



IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). OF 2026
ARISING OUT OF SLP (C) NO(S). 26653-26654 OF 2024

THE TIRUCHIRAPPALLI DISTRICT

CRICKET ASSOCIATION

...APPELLANT(S)

VERSUS

ANNA NAGAR CRICKET CLUB & ANR. ETC.

...RESPONDENT(S)

JUDGMENT

1. Leave granted.
2. The present appeal(s) are preferred by the appellant Cricket Association against the final judgment and order of the Madurai Bench of the Madras High Court dated 12.06.2024 disposing of a clutch of Writ Appeals, namely Writ Appeal (MD) No. 896 of 2024 and Writ Appeal (MD) No. 915 of 2024.
3. The appellant is a district cricket association formed in 1958, registered as a society under the Tamil Nadu Societies Registration Act, 1975, and governed by its rules and bye-laws and is affiliated with the Tamil Nadu Cricket Association ('TNCA'), the State association. The facts in both the appeals before the High Court were distinct in content

but analogous in form in the manner in which they sought to impugn the alleged lapses in the workings of the appellant, and are canvassed below in brief.

4. Facts in Writ Appeal (MD) No. 896 of 2024: The facts in this appeal are that the respondent no. 1 cricket club preferred a writ petition seeking direction against the appellant to grant the respondent no. 1 membership of the appellant association alongside voting rights and also allow respondent no. 1 to participate in the knockout tournament for the year 2021-2022. The appellant entered appearance and brought on record the fact that the respondent no. 1 has already been permitted to participate in the tournament, and in this view, the cause does not survive. Noting the fact of the respondent no. 1's participation, the learned single judge disposed of the writ petition.

5. Since the writ petition was disposed of as allowed, on the issue of voting and membership rights, the appellant herein impugned the findings of the single judge in the writ appeal, which has been dismissed by the division bench, observing that the Respondent No. 1 club has the right to vote and membership in the appellant association. Since then, the respondent club has actively participated in tournaments organised by the appellant. The learned counsel appearing for the appellant has submitted, on instruction, that insofar as respondent no. 1's voting rights are concerned, the appellant has no objection towards the same, and the

respondent no. 1 may be allowed to vote. In view of these submissions, the issues in appeal(s) are confined to the reliefs granted by the High Court qua respondent no. 2 only, as outlined below.

6. Facts in Writ Appeal (MD) No. 915 of 2024: The facts relevant to this appeal are that respondent no. 2, an ex-office bearer of the appellant association, approached the High Court via writ petition, seeking directions that the appellant should conduct a free and fair election after preparation of a fresh voters list and sought to impugn the decisions taken by appellant associations in not complying with the norms as laid down by the High Court in previous judgments in ***S. Nithya v. Union of India***¹ and ***Secretary, Tamil Nadu Olympics Association v. S. Nithya***² ('S. Nithya') directing that every state sport federation will comply with the direction regarding mandatory presence of eminent sport person in the federation and other directions, so far as amending the appellant association's Constitution is concerned, to bring them in line with the Constitutions of other similarly situated federations. The said prayer(s) were allowed by the High Court in the impugned order. Aggrieved, the appellant association has preferred the instant appeal.

7. We heard Mr. Amol Chitale, learned counsel appearing for the appellant, Mr. Mayank Mishra, learned counsel appearing for the

¹ W.P. (MD) No. 3447 of 2019.

² W.A. No. 1202 of 2022.

respondents, in the present appeal(s) and perused the records. Mr Vikash Chandra Shukla, learned counsel, ably assisted the Court as Amicus Curiae.

8. The learned counsel appearing for the appellant district association has fairly submitted that, insofar as specific prayers of respondent no. 1 and respondent no. 2 are concerned, the appellant association has no objections to them. In this view, while the respondent no. 1 club would be permitted to vote in the appellant association, the prayer of respondent no. 2 with respect to oversight of the future election of the appellant association can also be allowed.

9. The appellant is aggrieved by the reliance of the High Court in judgments in S. Nithya (supra) while allowing the writ proceedings, which, in the view of the appellant, stand on a different factual-legal conspectus and are inapplicable to cricket associations like the appellant herein. It is learnt from the records as well as submissions made before us that there are certain proceedings pending before the High Court concerning membership of the appellant association, and it was urged that the issue regarding membership of the appellant association may not be dealt in the present appeals, and rather the appropriate authorities can take up the pending proceedings and decide them as expeditiously as possible. Since the primary grievance of the appellant is restricted to

the applicability of judgments in S. Nithya (supra) to the cricket associations, we take up the very issue first.

