IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30-01-2013

CORAM:

THE HONOURABLE MR. JUSTICE VINOD K. SHARMA

C.S.No.579 of 2012
and
Application Nos.4998 and 4773 of 2012

1 MA NITHYANANDA EKAVATHI [PETITIONER]
ADVOCATE D/O.MR.V.CHANDRAHASAN NO.92
PILLAIYAR KOIL ST VADAPALANI CHENNAI 26

Vs

1 SRINATH SRIDEVAN [RESPONDENTS]
ADVOCATE HSB PARTNERS
SHREYAS VIRAAT
2ND FLOOR 26 (OLD NO.13/14)
3RD CROSS ROAD
R.A.PURAM CHENNAI 28

2 MR.HARISANKAR
ADVOCATE NO.70 ADDITIONAL LAW CHAMBERS
HIGH COURT BUILDINGS CHENNAI

3 M/S. SUDARSHANA SUNDAR
ADVOCATE NATARAJ NIVAS 2ND FLOOR 8/12
BALASUBRAMANIAM ST MYLAPORE CHENNAI

4 MR.M.LAXMAN
MR.M.MURUGANPPAN NO.21 K.B.DASAN ROAD
ALWARPET CHENANI 18

5 MR.AR.L.SUNDARESAN
SENIOR COUNSEL 247 ADDL LAW CHAMBERS
HIGH COURT MADRAS

6 MR.RAMU MURUGAPPAN
NO.48 K.B.DASAN ROAD ALWARPET CHENNAI 18

7 MRS.L.ANNAPURANI

NO.21 K.B.DASAN ROAD ALWARPET CHENNAI 18

8 MR.L.RAM LAXMAN
S/O.MR.M.LAXMAN NO.21 K.B.DASAN ROAD
ALWARPET CHENNAI 18

9 MR.M.SUNDAR
ADVOCATE 453 NEW ADDL LAW CHAMBERS
CHENNAI HIGH COURT COMPLEX CHENNAI 104

10 M.NIRMAL KUMAR
ADVOCATE NO.59 7TH AVENUE ASHOK NAGAR
CHENNAI 83

11 S.UDAYA KUMAR
ADVOCATE MR.M.NIRMAL KUMAR 329 NEW ADDL
LAW CHAMBERS CHENNAI HIGH COURT COMPLEX
CHENNAI

12 M/S. P.V.RAJAESWARI
ADVOCATE ROOM NO.7 1ST FLOOR S.M.PLAZA
93 (OLD NO.45) ARMENIAN ST CHENNAI 1

13 M/S. CHITRA SAMPATH
SENIOR COUNSEL 329 NEW ADDL LAW CHAMBERS
CHENNAI HIGH COURT COMPLEX CHENNAI 104

14 R.SATHIYABAMA
31 LAW CHAMBERS HIGH COURT BUILDINGS
CHENNAI

15 MR.DHAKSHINAMOORTHY
SECRETARY REP.FOR HIMSELF AND FOR THE BAR
COUNCIL OF TAMIL NADU THE BAR COUNCIL OF
TAMIL NADU HIGH COURT CAMPUS CHENNAI 104

Plaint filed under Order II Rule 3 & Order IV Rule 1 of the Original Side Rules read with Order VII Rule 1 and under Section 151 of the Code of Civil Procedure.

For plaintiff :: No appearance

For defendants :: M/s. S.K. Rajagopal, Mohan,C. Ramesh
AR.L. Sundaresan

JUDGMENT

Application No.4988 of 2012 has been moved by defendant No.15, Mr. Dakshinamoorthy, Secretary of the Bar Council of Tamil Nadu for rejection of the plaint in C.S.No.579 of 2012. Application No.4773 of 2012 has been filed by the applicant/defendant No.9 for rejection of plaint with exemplary costs on the ground that the plaint does not disclose any cause of action and that the suit as framed is barred under law.

