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[3584]

APHC010013692025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

WRIT APPEAL Nos.64 & 65 OF 2025

W.A.No.64 of 2025

Andhra Pradesh Football Association and others ...Appellant(s)

vs.

Union of India and others ...Respondent(s)

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 16th October 2026

Present:

Advocate for Appellant: SRI GHANTA RAMA RAO, LEARNED SENIOR COUNSEL REPRESENTING MR. GHANTA SRIDHAR

Advocate(s) for Respondent(s): SRI O.MANOHAR REDDY, LEARNED SENIOR COUNSEL REPRESENTING MR.O RAMESH & Mr. P DURGA PRASAD, HARSHA VARDHANA RAO C,; T NIRANJAN, Deputy Solicitor General of India, GP FOR YOUTH SERVICES, MR.MALIREDDY GOWTHAM, MR.G SAI NARAYANA RAO SC For SAAP, AND MR.MOKA KONDALA RAO

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COMMON JUDGMENT: (per Hon'ble Sri Justice Challa Gunaranjan)

These two writ appeals preferred under Clause 15 of Letters Patent assailing common order, dated 30.08.2024, in W.P.Nos.8158 and 10297 of 2023, besides other two writ petitions, since intrinsically connected, are taken up for consideration and disposed by this common judgment.

2. Appellants are unsuccessful writ petitioners. They were elected office bearers of Andhra Pradesh Football Association (hereafter referred to as "APFA"). Since there were certain rival claims with regard to induction of new members, granting affiliation, and rearrangement of office-bearers for the purpose of managing APFA, initially they preferred W.P.No.13152 of 2022, challenging resolution, dated 11.04.2022, whereby certain decisions were taken in general body meeting which, according to the petitioners, was convened by persons who were not members or strangers to APFA. The decisions regarding removal of the then existing President, appointment of ad-hoc President, granting affiliation to newly formed District Football Associations, through whom the ad-hoc President was inducted, and further proposing to hold elections were challenged on the ground that the very conducting of the general body meeting was not in accordance with the bye-laws, and that bye-laws do not empower removal of an elected President in the manner it was executed, besides the same being in violation of principles of

natural justice. Appellants claim that as they were elected on 22.05.2019, they had a tenure of four years, which was to expire on 21.05.2023, thus, an elected body could not have been dethroned in violation of bye-laws and provisions of the A.P. Societies Registration Act.

3. The learned Single Judge initially passed interim directions on 02.05.2022, staying the decision of proposing to hold elections. However, later, considering gamut of entire matter, vide order dated 14.02.2023, elections were directed to be conducted under the supervision of a retired Judge of this Court, with the assistance of observers from All India Football Federation (AIFF). In the process, it was also directed to undertake the exercise of issuing final voters list after considering objections from all stakeholders. Even before aforesaid direction came to be issued, it is stated that 8 newly formed District Football Associations were granted affiliation on 03.05.2022, which were communicated under the signature of M. Srinivasa Rao as President of APFA upon collecting admission fee of ₹100/-. The same prompted appellants to file W.P.No.8158 of 2023 to declare the action of respondents therein in attempting to include names of outsiders, who are not members of APFA, as voters, as arbitrary, illegal, and contrary to the bye-laws.

4. The contesting respondents filed detailed counter-affidavits refuting the challenge laid in aforesaid writ petitions. It was pleaded that general body meeting, held on 11.04.2022, followed by resolutions and decisions taken thereon, was validly done strictly in accordance with provisions of bye-laws and the A.P. Societies Registration Act. Further, learned Court Supervisor published final voters list only after calling for objections on tentative list published, which was done in a fair and transparent manner, therefore, the final voters list cannot be faulted with. It was also pleaded that the issues raised in the writ petitions are not amenable for adjudication under Article 226 of the Constitution of India when there is an efficacious remedy provided under Section 23 of the A.P. Societies Registration Act.

5. Learned Court Supervisor, in pursuance to directions issued by Writ Court, issued notice, dated 23.03.2023, calling for objections from APFA, concerned District Football Associations, and interested persons based on tentative voters list as made available by Andhra Pradesh Olympic Association, to be submitted on or before 27.03.2023. A further tentative voters list is stated to have been published on 10.04.2023. Appellants submitted objections by e-mail, dated 26.03.2023, 31.03.2023, 07.04.2023, and finally on 15.04.2023, raising various objections as to the manner in which the voters list was being prepared and pointing out discrepancies regarding inclusion of non-voters.