10. On applicability of Judgments in S. Nithya: The judgment in S. Nithya (supra) was an outcome of a Writ Petition preferred before the High Court of Judicature at Madras by an athlete, who had won several medals in numerous Discus Throw events. The athlete's grievance was that, despite her noteworthy performance, she was denied entry to participate in the Open National Championships in 2017 and 2018. The writ petitioner, in turn, asked for the issuance of numerous writs seeking the institution of multiple reform measures, including, *inter alia*, strict implementation of National Sports Development Code, 2011, constitution of a Special Committee with eminent sports persons for regularising athletics Championships, competitions, meets and events in Tamil Nadu, direction to authorities to make appropriate safety arrangements and provide proper places of accommodation to women athletes for all State Level and National Level Athletics Championships, Competitions, Meets and Event, and various other transparency measures.

11. As apparent from the various prayers sought in the writ petition, the petition in S. Nithya (supra) was only concerned with reforms in athletics governance and championships. The learned Single Judge allowed the writ petition on 19.01.2022 by passing a range of directions in terms of

the prayers of the writ petition, placing reliance on judgments of this court in BCCI and the mandate and objectives of the National Sports Code, 2011. A writ appeal was preferred through the Secretary, Tamil Nadu Olympics Association, in W.A. No. 1202 of 2022, which was dismissed by the division bench on 26.04.2022.

12. The judgments in S. Nithya (supra) have been relied upon in the order impugned before us, observing that directions in Nithya's case in respect of all sports organisations/clubs/associations ought to be strictly adhered to, thereby confirming the judgment and order of the learned single judge. Before advertiring to the contentions raised by the appellant, it would be beneficial to extract the relevant directions in S. Nithya (supra), which are as under:

- i. *"The State government should consider for creating a legal framework that imposes statutory regulation on the functioning of every sports organisation/clubs/association, including the state unit of the National Sports Federation in respect of every field of sports. The said legal framework should include as far as possible all the following aspects and directions and which shall continue to be in force until the passing of such a statute by the state legislature.*
- ii. *Every Sports Association/organisation shall be compulsorily registered with the State Government and it shall be mandatory for the said organisation to provide its complete details including its constitution and details of its members, the sports persons registered with the said association, its financial status as well as the contributions/funds received by the said association, the*

number and details of events conducted by the Association and the credentials of the sports persons participating in every such event.

- iii. Every Sports Association should have a record of all the above stated details and it shall be within the power of the State Government to inspect such records at any given point of time.*
- iv. The State Government as well as the state unit of the National Sports Federation of every sport which is recognised by the Central Government shall have a grievance cell, in order that deserving sports persons may contact them directly in cases where the recognised sports Association/affiliate does not forward a deserving athlete/sports person's name for participation at the national level to the concerned National Sports Federation.*
- v. The positions of President, Vice President and Secretary of every sports Association/organisation as well as important functionaries of such organisations including that of the state unit of the National sports Federation shall be held only by sports persons and it must be ensured that a minimum of 75% of the members of any sports body/organisation/association/NSF shall be composed of eminent sports persons and they shall have voting rights.*
- vi. The selection of athletes shall be within the purview of the decision-making powers of the selection committee consisting only of sports persons in the respective association as well as the sports Federation.*
- vii. No person shall be entitled to hold the position of President, Vice President, Secretary or any other important functionary in any association as well as Federation on the only ground that he or she has contributed financially to the said organisation. The holding of such a position shall be strictly governed by the Constitution of the respective organisation which shall clearly set out the procedure for election to the office of President, Vice-President and Secretary and*

other important functionaries, in accordance with the previous direction in clause vi. above that such positions can only be held by sports persons.

viii. ***Any reference to the term “sports persons” for the purpose of holding the positions of any of the important functionaries in any organisation/association or Federation, would mean a person who has participated in sports at least at the State level, with participation at the national level and winning of awards and accolades at the national level being a desirable qualification.***

ix. *An online registration system for all district level, state level and national level athletic championships, competitions, meets and events, similar to the model followed in the Federation Cup Athletics Championships, shall be effectuated immediately, which shall publish online the amount allotted and spent on each athlete for such events.*

x. *It shall be mandatory for every association to have a website where all its financial aid as sanctioned and granted by the sports development authority of the respective State as well as by the Union Government must be furnished and the details of all the applicants with their respective credentials must also be mentioned in a transparent manner in the website.*

xi. *In cases where it is found after an enquiry that any association/organisation or state unit of the National sports Federation has acted against merit in respect of the selection of participants, the State Government can take penal action against such an organisation including blacklisting of such an organisation for a minimum period of two years during which the association/organisation will not be in a position to sponsor candidates for national events or receive grant from the State Government.*