2. The plaintiff/non-applicant has filed a suit against 15 defendants praying therein,

(1) for damages of Rs.30,00,000/-(Rupees thirty lakhs only) on account of the defamation, disturbing her work, mental torture, monetary loss, physical torture and threat to her practice;

(2) directing the Bar Council of Tamil Nadu and Pondicherry to dismiss the complaint 67/2010 filed by the seventh defendant against the plaintiff pending before the Disciplinary Committee No.III (D.C.C.No.80/2011) and also to cancel the order dated 23-12-2011 and all further proceedings (this relief has been rendered infructuous as it is pointed out that disciplinary proceedings are over in which the plaintiff/non-applicant has been held guilty of misconduct);

(3) for directing the Bar Council of Tamil Nadu and Pondicherry to reject any complaints which may come against an Advocate before the Council when the Advocate becomes a party-in-person for his own case and that itself is pending before any Court if the complainant is having more opportunity to represent her difficulties before that Court by himself or through his lawyer;

(4) to exercise the inherent power to direct the Family Court to get consent from the party's advocates when the party applies for certified copy for the disposed of cases; and

(5) a prayer to pay the cost of the suit.

3. It would be appropriate to record the pleadings in the plaint to understand the case of the plaintiff :

"3. The plaintiff submits that the plaintiff is the present advocate of the 7th defendant's Co-sister Mrs.Visalakshi who was introduced by the 7th defendant to the plaintiff and the plaintiff was the 7th defendant's erstwhile advocate.

The 1st defendant was the said Mrs.Visalakshi's erstwhile advocate who she herself contacted through on line and he was the first person to collapse the said Mrs.Visalakshi's Chennai High Court Partition suit.

The 2nd defendant was the said Mrs.Visalakshi's erstwhile advocate who was introduced by the 1st defendant when she came to Chennai from Canada and he was the partner advocate to the 1st defendant.

The 3rd defendant was the said Mrs.Visalakshi's erstwhile advocate who was introduced by the 7th defendant to the said Mrs.Visalakshi but she was a pre-arranged advocate by the defendants No.1, 2, 4 to 10, 12 & 14 appointed only for the purpose of collapsing the said Mrs.Visalakshi's cases and case bundles.

The 4th defendant is the said Mrs.Visalakshi's brother-in-law and the7th defendant's husband and he already collapsed the said Mrs.Visalakshi's family in Canada by giving ill-advice to his own brother i.e. the said Mrs.Visalakshi's husband the 6th defendant herein and also he is giving heavy pressure to the 1st and 5th defendants by using his relationship and money power with them so that no one represents for Mrs.Visalakshi before the Indian Courts and now the 4th defendant and his family only is using the said Mrs.Visalakshi's husband's money, later the 4th defendant wants to possess all properties belonging to his own brother.

The 5th defendant is close relative of 4th and 6th defendant and his family never like the said Mrs.Visalakshi and her parents family.

The 6th defendant is the said Mrs.Visalakshi's husband and 4th defendant's own brother and 7th defendant's brother-in-law.

The 7th defendant is 4th defendant's wife and also the 8th defendant's mother and the said Mrs.Visalakshi's close relative and also the 7th defendant is having internal jealousy on the said Mrs.Visalakshi's beauty, hard work, honesty and intelligence and her education.