Despite the same, learned Court Supervisor, without considering any of such objections, issued final voters list on 17.04.2023, and even thereafter, appellants had submitted further objections on 30.04.2023. Based on said final voters list, learned Court Supervisor since issued a notification, dated 18.04.2023, for conducting elections, the same was challenged by filing W.P. No.13268 of 2023, as the notification was in violation of bye-laws. As by then, since elections had proceeded with, learned Writ Court observed that outcome of elections shall be subject to final orders in the writ petition. Thereafter, appellants filed I.A. No. 2 of 2023 in W.P.No.10297 of 2023, on 29.07.2023, challenging the outcome of elections by way of amendment of main prayer.

6. All these writ petitions were heard together, and by impugned common order, learned Single Judge dismissed the same, holding that the reliefs sought for rendered infructuous. Further, as the issues raised were concerning either affairs of APFA or disputes amongst members, learned Writ Court, while refusing to exercise jurisdiction under Article 226 of the Constitution of India, relegated the appellants to pursue remedies otherwise available under appropriate laws.

7. Thus, aggrieved by the common order, present appeals are preferred only in respect of refusal of prayers in W.P. No.8158 of 2023 and W.P. No.10297 of 2023.

8. Heard Sri Ghanta Rama Rao, learned senior counsel, representing Mr.Ghanta Sridhar, learned counsel for appellants; Mr.T.Niranjan, learned Deputy Solicitor General of India; Mr.G.Sai Narayana Rao, learned Standing Counsel for SAAP; and Sri O.Manohar Reddy, learned senior counsel, representing Mr.P.Durga Prasad and Mr.O.Ramesh, learned counsel for respondents.

9. (a) Sri Ghanta Rama Rao, learned Senior Counsel appearing for appellants, strenuously contended that learned Single Judge erred in dismissing all the writ petitions by holding the same to have become infructuous on account of completion of elections, without appreciating that the elections were held subject to final orders in W.P.No.10297 of 2023. Even otherwise, learned Single Judge ought to have seen that appellants, vide I.A. No.2 of 2023 in W.P. No.10297 of 2023, sought for setting aside of elections held on 05.05.2023, which was based on purported final list already under challenge, by seeking appropriate amendment. He further contended that resolution, dated 11.04.2022, alleged to have been passed in general body meeting ousting the then President, appointing ad-hoc President, allowing affiliation of newly formed District Associations, including newly formed District Association for which ad-hoc President represented, are all *non-est*, inasmuch as the general body meeting was conducted in contravention of the bye-laws, merely to knock off the elected body and induct strangers as

members of APFA. Therefore, granting of affiliation to new members and inducting them as members of APFA in pursuance to the extraordinary general body meeting held on 03.05.2022 and 05.12.2022 are also *non-est* and cannot be recognized.

(b) Learned Senior Counsel also took great pains in drawing our attention to the affiliation letters stated to have been issued on 03.05.2022, 15.12.2022, and 03.05.2023 by Mr.M.Srinivasa Rao and ad-hoc President, who unauthorizedly hijacked the affairs of APFA, to contend that though bye-laws specified an admission fee of ₹1,000/-, new members were admitted by collecting ₹100/-, thus, the said affiliations cannot be recognized to be legal and entitle them to be enlisted as voters in the final voters list.

(c) Further, it is also contended that learned Court Supervisor adopted strange procedure of calling for members' details from the AP Olympic Association, which has nothing to do with APFA, and in view of disputes amongst two self-claimed A.P. Olympic Associations, even SAAP refused to recognize them, therefore, the basis on which tentative voters list came to be prepared is flawed. Though appellants had raised objections regarding the method, manner, and outsiders who sought to be included as eligible voters, learned Court Supervisor did not even look into them, nor made any efforts to call for records from APFA to scrutinize and ascertain details of valid voters, thus, the procedure

adopted in issuing final voters list is completely vitiated. It is contended that the mere fact that most of the office-bearers, who were elected in the year 2019, and held offices till passing of alleged resolution, dated 11.04.2022, since did not figure in the final voters list, would itself demonstrate the shortcomings in preparation of final voters list.

(d) It is also contended that in the process of preparing final voters list, no specific reasons have been assigned for deletion of names of previously elected office-bearers, except for a bald rejection, particularly when in the objections it was clearly stated that apart from 9 founding members, there were 44 already recognized and admitted members in APFA (in total 53), whereas in the final published voters list, there were only 20.