- xii. *In the event of any grievance made by any athlete/sports person to the state unit of the National sports Federation, the same shall be disposed of within a period of one week from the date on which such a grievance has been raised or before the upcoming event in respect of which the grievance is made, whichever is earlier, in order that the concerned athlete/sports person does not lose their chance for the concerned year.*
- xiii. *In the event of any grievance made with respect to any state unit of the National sports Federation, the state government shall dispose of the same within a period of one week from the date on which such a grievance has been raised or before the upcoming event in respect of which the grievance is made, whichever is earlier.*
- xiv. *The suggestions placed by the sixth respondent, which are extracted in para 9(vi) of this order shall be considered by the respondents 1, 4 and 5. Such compliance report be filed within a period of three months.”*

(emphasis supplied)

13. Mr. Chitale, learned counsel for the appellant has forcefully submitted that the directions in judgment in *S. Nithya* (supra) as made applicable on appellant by virtue of the single judge's order and confirmed by the impugned order by the division bench are inapplicable and unviable as they cannot be applied to the sport of Cricket, with respect to which the decision of this Court in ***BCCI v. Cricket Assn. of Bihar***³ would apply. It was argued that the judgment in *BCCI* (supra), which holds the field of regulation in the context of cricket, does not

³ CA No. 4235/2014.

prescribe that the post of President, Vice President and Secretary, as well as important functionaries of the BCCI and affiliated State Associations, shall be held only by sports persons and that 75% of members shall be eminent sportspersons. In this view, the directions in S. Nithya (supra) do not apply. It was further argued that the direction no. (viii) in S. Nithya (supra), regarding the eligibility criteria for 'sports persons' is onerous and disproportionate to the object sought to be achieved, given that posts at the district association should not be expected to be filled by persons who have participated in sports at the State level. Such a mandate would be counterproductive to localisation and democratisation of sports, it was argued.

14. The learned amicus has supported the arguments of the appellant and submitted that the law laid down in BCCI (supra) is a special law governing the field of Cricket, and the judgment in S. Nithya (supra) arising in peculiar facts and circumstances of athletics governance may not be applied in the instant case.

15. We agree with the submissions advanced at the Bar regarding the inapplicability of the judgments in S. Nithya (supra) to the factual conspectus of the present case. When the judgment in S. Nithya (supra) was delivered, the judgment in BCCI (supra) was already holding the field with the Constitution of BCCI having received the stamp of approval by this Court. There being no prescription or direction in the BCCI

judgments on 75% membership in an association to be filled by eminent sports persons, coupled with no such direction providing that the qualification to be member of district association will be concomitant on a person being an eminent sportsperson, the directions in S. Nithya (supra) would not be applicable to the fact of the present case concerning sport of cricket.

16. Having clarified the legal position, our next inquiry concerns the functioning of the appellant association in the existing legal regime informed by the applicable regulatory framework. Mr Mayank Mishra, learned counsel appearing for the respondents, has submitted that, in any event, the appellant must amend its Constitution in conformity with the Constitution of the BCCI, the structure of the sport being pyramidal. We now take up this issue.

17. On applicability of BCCI Constitution to the Appellant, District Cricket Association: Learned Amicus has highlighted the final directions in BCCI (supra) to the effect that after registration of the Constitution of BCCI, each of the members (State Associations) was directed to bring their Constitutions in conformity with BCCI's Constitution by way of suitable amendments. The amicus submits that while there was no direction in BCCI (supra) regarding the amendment of Constitutions to be done by District Associations, there was a consensus among the State Associations that their district association

would also amend their Constitution in conformity with the BCCI's Constitution. Stating so, it was submitted that the appellant should grant membership only to its full members, as done by TNCA and BCCI, and also make minor corrections, such as mentioning the names of its members in its Constitution/bye-laws, which remain unclear and are part of pending proceedings as well.

18. The appellant opposes the submission advanced by amicus and respondents, arguing that the judgment in BCCI (*supra*) only concerns the BCCI and its member associations and is not in any manner applicable to the District Association. To this end, the appellant places strong reliance on the judgment in BCCI itself, wherein the Court concluded that the proposed Constitution of the BCCI did not stifle upon the rights and internal composition of State associations and, in turn, District Association⁴ and hence the argument advanced by associations regarding violation of Article 19 of the Constitution was rejected. The relevant extract of the said judgment is as under:

"55. With the above two aspects in mind, let us now examine whether the recommendations of the Committee have the tendency to violate Article 19(1)(c) or any other provision of the Constitution.

