



WEB COPY



W.P.No.28863 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.28863 of 2026

T.R.Kishore Kumar
S/o.T.Rajakumar
No.4, Gandhi Nagar, 6th Street
Thiruvannamalai-606 601

Petitioner

Vs

- 1.The Secretary
Bar council of India
21, Rouse Avenue Institutional Area
New Bal Bhawan
New Delhi-110 002
- 2.The Secretary
Bar council of Tamilnadu & Puducherry
Chennai
- 3.The Secretary
Notary Cell
Department of Legal Affairs
Ministry of Law and Justice
4th Floor, Middle Wing
Janpath Bhawan, Janpath
New Delhi-110 001

Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 and 2 to grant NOC to the petitioner for applying to the Notary Public or for any other panel or services by considering petitioner representation dated 7.5.2026.

For Petitioner: Mr.B.Sankara Narayanan

For Respondents: Mr.S.R.Raghunathan
Standing Counsel for R1

Mr.C.K.Chandrasekhar
Standing Counsel for R2

Ms.Durga Rani
Central Government Counsel
for R3

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition filed under Article 226 of the Constitution of India seeks a direction to respondents 1 and 2 to grant NOC to the petitioner so as to enable him to apply to the post of Notary Public or any other panel or services by considering his representation dated 7.5.2026.



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2. Learned counsel for the petitioner submits that one Ms.Deepa had lodged a complaint against the petitioner and his senior S.Murugadoss before the second respondent and the same has been taken on file as D.C.C.No.234 of 2021. Though the Disciplinary Committee-IX had enquired into the complaint, the petitioner is awaiting final orders from the second respondent. On account of pendency of the disciplinary proceedings, the petitioner was unable to submit application for appointment as Notary Public or seek empanelment for any other professional assignments or public appointments.

3. Drawing our attention to Section 36B of the Advocates Act, 1961, learned counsel for the petitioner submits that the Disciplinary Committee of the State Bar Council ought to have concluded the enquiry within a period of one year and in case of failure, the proceedings shall stand transferred to the Bar Council of India which may dispose of the same as if it were a proceeding withdrawn for inquiry under Section 36(2) of the Advocates Act, 1961.



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4. Learned counsel for the petitioner further submits that, on 7.5.2026, the petitioner had submitted a representation to the respondents seeking NOC so as to enable him to apply to the post of Notary Public. Till date the said representation has not been considered, which necessitated the petitioner in approaching this Court by filing the present writ petition.

5. Learned counsel for the second respondent submits that since disciplinary proceedings are pending against the petitioner, the NOC, could not be issued. Further, the disciplinary proceedings initiated against the petitioner was transferred to the Bar Council of India and the same is now pending with them.

6. Learned counsel for the first respondent/Bar Council of India submits that Regional Committees headed by Retired High Court Judges have been constituted and they are adjudicating all the complaints referred to the Bar Council of India. He refuted the argument of learned counsel for the petitioner that the proceedings shall stand withdrawn after lapse of one year.



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7. We have considered the rival submissions and also perused the materials available on record.

8. The petitioner is enrolled as an Advocate in the second respondent/Bar Council on 14.11.2007 with Encrollment No.2816 of 2007. Based on the complaint lodged by one Deepa against Advocate S.Murugadoss and the petitioner, disciplinary proceedings bearing D.C.C.No.234 of 2021 were initiated. Since the disciplinary proceedings were not concluded within a period of one year, the same has been transferred to the first respondent.

9. As the disciplinary proceedings initiated against the petitioner by the second respondent was transferred to the file of the first respondent and pending since 16.11.2022, without going into the merits of the complaint, we direct the first respondent to conclude the disciplinary proceedings initiated against the petitioner, as expeditiously as possible and in accordance with law, by considering his representation dated 7.5.2026.



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With the above direction, the writ petition stands disposed of.

There shall be no order as to costs.

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(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
27.07.2026

Index : Yes/No
Neutral Citation : Yes/No
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