(e) Lastly, it is contended that the mandate for learned Court Supervisor was to supervise and conduct elections; however, the same ought to have been conducted strictly in accordance with bye-laws by calling general body meeting, thus, elections held otherwise are unsustainable. Accordingly, it has been urged to set aside the same by allowing present writ appeals.

10. **(a)** Sri O. Manohar Reddy, learned Senior Counsel appearing for contesting respondents, supporting the impugned common order under challenge, contended that the elections were held in terms of directions issued by learned Single Judge, and that too under the supervision of

retired Judge of this Court, thus, the holding of elections and the manner in which it was conducted cannot be found fault with or said to be in contravention of the bye-laws. He further emphasized that learned Court Supervisor adopted utmost transparency in preparation of voters list by first issuing preliminary voters list, calling for objections, and thereafter, preparing and publishing final voters list, thus, any claims which were otherwise rejected in the process cannot be gone into in present proceedings in exercise of writ jurisdiction.

(b) It is further contended that since issues raised by appellants are seriously disputed both on law as well as facts, writ jurisdiction is not proper remedy, rather, appellants should avail statutory remedy of invoking Section 23 of the A.P. Societies Registration Act.

(c) He further contended that since bye-laws were amended and received approval of the Registrar only on 04.06.2022, by which admission fee was enhanced from ₹100/- to ₹1,000/-, memberships were restricted to District Associations, and tenure of elected body was enhanced from 3 years to 4 years, they would have prospective application and cannot be applied from the date of resolutions being passed in general body meeting held on 13.11.2021, therefore, as all these issues are in serious dispute, which require to be tested based on evidence on record, the same cannot be gone into in writ proceedings, thus, learned Single Judge rightly relegated the appellants to avail

alternative remedy, which calls for no interference. It is, therefore, urged for dismissal of appeals.

11. We have given our anxious consideration to the submissions made by respective senior counsels for the parties and perused the record.

12. Appellants were elected as office-bearers on 22.05.2019 to hold respective posts in APFA. As per the then bye-laws, the tenure of elected body was 3 years. It appears that notice, dated 07.03.2022, under the signature of one Mr.V. Bhaskara Reddy, was issued calling for holding of a general body meeting on 11.04.2022 with a specific agenda of induction of new clubs in view of restructuring of districts in the State of Andhra Pradesh; to discuss administrative issues in particular the aspect of ineligibility of current President, and also issuance of affiliation and membership to the newly formed Visakhapatnam District Football Alliance and Welfare Association, as the existing Visakhapatnam District Football Association was wound up by the Registrar, and any other issues. Accordingly, general body meeting was convened and resolution was passed. As per resolution, it is stated that the required quorum was noted, and presence of Presidents and Secretaries from 11 District Football Associations out of 13 was marked, in total, 5 resolutions were passed: (a) In view of formation of new districts, a decision was taken to induct newly formed District Football Associations

by granting affiliation; (b) As Visakhapatnam District Football Association was found to be wound up, through which existing President represented, and in the absence of membership in any other District Football Association, he was found to be ineligible and accordingly was dismissed as President; and further, it was also decided to dissolve the executive body and propose to conduct elections to elect new governing body with eligible members; (c) In view of the winding up of the Visakhapatnam District Football Association, the newly formed Visakha District Football Alliance and Welfare Association was decided to be granted affiliation; and (d) It was further decided to elect Sri Kotagiri Sreedhar, President of Visakhapatnam District Football Alliance and Welfare Association, as ad-hoc President to perform administrative functions until such time a newly elected executive body takes over.

13. Later, when the resolution was communicated to All India Apex Body i.e., AIFF, in reply, AIFF informed that it does not recognize ad-hoc President nor the meeting convened on 11.04.2022, and that no observer would be made available for holding elections as proposed on 03.05.2022, and it strongly deprecated the manner in which affairs were happening.

14. Be that as it may, based on aforesaid resolution, things moved forward, Mr.M. Srinivasa Rao and 9th respondent Ad-hoc President, upon collecting admission fee of ₹100/-, granting affiliation, issued

memberships to newly formed District Associations. Further, extraordinary general body meetings were held on 03.05.2022 and 15.12.2022.

15. The previously elected body, which had tenure till 21.05.2022 (if it is taken as 3 years) or 21.05.2023 (if tenure is considered as 4 years), respectively, disputed the general body meeting and resolution passed on 11.04.2022, by which the elected body was ousted. It is also to be noted that much prior to that, there was a general body meeting held on 13.11.2021, which approved amendments to the bye-laws of APFA, the criteria of membership to District Football Associations, admission fee, and tenure of elected body, were amended, however, such amendments were accepted by the Registrar on 04.06.2022. There is a dispute whether such amendments would have bearing and be effective from the date on which resolution was passed or from the date of approval by the Registrar.