(...)

58. We regret our inability to accept the submission so vehemently urged before us by the learned counsel for BCCI and the State Cricket Associations. We say so, firstly because no citizen has come forward in the present proceedings or in the earlier round to complain of the violation of any fundamental right guaranteed under Article 19(1)(c) of the Constitution. Secondly and more importantly because

⁴ (2016) 8 SCC 535, Para 57.

the recommendations do not, in our opinion, affect the composition of the State Cricket Associations in any manner. Citizens who have come together to form the State Associations continue to associate as before with no change in their internal composition. If that be so as it indeed is the right guaranteed under Article 19(1)(c) stands exercised, which exercise would continue to enjoy the protection of the constitutional guarantee till the association/union or cooperative society, as the case may be, continues to exist. What is, however, important is that the right under Article 19(1)(c) does not extend to guaranteeing to the citizens the concomitant right to pursue their goals and objects uninhibited by any regulatory or other control. The legal position in this regard is settled by several decisions of this Court to which we may gainfully refer at this stage.

(...)

64. There is, in the light of the above authoritative pronouncements, no room for any doubt that the right guaranteed under Article 19(1)(c) cannot be claimed by an association or union or a cooperative society as is sought to be done in the case at hand, even when the right to form an association or union or cooperative society extends to the continued existence of such association or union or cooperative society with its original voluntary composition. But the right does not extend so far as to include the right of any such association or union or cooperative society to achieve its objects or to conduct its business unhindered by any regulatory or other control. Anything beyond the protection of the original composition of the association or union or cooperative society would fall outside Article 19(1)(c) and shall be governed by other clauses of Article 19 of the Constitution. For instance, the right of the association or union or cooperative society to conduct its business or pursue its objects shall be regulated under Article 19(1)(g) read with clause (6) of the Constitution. So also, the right to move freely throughout the territory of India shall be governed by Article 19(1)(d) read with clause (5) of the Constitution. Suffice it to say that so long as the initial voluntary composition of the State Cricket Associations which are complaining of the breach of their right under Article 19(1)(c) remains unaffected, there is no violation of what is guaranteed by Article 19(1)(c).

65. Seen in the backdrop of the above, the recommendations made by the Committee in the instant do not interfere with or alter the composition of the State Associations. Individual citizens who came together to form the State Associations have not been asked to discontinue their association nor do the recommendations impose upon their members an obligation to associate with others with whom they do not wish to associate. Composition of the State Cricket Associations remain unaffected, and so does the right of those forming such associations under Article 19(1)(c). That being so, the

grievance sought to be made on behalf of citizens who have formed the State Associations does not stand scrutiny no matter none of those on whose behalf the argument is advanced is before this Court to make any such grievance. We have, in the light of the above, no difficulty in rejecting the first limb of the submissions made by the learned counsel opposing the recommendation of the Committee that BCCI shall have the Cricket Association from each State as a full member”.

19. In the recent judgment of this Court in **AIFF v. Rahul Mehra**,⁵ while answering a similar argument, that the Constitution of All India Football Federation shall not be made applicable to the State and District Association, this Court has distinguished the judgment in BCCI with the pyramidal structure of football and the International legislative framework to the effect that the judgment in BCCI arose out of a peculiar nature of Cricket as distinguished from Football and therefore is not applicable on the football regime.⁶

20. In simple words, the appellant wants the argument on the applicability of BCCI's Constitution on its functioning to be rejected in terms of the ratio in BCCI itself. We have no difficulty in accepting this argument. The relevant portions in BCCI extracted above are clear to the effect that the judgment in BCCI does not warrant District Associations to model their regulations and bye-laws on exact lines of the BCCI Constitution. No judgment or document has been brought on record to demonstrate any understanding across the cricketing associations at the

⁵ 2025 INSC 1131.

⁶ AIFF (supra), paras 64-71.

District Level to make their Constitution on exact lines as of the BCCI, nor any judgment which directs such a prescription. The impugned order, which directs the appellant association, also does not place reliance on BCCI per se, but rather on the judgment in *S. Nithya (supra)*, which we have already distinguished and clarified in the preceding section. In this view, the argument that the appellant must be asked to restructure its functioning and laws in terms of the BCCI Constitution cannot be accepted.

