

**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. 2 OF 2024

BETWEEN:

B. Govind Raj, S/o. B.R. Dayanand,
Aged about 51 years, R/o. Pent House,
Srinivasa Residency, Next to Eidgah,
Old Bowenpally, Secunderabad,
Ph. No. 9949794345.

...Petitioner

AND

- 1. Crown Cricket Club**
6-3-1185/113, Bhola Shankar Basti,
Begumpet, Hyderabad.
Represented by C. Raj Kiran, S/o. Laxman Rao.
- 2. Anu Cricket Club (NEW), {Vijay Bharath
Cricket Club (New) & Indo Chem
Cricket Club (Old)}**
6-3-1185/113, Bhola Shankar Basti,
Begumpet, Hyderabad.
Rep. by C. Satya Sekhar Babu, S/o. Late
C. Hanumantha Rao.
- 3. The Hyderabad Cricket Association**
RGICS, Uppal, Hyderabad. Represented
by its Secretary R. Devraj.

...Respondents

Proceedings dated 09.07.2024

1. The Petitioner Mr. B. Govind Raj, S/o B.R. Dayanand filed the
petition dated 27.05.2024 against Crown Cricket Club/1st
Respondent, Anu Cricket Club/2nd Respondent and Hyderabad

Cricket Association/3rd Respondent to declare that the Petitioners are the successors/owners of Crown Cricket Club which was earlier known as Indochem(Old), Vijaybharat Cricket Club(Old), and Anu Cricket Club (New) affiliated to Hyderabad Cricket Association. The said clubs were formed, founded and owned by late B.R. Dayanand father of the Petitioner which were affiliated Clubs of the 3rd Respondent HCA. The petitioner seeks to restrain the Respondents 1 and 2 from transferring, alienating or creating charge or any other encumbrances, and further hold funds, benefits, monetary benefits, league matches, freeze of voting rights, participating in the meetings of the HCA.

2. This office ordered a notice on 27.05.2024 and posted to 07.06.2024 for appearance of the parties. On 07.06.2024 both the parties appeared and Counter on behalf of Respondents 1 and 2 has been filed and sought time for filing the documents by both the parties. Accordingly, the case was adjourned to today i.e, 09.07.2024, and both the parties along with their advocates appeared and filed certain documents.
3. It is stated by the petitioner that his father Mr. B.R. Dayanand himself and his representative attended the Annual General Body meeting of the Hyderabad Cricket Association 5 times during his

life time in 1988, 1998, 2000, 2002, 2003 and he died on 08.04.2004.

4. It is the case of the Petitioner the father of the Petitioner B.R. Dayanand was founder of both the Cricket Clubs namely Crown Cricket Club and Indochem Cricket Club somewhere in 1980. Mr. C.Hanumantha Rao was his close friend and he was authorized to act on his behalf to represent the said Clubs. The name of the IndoChem Cricket Club was changed as Vijay Bharat Cricket Club somewhere in 1990. Mr. B.R.Dayanand died on 08.04.2004. After his death the name of the Vijaya Bharat Cricket Club was changed as Anu Cricket Club in the year 2016 by C.Hanumantha Rao. C. Hanumantha Rao fraudulently claimed the ownership of the said Clubs and there was a dispute between the successors of B.R. Dayanand i.e., Petitioner B.Govind and his family members and C.Hanumantha Rao and his sons who are claiming the ownership of the Club.

5. It is stated that the Petitioner's brother Mr. B. Vijay Kumar, S/o B.R. Dayanand filed a suit for perpetual injunction:

- (i) For rendition of the accounts and mesne profits, recovery of possession in OS No. 2644 of 2020 on the file of XXI Junior



Civil Judge, City Civil Court, Hyderabad against the Respondents herein to pass a Judgment and Decree in favour of the Plaintiff and against the Defendants therein,

- (ii) To direct the Defendant 1, 2 and others to handover the petition Clubs to the Plaintiff for recovery of possession subsequently to grant permanent injunction restraining the Defendants from alienating in favour of third parties, restraining the defendants from interfering into the petition Clubs operations, appearing in HCA AGM meetings and other meetings conducted by HCA, League matches of petition Clubs, holding of development funds from HCA to petition Clubs and,
- (iii) To pass a decree for recovery of development funds of Rs.3,70,000/- from Defendant No.1 & 2 to the plaintiff towards rendition of accounts and pass of mesne profit of Rs.25,000/- pm from the date of the suit till handover of collected development funds from HCA by the Defendants to the plaintiff and also to grant interest on the amounts collected by the Defendants.

6. It is stated that notice was issued to the Defendants and the notice was also served on the Defendants and in the meanwhile the Mr.

C.Hanumantha Rao representing the Defendant No. 2 died on 28.12.2021. Steps have been taken to bring his LRs on record.