16. Appellants contend that amendment has to be given effect from 13.11.2021, as approval is merely a ministerial act, whereas, it is the case of contesting respondents that any amendment would be valid and come into force only upon approval by the Registrar, thus, granting affiliation by collecting admission fee of ₹100/- and affiliation to new District Football Associations was validly made in terms of the then applicable bye-laws. Though these issues were contested in W.P.

No.13152 of 2022 by challenging resolution, dated 11.04.2022, in the absence of any appeal, *qua,* said writ petition, we do not propose to go into those issues. That apart, since these are all issues, which concern the affairs and functioning of a society registered under the provisions of A.P. Societies Registration Act, thus, appellants as well can agitate the same by resorting to the remedy as provided under the said Act.

17. Insofar as the issues concerning admission and deletion of voters and publishing final voters list by learned Court Supervisor, as can be seen from record, learned writ Court, by interim order, dated 14.02.2023, directed holding of elections under the supervision of a retired Judge of this Court with the assistance of observers from AIFF, and in process, further direction was given to ensure final voters list is published after considering objections from all stakeholders. The bone of contention of appellants appears to be that the final list does not include valid voters, including earlier elected office bearers and other eligible members, and rather, completely strangers were included as voters, thus, the entire process of preparation of electoral rolls was vitiated, thus, the elections were sought to be set aside.

18. At first blush, the submissions and contentions advanced by learned Senior Counsel appear to be convincing, however, upon close scrutiny, it again boils down to whether removal of previously elected office bearers and other members from the rolls on the basis of

resolution, dated 11.04.2022, followed by subsequent resolutions, dated 03.05.2022 and 15.12.2022, and for that matter, even the inclusions which are evident from the aforesaid resolutions were valid and sustainable. Unless the validity of general body meeting held on 11.04.2022 and the decisions made therein by passing resolution, which had cascading effect on subsequent extraordinary general body meetings, dated 03.05.2022 and 15.12.2022, and consequential granting of affiliations to new District Football Associations on 03.05.2023, who were included as voters in the voters list is decided in appropriate proceedings, correctness of final voters list and elections held thereon cannot be adjudicated in isolation.

19. Though we have extensively referred to the contentions advanced and issues that would arise for consideration, we desist from making any observations on merits, as the same would prejudice the case of not only appellants as well as the respondents.

20. Having said that, we are also of the view that when I.A. No. 2 of 2023 in W.P.No.10297 of 2023, was filed seeking amendment of prayer, which challenged the outcome of elections, and sought for setting aside of the same, without dealing with such amendment application, the learned Single Judge ought not to have dismissed the writ petitions by holding them to be rendered infructuous.

21. Be that as it may, even if the said amendment had been ordered, we are of the view that unless the core issue as highlighted above is decided in appropriate proceedings, the question of going into consequential actions, and that too under writ jurisdiction does not arise.

22. Whether notice calling for general body meeting is rightly issued in terms of bye-laws, members, who attended meeting represented duly affiliated District Football Associations forming required quorum, whether promoters of Association can be made ineligible as members as well as elected office bearers, whether Visakhapatnam District Football Association was wound up, thereby then President representing it automatically became ineligible to hold the post, whether newly formed District Football Associations, including Visakhapatnam District Football Alliance and Welfare Association, could have been given affiliations and even without issuing membership after collecting admission fee, on the very same day, 9th respondent representing the said Association, could have been elected as ad-hoc President to oversee administrative affairs till newly elected and governing body is in place, and the subsequent actions of issuing affiliations and memberships by Mr.M.Srinivasa Rao and 9th respondent in the capacity of ad-hoc President of APFA are valid, are all issues required to be examined and considered based on proper evidence and definitely such disputed questions of fact cannot be determined under writ jurisdiction.

These issues, unless tested based on cogent evidence and applicable bye-laws, one cannot come to final conclusion to assess whether the final voters list published either dropped valid members or included ineligible members as voters.

23. In view of aforesaid facts and circumstances, in our considered view, the learned Single Judge rightly relegated the appellants to avail appropriate remedy available under law. Thus, we do not find any infirmity calling for interference.

24. In view of our observations above, both these appeals lack merit and are hereby dismissed. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

LISA GILL, CJ **CHALLA GUNARANJAN, J**

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