21. However, though enforcement of such a reform as contemplated in the BCCI judgment cannot be done through judicial review, we must clarify that it is open, rather necessary, for the State Association to initiate reforms to ensure that District Associations operate as professional, transparent, and in the best interests of the sport.

22. Such reforms may include transparency in the selection of players and also the execution of contracts. In fact, District Associations must volunteer to adopt reformative measures such as good governance, refined management, transparency, and the exclusion of conflicts of interest. Recognising the importance of sport to national life, this Court has an occasion to observe that, National, international, regional or even mohalla sports in India serve as the *Karmabhumi* where cohesion and collective purpose take tangible form. They bring together individuals from diverse social, linguistic, and cultural backgrounds under a common

pursuit, embodying the Constitutional value of fraternity. Here, individual and collective aspirations find a way to coalesce. On the field, teamwork compels individuals to set aside personal distinctions and work together, cultivating habits of cooperation, solidarity, and mutual respect. Accessibility of sports is important, for when opportunities to participate are open to all—irrespective of race, caste, religion, sex, or economic status—the unifying power of sport is amplified. This inclusiveness ensures that sports become not a privilege of the few but a medium through which fraternity is strengthened across society. In this way, sports operationalise what the framers envisioned: an intangible yet indispensable force that holds us together through shared effort and common purpose.

23. It is high time we recognize that sporting “*facilities and opportunities*”⁷ are “*material resources of the community*”⁸, and their organizers are “*the institutions of the national life*”⁹. As “*places of public resort*”¹⁰, sporting institutions and bodies must remain accessible, not just for pursuing sport, but also for its administration. It should be the deeper Sadhana (endeavour) of the State, and it is also our Constitutional duty to ensure that sporting facilities and opportunities

⁷ Article 38(2), Indian Constitution.

⁸ Article 39(b), Indian Constitution.

⁹ Article 38, Indian Constitution.

¹⁰ Article 15(2), Indian Constitution.

flourish with institutional efficiency, integrity, professionalism, and expertise. It is also necessary to ensure that sporting facilities and opportunities are not concentrated in the hands of the urban economic elite and that the revenues from sporting events, intellectual property and media rights are so distributed to subserve and encourage accessible and affordable sport in our country.¹¹

24. Returning to the facts of the present case, Mr. Amol Chitale has submitted that the appellant association's rules and bye-laws include provisions for disqualification and dispute resolution, and in fact promote fairness and accountability. He would further submit that the association is inclined to carry out amendments to the following affect:

- a) Any new inductee in the category of life member will not have the right to vote for a period of 3 years from the date of induction.
- b) The number of "life members" shall be frozen at 179, which is the current strength of "Life Members" in the appellant association. The number of "Life Members" shall not be increased beyond 179.
- c) In order to give adequate representation to the Clubs/Institutions, there would be no capping on the number of Clubs/Institutions that can be conferred voting rights in accordance with the provisions of the rules and regulations of the appellant association.

¹¹ All India Football Federation v. Rahul Mehra, 2025 INSC 1131.

d) The category of "Family Members of the existing Life Members" shall be deleted from the clause which prescribes the categories/qualifications for grant of "Life Membership" in the rules and regulations of the appellant association.

25. We have noted the submission of Mr. Amol Chitale, but have chosen not to comment in view of the fact that certain proceedings are pending before the High Court and the concerned authorities under the Tamil Nadu Societies Registration Act. Through an affidavit dated 13.12.2025 filed by the Respondent, we are informed that certain members of the appellant association initiated proceedings under Section 36 of the Tamil Nadu Societies Registration Act against the appellant, and while the enquiry was pending, they filed writ petition(s), primarily seeking direction to forbear the appellant from approving certain persons as life members of the Association. We are also informed that the Registrar had initiated a suo-motu inquiry, challenge to which is pending before the division bench of the High Court, where there is an interim order. It is not necessary to refer to the pending proceedings any further.

26. Since the issues concerning membership and composition of the appellant association are pending before the High Court and the statutory authority, we are of the opinion that such questions should be resolved as expeditiously as possible. In this view, we allow the appeal in part, set aside the judgment and order of the High Court to the extent

indicated hereinabove, and further direct that the High Court shall dispose of the writ appeal(s) as expeditiously as possible in order to enable the statutory authorities to complete the enquiry, if necessary, and arrive at its logical conclusion, so that the election of the appellant can be conducted at the earliest. The High Court, as well as the authorities, shall take into account the spirit of our order.

27. The appeal(s) are disposed of accordingly. Pending applications, if any, also stand disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
FEBRUARY 13, 2026