The 8th defendant is the 4th and 7th defendants' son and through him only they exploit the 6th defendant.
The 9th defendant is the 6th defendant's Advocate representing for him before the Hon'ble High Court cases.
The 10th and 11th defendants are the 6th defendant's Advocates representing for him before the Hon'ble Family Court cases.
The 12th defendant is the 4th defendant's Advocate from 2004.
The 13th defendant is the 7th defendant's Advocate represented for her before the Hon'ble High Court case and Fast Track Court V at Chennai appointed by the above defendants No.1 to 5 and 9 to 14 jointly.
The 14th defendant is the 7th defendant's Advocate represented for her before the Bar Council of Tamilnadu appointed by all the above defendants and she is close relative of the 3rd defendant.
The 15th defendant is the Secretary of The Bar Council of Tamilnadu. Since he is getting severe pressure from the defendants No.1 and 5, he is continuously giving heavy torture physically and mentally to the plaintiff by using his official power in the Bar Council. And at the same time he is blindly supporting and protecting all the above defendants without doing any proper and due service.
4.A)The plaintiff submits that she was assisting the 7th defendant since June 2007 in the Principal Family Court Cases such as O.P.No.2418/2003 (Restitution of Conjugal rights) and O.P.No.958/2003 (Divorce case) filed by her husband the 4th defendant herein. The Plaintiff states that as per the 7th defendant's request the plaintiff has assisted the 7th defendant apart from court cases to get certified copies of all her property documents and also collected some evidences related to her case. Since the 7th defendant said that the 7th defendant had no source of income and she requested the plaintiff to spend any money which is needed for the purpose of the case and also the purpose of getting certified copies of documents and also promised the plaintiff that the plaintiff can get back the amount which the plaintiff has invested by way of getting her legal fees along with the related expenses later. The plaintiff submits that after filing several petitions, counters, Memos, notices, examinations before the Advocate-Commissioner and before the Hon'ble Family Court Judge and after the plaintiff's Oral and Written arguments, the 7th defendant got a favourable order in the Family Court. The plaintiff submits that since the Hon'ble Family Court case has ordered in the 7th defendant's favour, her husband the 4th defendant went for Appeal numbered C.M.A.No.522/2009 & 523/2009 before the Hon'ble High Court, Chennai.
B) The plaintiff states that the 7th defendant's co-sister and also 4th defendant's own brother's wife named Mrs.Visalakshi Ramu Murugappan is in Canada and her partition suit (C.S.No.171/2007) against her husband the 6th defendant herein for her (minor) daughter's share in the co-parceners joint family properties before the Hon'ble High Court and the said 6th defendant herein filed a petition for divorce and custody of child (O.P.No.3312/2006) before the Family Court, Chennai against the above said Visalakshi before the Hon'ble III Addl. Family Court, which are still pending. Later the said Visalakshi filed (Tr.C.M.P.No.3993/07, C.R.P.494/07) before the Hon'ble High Court for the Family Court case. This case has been disposed of. Now the said Visalakshi is facing both the cases which are pending before the Hon'ble High Court and III Additional Family Court. (Originally her case was called in the II Addl. Family Court. Later it was transferred to III Additional Family Court, Chennai).
C) The plaintiff submits that the 7th defendant used to correspond with the said Visalakshi from 2003 (when she separated from her husband) through chat, E-mail and cell phone. While chatting, the 7th defendant referred the plaintiff's name to her co-sister and told the plaintiff's efforts to collect the evidences for the 7th defendant, the said Visalakshi was quite impressed and at the time she didn't have anyone advocate to represent her cases, so she called the plaintiff through phone and requested the plaintiff to look after her cases and other out of court services in the month of July 2008. Since theplaintiff was handling the 7th defendant's case, the 7th defendant also recommended Visalakshi's name to the plaintiff for handling her case. The said Visalakshi gave her case bundles to

the plaintiff through her earlier power agent name Mr.Jayakumar. The plaintiff and Visalakshi discussed about her case by Email and phone. Before Visalakshi personally came to India the plaintiff has searched and got original certified copies for Visalakshi's properties and gave photocopies of it to Visalakshi personally to keep them safe in her custody in the month of October 2008 and the Plaintiff assisted her to file Maintenance Case (M.C.No.491/2008) with all real facts written in the pleadings before the Hon'ble Family Court, Chennai. Even though Visalakshi paid for the plaintiff's services, she herself realized and understood the plaintiff's honest service, so Visalakshi believed the 7th defendant strongly. (But the 7th defendant has misused this strong belief later). The 7th defendant also voluntarily offered to help the Visalakshi by way of attending her cases as her Power of Attorney. As per the 7th defendant's wish, the Visalakshi appointed the 7th defendant as her power of attorney in the month of October 2008.

D) The plaintiff submits that though the power of attorney was registered in October 2008 the 7th defendant was unable to file a memo for the permission due to flood in November 2008 and the hearing date was adjourned to 19.01.2009. Hence the 7th defendant appeared on 19.01.2009 before the Family Court and presented a 'memo' (without getting SR.Number and seal) to permit her as the said Visalakshi's power of attorney. Though the Bench Clerk has received it, kept it on file, but the Hon'ble Family Court Judge refused to take it on file, and directed the plaintiff to file it in the filing section. Since the Hon'ble Judge directed the plaintiff to file it through office, the copy of memo was not served to the other side. When the plaintiff was waiting to get back the memo so as to file it in the office, they were asked to come and collect after the calling is over. Subsequently the plaintiff when she enquired the office, she was told by the office that she should file only Interlocutory applications rather than memo for the above purposes. The plaintiff submits that immediately they went to II Addl Family Court to get back the memo. Since the Bench Clerk was busy in calling in the Hon'ble Judges Chamber, they were asked to come to collect it on some other day. Hence the 7th defendant and plaintiff were unable to get the memo back immediately but left it in the court bundle itself. Mean while, the plaintiff prepared a required application and sent it to the said Visalakshi through email to get her sign. Subsequently the 7th defendant filed 2 Interlocutory Applications in the office on 21.01.2009 (SR.Nos.575 & 576 dated 21.01.2009 with office seal, Shereestadar's sign, Stamps with seal and Returns for re-presentation dated 23.03.2010 with Judge's sign) and on the same day they got back the said memo from the court bundle from the Bench Clerk. Next hearing was posted on 18.03.2009. The plaintiff submits that within this two days the 6th defendant and his advocates defendants No.9 & 10 jointly misused the court staff and taken a photocopy of the memo with enclosures. (the 4th defendant used to come with 6th defendant when 6th defendant's case comes before the Family court and when the plaintiff undertook Visalakshi's case the 4th defendant hasn't come but sending the 6th defendant's friend Mr.Raju Joseph to know the details).

