



W.P.(MD)No.10043 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

and

THE HONOURABLE MR.JUSTICE N.DILIP KUMAR

W.P.(MD)No.10043 of 2021

and

W.M.P.(MD)No.11157 of 2021

S.K.Naganathan

... Petitioner

-VS-

1.The Secretary,

Bar Council of Tamil Nadu and Pondicherry,

Madras High Court Buildings,

Chennai – 600 104.

2.M.D.Pooranachare

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Resolution No.488/2020 of the first respondent dated 19.12.2020 in Complaint No.510/2019 received by the petitioner on



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13.03.2021 and to quash the same as illegal and consequently direct the first respondent to refer the matter to the file of the Disciplinary Committee attached with the first respondent for further legal action.

For Petitioner : Mr.C.M.Arumugam
For Respondent No.1 : Mr.K.R.Laxman
For Respondent No.2 : Mr.K.N.Thambi

ORDER

[Order of the Court was made by M.DHANDAPANI, J.]

The present Writ Petition has been challenging the impugned Resolution No.488/2020 of the first respondent dated 19.12.2020 in Complaint No.510/2019, received by the petitioner on 13.03.2021.

2.Learned Counsel for the petitioner would submit that the petitioner had filed P.O.P.No.10 of 2006, on the file of the Principal District Judge, Madurai, for waiver of Court fees through his Counsel Mr.C.M.Arumugam, against one M.R.Pushpavalli. The learned Counsel for the petitioner therein is also the petitioner Counsel herein. The said P.O.P.No.10 of 2006 was dismissed vide order dated 03.12.2007. During the course of the proceedings, the respondent M.R.Pushpavalli marked exhibits R.1 and R.2 and after dismissal, her Counsel, the second respondent herein filed a



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Document Return Petition No.11 of 2008, for return of exhibits R.1 and R.2.

The second respondent herein made an endorsement as if the D.R.P.No.11 of 2008 petition copy was received by the petitioner Counsel and obtained the documents without even issuing notice to the petitioner Counsel. Thereby, the petitioner made a complaint before the Bar Council. The Bar Council rejected the complaint of the petitioner by way of impugned resolution dated 19.12.2020. Challenging the same, the present Writ Petition has been filed.

3.Learned Counsel for the petitioner would further submit admittedly, the petitioner Counsel did not endorse with regard to D.R.P.No. 11 of 2008 petition, filed by the second respondent on behalf of his client and without issuing notice to the petitioner Counsel, they obtained a copy of exhibits R.1 & R.2. The second respondent has played a fraud upon the Court stating that endorsement has been made by the petitioner Counsel. Accordingly, he prays for appropriate orders.

4.Learned Counsel for the second respondent would submit that even without the endorsement of the petitioner Counsel, the respondent therein one M.R.Pushpavalli is entitled to get the copy of the documents in exhibits R.1 & R.2, which were marked by her. However, false allegation was made



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against the second respondent. In fact, there was an endorsement made by the petitioner Counsel which the Court adjudicated and thereafter, returned the documents sought for. Accordingly, he prays for appropriate orders.

5. Heard the learned Counsel for the parties and perused the materials available on record.

6. Admittedly, the D.R.P.No.11 of 2008 came to be filed by one M.R.Pushpavalli, through her Counsel, the second respondent herein, for return of documents marked as exhibits R.1 & R.2. It is alleged by the petitioner Counsel that the copy of the said petition was not served on him, however, an endorsement has been made as if the petitioner Counsel has been served with a copy. The same has been refuted by the learned Counsel for the second respondent stating that there is an endorsement made by the petitioner Counsel. The said petition came to be allowed by the Court below and the documents were returned. As rightly submitted by the learned Counsel for the second respondent, even without the said endorsement of the petitioner Counsel, the second respondent's client is entitled for return of the documents since those documents were marked by her. If at all the petitioner wants the same documents, he can very well



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file an application before the Court concerned and get the copies of exhibits R.1 & R.2. All these factual aspects were adjudicated by the Bar Council and only thereafter, the impugned Resolution came to be passed, which in the considered opinion of this Court, does not warrant interference by this Court.

7. Accordingly, this Writ Petition stands dismissed, with liberty to the petitioner to work out the remedy in the manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[M.D.I., J.] & [N.D.K., J.]

17.08.2026

NCC : Yes / No

Index : Yes / No

Internet: Yes / No

MR



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To
The Secretary,
Bar Council of Tamil Nadu and Pondicherry,
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M.DHANDAPANI, J.

AND

N.DILIP KUMAR, J.

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