of the electoral officers under the Rules.

10. Further, it can be seen that when the election process is already on and in between the new panel of electoral officers have come, it



W.P.No.39115 of 2026 etc.,

is impossible for the FMSCI to contemplate such a situation. A neutral person, who is not contesting in the election and does not belong to any other club which is contesting in the election, is chosen and he is conducting the election as per the Rules. The other violation with reference to induction of new members or the rejection of the nomination are all questions to be dealt with in an Election Petition if the petitioners are aggrieved by the outcome of the election. As far as the Act is concerned, only a few provisions have come into force and not all the provisions of the Act have come into force. Even the board has not been constituted. The Tribunal is also not constituted yet. When new legislation and the Rules framed, under the new legislation, remain incomplete and when, as on the date of notification, new election rules could not be complied with, the election is being meticulously and in a transparent manner conducted as per the erstwhile National Sports Development Code of India, 2011, this Court need not interfere.

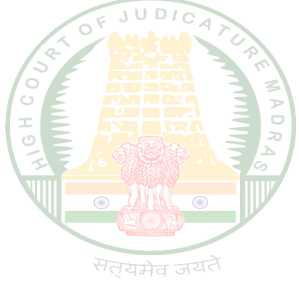
11. The learned Senior Counsel would rely upon the judgment of the Hon'ble Supreme Court of India in ***Joint Forum of Medical Technologists of India, JFMTI Vs. Union of India and Ors.*** [W.P. (C).No.983 of 2023], where the Hon'ble Supreme Court of India



W.P.No.39115 of 2026 etc.,

considered a similar situation of several portions of the Act still not having been implemented, came down heavily on the States for not implementing the provisions of the Act in full. Therefore, in a case like this, at the twilight, in the last hour some new Rule or new election panel comes into existence in an incomplete manner, this Court should not interfere in the matter. As the term of the existing incumbents is to expire on 30.09.2026 and with the available Rules and procedure, they have to conduct the elections. All other grounds can be raised in an Election Petition challenging the election and it cannot be within the consideration of this Court under Article 226 of the Constitution of India.

12. *Mr.S.R.Rajagopal*, learned Senior Counsel, further elaborating on the matter relating to rejection of nomination, would submit that the suit as well as the Original Side Appeal arises out of the rejection of particular nomination of the year 2020. Even the Division Bench dismissed the Original Side Appeal as having become infructuous after recording that both sides will not take any advantage on account of the earlier order passed by the learned Single Judge. He would submit that if there is no registration, the first petitioner in W.P.No.39115 of 2026 is not even a legal person and therefore, the nomination has rightly been rejected.



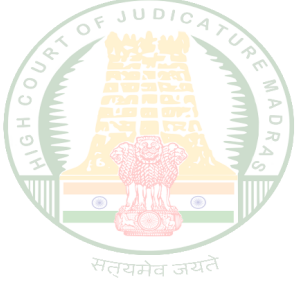
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W.P.No.39115 of 2026 etc.,

13. *Mr.Srinath Sridevan*, learned Counsel representing the Returning Officer, would submit that the Returning Officer went as per the Rules. Even when the interim order is produced, it is only the preliminary works alone were carried out, whereas the election is scheduled on 25.09.2026.

14. I have considered the rival submissions made on either side and perused the material records of the case.

15. As rightly contended by *Mr.Satish Parasaran*, learned Senior Counsel, any question with reference to illegally including a voter or excluding a voter or illegally rejecting a nomination, would all be matters for appropriate forum, be that a Tribunal or a Civil Court, to decide the issue. However, in the instant case, the only question that can be considered under Article 226 of the Constitution of India is that whether or not the election has to be conducted as per the National Sports Governance Act, 2025 (Act 25/2025) and the Rules framed thereunder or whether it can be proceeded as per the Rules and directions issued by the Government of India as per the National Sports Development Code of India, 2011.



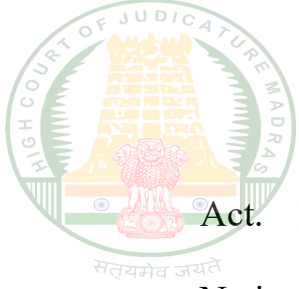
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W.P.No.39115 of 2026 etc.,

16. In this regard, it can be seen that the Act was enacted on 18.08.2025 and received the assent and published in the gazette on 01.01.2026. As per Section 1(2), the Act will come into force on such date as the Central Government, by a notification in the official gazette, appoint and different dates may be appointed for different provisions of the Act. Accordingly, Sections 1 to 3, 4(1)(2) and (4), 5(1) and (2), 8(5), 11(1), 14, 15, 17(1) to (7) and (10), 30, 31, 33 to 38 of the Act came into force vide notification by way of S.O.6152(e), dated 31.12.2025 and the same was also published in the Government of India extraordinary gazette. Thereafter, on 12.05.2026, Sections 5 (3) (4) (5), 7, 17 (8) (9), 18, 19, 21, 28 and 29 came into force vide S.O.2406(e), dated 12.05.2026 and the gazette notification was also published. Section 16 of the Act came into force on 17.08.2026 vide S.O.4566(e), dated 17.08.2026. Thus, it can be seen that with effect from 17.08.2026, a majority of the provisions of the Act have come into force.