E) When the 4th defendant and his brother the 6th defendant knew that the 7th defendant was Visalakshi's power of attorney, she was fraudulently directed by the 4th & 6th defendants through the 8th defendant Ram Laxman S/o.Mr.M.Laxman, for the purpose of collapsing the said Visalakshi's cases and damage all her documentary evidences (original certified copies of her properties, Encumbrance certificates, her minor daughter's bills, bank statements, locker statement, Canadian court documents, etc.). Even though she got Order for restitution, since the 7th defendant did not find any source to rejoin with 4th defendant, she wanted to use this opportunity, so she agreed to the above conspiracy of collapsing the said Visalakshi's case bundles. That bundle was with the plaintiff, so they find some source to create a misunderstanding with the plaintiff. Without knowing this conspiracy, soon after, the plaintiff asked for the said orally agreed fees from the 7th defendant on 18.3.2009 when she came to Chennai to attend her co-sister's case personally and also the plaintiff has sent her the bill by post. When the 7th defendant got the bill by post, she immediately insulted the plaintiff and her profession by vulgar language over phone without thinking of the plaintiff honest hard works and scolded the plaintiff indecently in her family and friends circle. From 20.03.2009 the 7th defendant didn't care about the plaintiff's legal fees and other charges and also to get back her case bundles. Finally without giving any information to the plaintiff, without the plaintiff's consent, the 7th defendant has filed 2 Copy Applications in the Family Court (C.A.Nos.1841/2009 & 1842/2009) on 15.6.2009 for both O.P.No.958/2003 and O.P.No.2418/2003 to get all the petitions and counters to create a new case bundle. The 7th defendant got all copies of the petitions and counters for both O.Ps. On 13.07.2009.

F) The plaintiff submits that when the plaintiff knew that the 7th defendant has collected all certified copies of documents from the family court without giving her fees and charges, then the plaintiff sent notice on 23.07.2009, the 7th defendant after discussion with the above defendants sent a reply on 09.09.2009. Since there was no other way, the plaintiff filed a Suit (on 18th September 2009) before the Hon'ble High Court (C.S.No.71/2010) against the 7th defendant for recovery of her legal fees Rs.7,00,000/- and professional charges for out of the court service Rs.8,55,000/-. In the said suit there was an application for leave to sue numbered A.No.5503/2009 it came before the Hon'ble Justice Mr.Rajasuriya who asked the plaintiff to negotiate this matter and ordered notice to the 7th defendant. The plaintiff has served notice. The 7th defendant's advocate Mr.K.Shahul Hameed appeared before the Hon'ble Court, Hon'ble Justice asked him to come to a settlement. Then again it came on 12.01.2010 to Hon'ble Justice Mr.Ramasubramaniam who also asked them to come to a settlement. There was no reply from the 7th defendant's side then it was ordered and then suit was numbered. The next application for furnishing security has also come under the Hon'ble Justice Mr.Rajasuriya, that time 4th defendant's advocate appeared, again Hon'ble Justice asked them to come for settlement and it was adjourned to 8th June 2010.