7. It is stated that presently the 1st Respondent Crown Cricket Club represented by C. Raj Kiran, S/o Laxman Rao and the Respondent No.2 is represented by C.Satya Sekhar Babu, S/o late C. Hanumantha Rao.
8. It is the case of the Respondent No. 1 & 2 that the Petitioner or his father has no right or ownership over the Clubs in question and Mr. B. Dayanand was only a friend of Mr. C. Hanumantha Rao and therefore, the Petitioner cannot claim any rights over the said Clubs.
9. It is stated that admittedly the said Clubs were private Clubs till they were registered in 2013 and 2016 respectively and the Respondents are continuously paying the annual subscription fee from the year 1981 onwards. The HCA was corresponding with C. Hanumantha Rao, Hon. Secretary of Vijay Bharath Cricket Club giving the details of the Club. As per the declaration made in 2001 for Vijay Bharat Cricket Club was affiliated in 1973 and the Club is not incorporated or registered but it is an individual Club and C. Hanumantha Rao is representing the said Club with the

address of the Club as individual address 6-3-1185/113, Bhola Shankar Basti, Hyderabad – 500 016. Mr. Ch. Satya Sekhar Babu was representing the Crown Cricket Club as Secretary as per the letter addressed by the 3rd Respondent/HCA. The HCA issued Club certificate dated 07.07.2012 to Vijay Bharat Cricket Club to Hanumanth Rao as its Secretary. HCA also issued Club Certificate dated 07.07.2012 to Crown Cricket Club to its Secretary C.Satya Sekhar Babu. They are also in possession of Annual subscription in respect of Indo Chem Cricket Club from 1982 onwards to 1994 and subsequently in the name of Vijay Bharat Club and thereafter in the name of the Anu Cricket Club from 2015 onwards to 2022. Similarly, they are in possession of payment of Annual subscription fee in favour of Crown Cricket Club. It is stated that the Private Club of Crown Cricket Club was registered in 2013 and which became a registered Club. Anu Cricket Club was registered in 2016.

10. It is the contention of the Petitioner that his father B.R. Dayanand trusted Mr. C. Hanumanth Rao but he betrayed him taking advantage of his friendship and entire records were in his possession only and subsequently after the death of B.R. Dayanand, he refused to handover the rights of the Clubs to the successors of B.R. Dayanand and there was a dispute among

C.Hanumanth Rao and his sons also and it is not known how the ownership of the Crown Cricket Club has been transferred in favour of 3rd Party C. Raj Kiran who is not a family member.

11. None of the parties have placed the records relating to the respective Clubs their committee meetings, change of the office bearers and communications with HCA and there is a serious dispute among the rights and ownership of the Clubs. The Single Member Committee, Hyderabad Cricket Association namely Justice L.Nageswara Rao, Former Judge of Supreme Court of India constituted by Hon'ble Supreme Court of India passed order dated 31.07.2023 and in respect of the dispute in question among the parties the Single Member Committee made the following order at para **20.40** of the said report.

"Several attempts were made by one B.Govinda Raj to inform me through emails that three Clubs namely Anu Cricket Club, Crown Cricket Club and Vijay Bharat Cricket Club which belongs to late B.R. Dayanand was illegally taken over by Mr. C. Hanumantha Rao. It was submitted by him that the Club was originally named as Indo Chem Cricket Club which was renamed to Vijay Bharath Cricket Club. However, C.Hanumanth Rao being the



erstwhile member of the EC of the Club during the term of late BR Dayanand, took over the Club fraudulently in collusion with his family members and some HCA Officials.

20.41 He also filed a police complaint against such a fraudulent act, which is currently under adjudication. All the three Clubs were invited for a hearing and after clear assessment of their claim it is evident that **there exists a dispute in the ownership of the Clubs which may be settled in the court of law.** None the less it is also evident that both the Clubs belong to the family of C.Hanumanth Rao, as at present Chetty Nagaraj Rao, the President of Anu Cricket Club and C.Satya Sekhar Babu, the Secretary of Crown Cricket Club are sons of C.Hanumanth Rao and thereby falling within the ambit of "immediate family."

20.42. Further, the Vice President of Anu Cricket Club, Mr. D. Narsing Rao, happens also to be holding the post of Secretary of Saint Sai Cricket Club, indicating therefore a clear conflict of interest. Therefore, all the above-named Clubs are manifestly

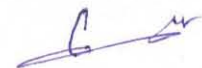


in conflict of interest with each other and as such, all their existing executive committee members are liable to be barred from holding office in HCA and/or contesting elections, for the next one term of the Executive Committee of HCA or for three years, whichever is greater. The said Clubs are as listed below:

20.42.1 Anu Cricket Club

20.42.2 Crown Cricket Club

12. In view of the serious disputes among the parties and in the absence of authenticated records of the Clubs with regard to the Constitution of the Clubs, the list of the office bearers and changes affected from time to time, Committee Meetings, Change of the General Secretary / Authorised Representative and in view of the aforesaid the order of the Single Member Committee, holding that there exists a dispute in ownership of the Clubs which may be settled in the Court of Law, I am of the opinion that in view of the serious disputes, with regard to the ownership of the Clubs the parties herein have to settle their disputes in the appropriate court of law only. Therefore, the parties are relegated for settlement of their disputes with regard to the ownership of the Clubs in appropriate civil court of law.



Pending the settlement of the disputes with regard to the ownership of the Clubs in the appropriate Court of Law, the 3rd Respondent/ HCA cannot entertain the claims of the both parties.

It is always open for the parties to seek appropriate interim relief from the Civil Court pending disposal of the dispute in the ownership of the Clubs.

Hence, the petition is disposed of.



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