17. The National Sports Federation is defined under Section 2(r) of the Act and every National Sports Federation for each designated sports, is considered to be the governing body of that sport as per Section 3 of the

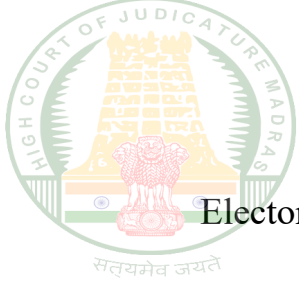
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W.P.No.39115 of 2026 etc.,

Act. It is not disputed by the parties that in this case, FMSCI is the National Federation and as such, the national body is governed by the provisions of the Act.

18. Section 4 of the Act mandates the manner in which the General Body and the Executive Committee have to be constituted. The National Body is mandated to have a President, a Secretary General and a Treasurer. Section 15 of the Act mandates that a recognized Sports Organisation shall ensure that all its voting members and affiliating units also comply the provisions of the Acts, rules and Regulations made thereunder. Section 16 enables the Central Government to notify a National Sports Election Panel consisting of such number of persons as it may deem necessary who are retired Chief Election Commissioner or Election Commissioner or Deputy Election Commissioner or retired State Election Commissioner or Chief Election Officers of the State with adequate experience of conduct of elections under the Representation of Peoples Act to form part of the panel. Only those persons, notified under Section 16(1) shall act as Electoral Officers to oversee the conduct of free and fair elections to the Executive Committee and the Athletics Committee of the National Sports Bodies. The National Sports Bodies can appoint an



W.P.No.39115 of 2026 etc.,

Electoral Officer from the panel to oversee its election process.

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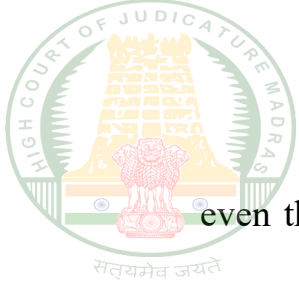
19. Section 31 of the Act empowers the Central Government by a notification to make rules for carrying out the provisions of the Act. Section 31(2) enumerates without prejudice to the generality of the power to frame rules in respect of the matters enumerated in Clauses (a) to (t), whereby, in clause (c) specific power has been granted to frame rules with reference to mode of election to different bodies, committees, offices including their term eligibility criteria, disqualification and other matters of governance under Section 4(4). In several other clauses also, the power to frame rules with reference to the election and its procedure, overlap.

20. In exercise of the said power, the Government of India had framed rules by G.S.R.18(E) published in the Gazette of India Extraordinary Part-II Section 3(1) on 26.05.2026. Rule 9 of the said Rules provides that the election to all elected posts in the Executive Committee shall be conducted at least once in four years in a fair and transparent manner and in accordance with the Election Rules contained in Schedule – II. The Schedule – II contained the Election Rules in detail. As per the same, it is the Electoral Officer who has to cause publication of all

*W.P.No.39115 of 2026 etc.,*

notifications and forms concerning the elections in the official websites of the National Sports Body. They have to do all the other tasks to ensure smooth running of the electoral process. Calling of the elections can be done by the concerned Sports Body, but, however, it shall contain the name of the Electoral Officer and the Electoral Roll prepared and released by the Electoral Officer in Form-I and the other procedures are also mandated thereunder. Thus, it can be seen that when the Act and the Rules have come into force, well before 07.09.2026, when the FMSCI, being the National Sports Body called for Annual General Meeting and the elections, it could not have proceeded as per the existing National Sports Development Code of India in 2011 and it ought to proceed only as per the Act and the Rules framed thereunder.

21. As a matter of fact, the Act, apart from the post of the President, the Act makes the post of Secretary General and the Treasurer also mandatory. Even if their bye-laws are different, the first thing that has to be undertaken by the National Body is to align their bye-laws in tune with the Act and the Rules framed thereunder. Without doing so, the election cannot be proceeded with. It is true that as on the date of the notification, some of the timelines could not have been complied with and



W.P.No.39115 of 2026 etc.,

even the panel was not published by the Government. Though the panel was not published, the Rules have come into force and it is only the panel of the Electoral Officer alone which was not published. For the same, it cannot be contended by the FMSCI that it can give a go away and follow the erstwhile National Sports Development Code of India, 2011 which is superseded in all respects of the Act and the Rules framed thereunder. Therefore, the election notification, per se, is illegal, null and void.