G) The plaintiff submits that on 18.03.2009 at night the 7th defendant called Visalakshi through phone and twisted the matter and forced Visalakshi not to have any contact with the plaintiff. When Visalakshi asked the 7th defendant as to why she instructed like this, she was not given any proper reply. Instead, the 7th defendant simply alleged the plaintiff for no reasons. But since the 7th defendant was acting as a power of attorney to Visalakshi, she was unable to refuse. As per the 7th defendant's instructions, Visalakshi asked the plaintiff to return her case bundles. Only for the purpose of collapsing Visalakshi's case and case bundles, the 7th defendant abused the plaintiff without paying her agreed fees and at the same time compelled the said Visalakshi to get back her case bundle from the plaintiff. When Visalakshi asked the plaintiff for her case bundle, she returned all her bundles through her earlier Power of Attorney Mr.Jayakumar's assistant on 06.05.2009. According to the above defendants conspiracy the said Visalakshi's case bundles have moved from the plaintiff but it was with Mr.Jayakumar. So that the 7th defendant compelled Visalakshi to come to India. Even though Visalakshi didn't have hearings on those days, since the 7th defendant was acting to Power to Visalakshi, since Visalakshi had strong belief on the 7th defendant, she came to India as per the 7th defendant's instructions without informing her arrival on 07.06.2009 and took rest.

H) The plaintiff submits that before Visalakshi's arrival to Chennai from Canada, without her knowledge and consent the above defendants No.1, 2, 4 to 10, 12 & 14 jointly appointed an Advocate M/s.Sudharshana Sundar for Mrs.Visalakshi, according to their conspiracy of collapsing Visalakshi's cases and case bundles and finally the above defendants got Sudharshana's accepted signature in a vakalat on 07.06.2009.

I) After Visalakshi came to India, she called the 7th defendant on 08.06.2009 by phone and the 7th defendant came on 09.06.2009 as if she came from Madurai and stayed with her in the Hotel and informed each and every movement of Visalakshi to the above defendants. For the purpose of dragging, the 7th defendant took her too many advocates at last the 7th defendant introduced their pre-arranged Advocate M/s.Sudharshana Sundar the 3rd defendant who came to the Nilgiris Store, Mylapore, which was directly below to her hotel as a casual meeting on 15.06.2009. On 17.06.2009 the 7th defendant and Visalakshi went to M/s.Sudharshana's office since M/s.Sudharshana asked Visalakshi to get sign in change of vakalat from Advocate Mr.Srinath Sridevan who was her erstwhile advocate, they both went out to get signature from M/s.Srinath Sridevan for her High Court cases and personally handed them over along with the case bundles (C.S.171/07, Tr.C.M.P., C.R.P.) to M/s.Sudarshana on the same night. Then the said Visalakshi gave her remaining case bundles along with the said original documentary evidences to the 7th defendant and told her to hand over them to M/s.Sudarshana. On the same night she went to Canada, the 7th defendant told the Visalakshi that she would take remaining case bundles to Madurai. On the same week i.e. on 12.06.2009 the above defendant No.9 filed the above said fraudulently taken photocopy "memo" before the Hon'ble High Court for Tr.C.M.P. and got Notice order on the same day but the Notice Order has some error. On 15.06.2009 Mrs.Visalakshi went to the Court to know the hearing dates for cases with the 7th defendant. When she enquired for Tr.C.M.P., she was informed about the Notice Order passed on 12.06.2009 and concerned clerk read out the Order and told her other side filed power deeds also. Visalakshi noticed the error, so she told the error to the 7th defendant, the 7th defendant kept silence there but informed to the above defendants, they arranged it to be listed immediately and got correction on the Notice Order on 17.06.2009 before Visalakshi leaving to Canada.