22. In this regard, it must also be seen that even in the temporary provisional recognition granted to the FMSCI under the Act by the order, dated 23.07.2026, it has categorically mandated that the federation must take all the necessary steps to align its constitution in accordance with the Acts and Rules framed thereunder and well in advance, intimate the Government. Therefore, the entire election, that is proposed to be held by the impugned notice, dated 07.09.2026 is ab initio void, illegal and cannot stand scrutiny of law.

23. It is contended that there will be difficulty with reference to the recognition if the election is not conducted and completed within the time. In this regard, considering the extraordinary situation faced in this



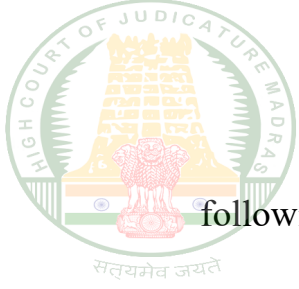
W.P.No.39115 of 2026 etc.,

instant case, that this Court has also to interfere with the election that is proposed within the time, the provisional affiliation shall not be withdrawn for mere delay in the election and even as per the bye-laws, the existing office bearers can continue. Therefore, with reference to the Annual General Body meeting, the same can proceed with reference to the other agendas, except the election agenda. Even in the Annual General Body meeting, a Committee can be appointed to go through the bye-laws and to prepare a draft to align with the Rules and the Act and the next Annual General Body meeting date can be fixed for adopting the same. Once the same is adopted, the election notification can be made after co-opting an Electoral Officer from the panel published by the Government of India.

24. In view of the above decision taken with reference to the applicability of the Act and the Rules thereunder and the entire process being nullified from the beginning, it is not essential to decide the plea made on behalf of *J.Prithiviraj*, representing the Coimbatore Auto Sports Club in W.P.No.39115 of 2026.

25. In the result,

(i) W.P.Nos.37938, 38910 and 38941 of 2026 are allowed on the



W.P.No.39115 of 2026 etc.,

following terms:-

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(a) The impugned notice, calling for the Annual General Body meeting, dated 07.09.2026, shall stand set aside inasmuch as it relates to the election to the Council and the office bearers of the FMSCI.

(b) In the said Annual General Body meeting, it would be open for the Annual General Body to deal with the other agendas and also to form a Committee to undertake the changes in the bye-laws so as to align the same with the requirements of the Act and the Rules framed thereunder and the date can also be fixed for adopting the amended bye-laws.

(c) The date, so fixed, shall not be later than six weeks from 25.09.2026.

(d) Upon the amended bye-law being adopted, an Electoral Officer shall be co-opted and the new elections, in accordance with the Rules, shall be notified within a period of two weeks thereafter and the entire process of election shall be completed as expeditiously as possible, in any event, not later than two months from the date of adoption of the revised bye-laws/articles.

(e) Until the new office bearers take over, the existing incumbents can continue and no penal action shall be taken as against the FMSCI by the Government of India for non-conduct of elections in that



W.P.No.39115 of 2026 etc.,

regard. However, the maximum period, for which the incumbents can continue, can only be six months from today (25.09.2026) and thereafter, the first respondent can appoint an Adhoc Committee other than the existing office bearers if the process of election is not complete. It must be ensured that the sporting calendar is not interfered with on account of this dispute.

(f) It will be open for the first respondent also to periodically monitor the progress and ensure that the aforementioned directions are being complied with by the Federation.

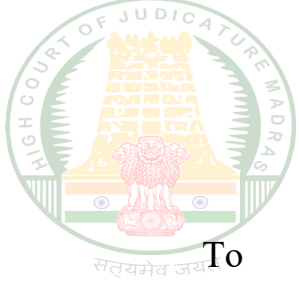
(ii) In view of the order passed in W.P.Nos.37938, 38910 and 38941 of 2026, since the election itself is going to be conducted afresh, no further orders need be passed in W.P.No.39115 of 2026 and as such, is disposed of keeping open the liberty of both sides to agitate the matter as and when fresh elections are notified. In the meanwhile, it will be open for the second petitioner, *Prithiviraj*, to follow up the registration of the said Coimbatore Auto Sports Club, which is said to be pending.

(iii) There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.09.2026

Neutral Citation : yes
grs

22/24

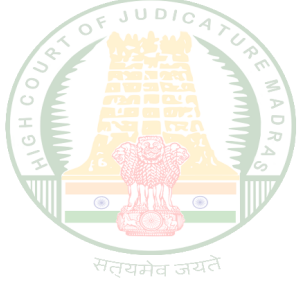


To

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The Secretary,
Ministry of Youth Affairs and Sports,
Department of Sports,
Shastri Bhawan,
New Delhi – 110 001.

W.P.No.39115 of 2026 etc.,



WEB COPY



Order QR

W.P.No.39115 of 2026 etc.,

D.BHARATHA CHAKRAVARTHY, J.

grs

W.P.No.39115, 37938, 38910 & 38941 of 2026

25.09.2026