J) The said Visalakshi asked the 7th defendant to attend her cases and give her case bundles to M/s.Sudarshana. She told her that she gave her case bundles to M/s.Sudarshana but did not attend her cases but informed the Visalakshi that M/sSudarshana told her not to come to the family court. When she enquired M/s.Sudarshana, Visalakshi was told not to believe the 7th defendant. When Visalakshi asked the 7th defendant to attend her cases she shouted at her angrily and abused her badly. But according to their conspiracy the defendants No.3 & 7 both of them handed over the case bundle to the 4th & 6th defendants. Whenever the Visalakshi enquired M/s.Sudarshana for the cases, she misrepresented, wrongly guided, blamed and abused her. M/s.Sudarshana has done unethical and severe breach of Trust to the said Visalakshi. The plaintiff submits that later on the said Visalakshi understood that the 7th defendant cunningly cheated her and made her to change Lawyer. After knowing the cunningness and real colour of the 7th defendant and the advocate M/s.Sudarshana, Visalakshi asked M/s.Sudarshana to return her case bundles. M/s.Sudarshana did not return Tr.C.M.P. bundles and also her original documentary evidences. In the first week of April 2010 after getting back the buncle from M/s.Sudarshana, Mrs.Visalakshi informed the 7th defendant that she will conduct her case through the plaintiff only. After losing all her original documentary evidences and once again the said Visalakshi contacted the plaintiff through phone and E-mail and tendered apology and again and again requested the plaintiff to take up her case. Now the plaintiff is the only advocate handling the said Visalakshi's cases before the Hon'ble High Court and Family Court from 26th April, 2010 again. When the above defendants got the informations from 7th defendant, they immediately filed a complaint No.67/2010 against the plaintiff for not returning the 7th defendant's case bundles before the Bar Council of Tamil Nadu through the 7th defendant on 13.4.2010. Even though the 7th defendant has many chances to inform the same before the Court, she didn't inform and had enough time to file the same complaint before the Bar Council, she didn't file it. The plaintiff submits that it clearly proved the above defendants have planned to torture the plaintiff by using this tool later, if it is necessary. When the plaintiff went to file her reply for the complaint No.67/2010, the 15th defendant unnecessarily talked about the Visalakshi in front of the staff and at last he was warning indirectly to the plaintiff to withdraw the said Visalakshi's cases. At the time the plaintiff couldn't understand that why he was warning her like it.

K) In the mean time the said Visalakshi has filed a complaint numbered 141/2010 against the advocate M/s.Sudarshana Sundar through her power agent Mr.Somasundaram for her misconduct of not returning Visalakshi's Tr.C.M.P. case bundle and her original documents on 03.08.2010 before the Bar Council of Tamil Nadu. Her power agent got a letter from the Bar Council stated that the complaint got numbered as 141/2010 and what was the status about the complaint by post. In the mean time when the plaintiff and the power agent enquire the bar Council about their respective complaints, they were informed they will send every thing through post only but they did send Sudarshana's reply to Visalakshi's power agent. When the plaintiff inform to the Visalakshi about the 7th defendant's complaint against the plaintiff, she herself sent a letter directly about the conduct of the plaintiff to the Bar Council and then sent copy of it to the plaintiff to treat her letter as a supportive document like a witness. But the Bar Council treated it as a separate complaint, so they sent their format to the Visalakshi and asked her to send fees for the complaint. Visalakshi immediately informed the plaintiff about it, then the plaintiff gave a letter to the Bar Council to treat Visalakshi's letter as one of the supportive document with the plaintiff's reply. Even though the plaintiff enclosed the copy of the same in her reply filed before the Bar Council, they have sent the above format to her treating it as a separate complaint. The plaintiff submits that without knowing any of the fraudulent activities of the defendants, the plaintiff has filed an application of amending the plaint before the Hon'ble High Court in Visalakshi's case (Appl.No.7147/2010 in C.S.No.171/2007), the 6th defendant has filed a counter for the application. In that counter, they stated that "all the informations are after thought of the petitioner". The plaintiff enquired about it to the Mrs.Visalakshi. She sent all her emails between her erstwhile advocates Mr.Srinath Sridevan and Mrs.Sudarshana Sundar and her. Then the plaintiff perused the records in the High Court for C.S.No.171/2007 after duly serving the search memo on 24.03.2011, the plaintiff came to understand that her erstwhile advocates the defendants No.1 to 3 & 6th jointly mishandled her cases. Then the plaintiff applied certified copy for some documents along with dockets, the record section refused to give docket and also some of the documents. When the plaintiff inform this to Visalakshi who requested the plaintiff that to peruse the disposed bundles (Tr.C.M.P.3993/07, C.R.P.494/07) in the record section, since the record section didn't allow the plaintiff to peruse the documents but asked the plaintiff to bring the party in person for perusing the document. Hence the said Visalakshi came in the middle of August 2011 and filed 6 complaints before the Chief Minister Special Cell and those are forwarded to the Commissioner of Police, Chennai, then they forwarded it to E3 Police Station, Alwarpet, Chennai, the process are still pending against the defendant No.4, 6 & 7. The Assistant Commissioner of Police,E3 Police Station gave C.S.R. Reports to her power agent Mr.Somasundaram on 11.05.2012 only. (But the 12th defendant has written in her reply before the Council that the complaints seems to have been dropped).

L) The plaintiff submits that on 18.08.2011 when the said Visalakshi and the plaintiff peruse the records in the Hon'ble High Court disposed case records section after duly getting consent from Assistant Registrar (A.S.), the record section staff has not given the bundles to Visalakshi but he gave one by one record from the bundle. When she asked him repeatedly to show vakalat, he didn't show it, instead he was showing other records. When he was ready to show the vakalat the Assistant Registrar rushed to the section and stopped them to peruse the records and the Visalakshi and plaintiff requested him to show the vakalat then he showed a vakalat, they were really shocked after seeing it because in the said vakalat, the 7th defendant Annapurani signed as her power agent and it was accepted by advocate M/s.Sudarshana on 07.06.2009. From that day only the plaintiff and the said Visalakshi knew that M/s.Sudharshana Sundar was a pre-arranged advocate. Then the Visalakshi immediately gave a complaint to the Registrar(Judicial) to safe guard the bundle and next day on 19.08.2011 the Visalakshi and the plaintiff went to Deputy Registrar(A.S) and gave a petition to peruse the said bundle again, D.R (A.S) allowed them and they perused the records again in front of her, within the bundle they had seen the above said fraudulently taken photocopy 'memo' along with the above said Sudharshana's Vakalat. They they showed the vakalet and memo to the DR(A.S). That time there was no endorsement in the said memo. Later to safe guard the court staff they added "Filed in Court" "Court Officer initial and date".

M) After seeing all manipulation and mishandlings the said Visalakshi filed a complaint (No.1918/2011) before the Registrar (General), High Court, Chennai regarding the mishandling of Court bundle by 6th defendant and his advocates by misusing the Court staff in the High Court and Family Court by giving bribe to them. That is the first complaint. Then on 05.09.2011 the plaintiff informed the above mishandling before the Hon'ble III Addl Family Court Judge by filing a petition (SR.No.9254/11 is still pending before the Family Court. The plaintiff insisted many times to take action for it, but still the III Addl Family Court Judge is not taken any action on it, just as an eye wash, once it was returned on 10.1.2012, that also re-presented on 23.1.12 then also still there is no action on it), that was paused over after lunch for discussion in the Judge's chamber. When the plaintiff, Visalakshi's power agent, the above defendants No.6,10 & 11 discussing the same with the

Hon'ble Family Court Judge, this matter which was heard by the Bench Clerk who suddenly searched the bundle and showed a "memo" (in that memo many endorsements were there along with Judge's sign in green ink but there was no SR.No and official seal). The plaintiff has seen this fabricated memo in front of the Family Court Judge and the defendants No.6,10 & 11 which was taken by the Bench Clerk from the concerned bundle when the plaintiff discussed about the IA. That was also complained to the Registrar (General), High Court, Chennai for which process is still pending. This is the second complaint but the same complaint number.

N) The plaintiff submits that after giving the first and second complaint to the Registrar (General) the said Visalakshi through her power agent arranged another one complaint to file against the 3rd defendant along with other defendants No.9 to 12 for all the above misconducts before the Hon'ble Bar Council on 05.09.2011. But the 15th defendant refused to take it on file and informed the power agent that the Visalakshi cannot file one more complaint against the same advocate. The 15th defendant did not want to know what was written inside. And so Visalakshi was not able to inform the Council about the 3rd defendant's misconduct. (i.e. she has hidden that she was a pre-arranged advocate, misrepresented, fabricated, cheated the Council, breach of trust and unethical, handed over the Visalakshi's case bundles to the above defendants, manipulated the Vakalats). After deleting the 3rd defendant's name in the complaint again through her power agent Visalakshi gave a complaint against the defendants No.9 to 112 before the Bar Council on 25th November 2011 then also the 15th defendant did not entertain to take it on file and the power agent informed Visalakshi, she requested the plaintiff to file the said complaint. The plaintiff went and asked the 15th defendant as to what reasons he did not take it into file. He couldn't tell any proper reasons but simply he wanted to reject so he said that the power of attorney is not a special power. At last he admitted but told the plaintiff that he will return it. The plaintiff accepted for the returns with the reasons. Later they numbered as (complaint No.173/2011) for her next complaint against the defendants No.9 to 12. It is clearly proved from the above that there was collusion between the above defendants.

O) At last the said Visalakshi's Power agent got an Order from the Council stating that 'complaint (No.141/2010) was dropped'. And it is clearly proved from the above facts that there was collusion between the above defendants. The Bar Council didn't send the reply of the 3rd defendant, so that the said Visalakshi through her power agent sent letters to get replies of the 3rd and 9 to 12 defendants on 25th Mar,2012. The plaintiff submits that in the M/s. Sudharshana Sundar's reply, she has suppressed all the facts and all her fraudulent activities and wrongly alleged Visalakshi and also filed fabricated documents. And the defendants No.9 to 11 have totally suppressed the first complaint 'memo' and wrongly twisted the entire facts of second complaint "memo" and their list of documents clearly proved that how much they involved to collapse the Visalakshi's case and case bundles. And the 12th defendant totally suppressed all the facts, even though she severely involved everything, purposely suppressed all the facts but her list of documents clearly proved there was collusion between all the above defendants.

P) The plaintiff submits that since she had more doubts, she again after duly serving the search memo, on 28.09.2011 perused the records (C.S.171/2007). She found some more manipulations have been done in the records and some of the records also missing in the case bundle. Then immediately she gave a letter to the Registrar (Judicial) on 30.09.2011 and then she gave a letter to the Deputy Registrar (O.S) and asked her to peruse the records again. She asked a search memo. After filing search memo, when the plaintiff perused the records in front of the DR(O.S) on 1.4.2012, she has seen some more manipulations and some records are not found. When she enquired the D.R(O.S) about it, she asked the plaintiff to come next day but many next days went, but the D.R(O.S) said that she is still searching the missing records. When the Plaintiff perused the records there the plaitniff has seen the defendants No.1,2 & 6 jointly manipulated many things with the help of the Court Staff. When the Plaintiff perused the records and applied for certified copies for some records, the court staffs were not allowing the plaintiff to do and also to get certified copies. The Plaintiff submits that the D.R(O.S) and the staff in the record section knew very well about the missing records but they are still keeping in silence. When the plaintiff enquired the record section and

DR(O.S) on 22.06.2012 who informed that still they are searching for the missing records.
Q) The Plaintiff submits that the Visalakshi has filed a case against her husband for divorce, custody of child and the right of undertaking the business in the month of September 2006 in Canada. After filing the case in Canada, the Visalakshi approached an advocate Mr. Srinath Sridevan, the 1st defendant through on line. When the 1st defendant himself cunningly suggested for the partition suit only and asked the Visalakshi to come to India. Then in the month of November 2006, the said Visalakshi came and entrusted the above suit to the 1st defendant. The Plaintiff states that since the Visalakshi is in Canada she is unable to come to India often and so she gave informations and instruction through phone and emails to the 1st defendant. And apart from that, the 1st defendant also collected so many informations from her Canadian Lawyer through phone and emails. Subsequently she was asked by him to come to Chennai for two weeks for filing. The plaintiff submits that when the Visalakshi came to Chennai the 1st defendant introduced the 2nd defendant as his partner advocate, she came to Chennai on 20.11.2006 from that day onwards the Visalakshi was running pillar to post to collect so many documents relevant to the case and she has handed over all the documents to the 1st & 2nd defendants for filing purpose. Then they promised her that they would file the above suit as per her instructions and in turn the 1st defendant received post dated cheque for filing the suit on 20.11.2006 itself. They took 10 days to prepare the plaint and showed her on 29.11.2006 only to sign the plaint. Since the material portion of the pleading in the plaint does not run more than two paragraphs, she questioned them for the above; the 1st defendant replied that those pleading were not at all necessary to include them in the partition suit. At the time she insisted him to include but he refused her suggestion very rudely. Next day i.e. On 30.11.2006 again he called her and said the plaint has some correction. When she went to his office he got her sign and asked her to collect Chennai Family court petitions filed in 2000 (which has filed by the 6th defendant for Divorce and her petition for restitution). She rushed to the Family court and filed copy application and she appeared before the Principal Family court Judge and requested him for certified copies of her family court case papers. Immediately she received certified copies of both petitions and she gave them to the 1st defendant. The 1st defendant knew very well she had to return to Toronto, Canada on 31.12.2006 midnight flight. Due to shortage of time and also due to the fees which she has paid to the 1st defendant, she had no other choice but to go with the 1st defendant's advice, believing that the 1st defendant was doing it in the best interests of the suit. But what she did not know was that these omissions were done by 1st & 2nd defendant purposely. It only came to her knowledge later that 1st defendant is very close relationship with 4 & 5th defendants. So even before her suit was filed it was compromised by the 1st defendant in alliance with the 4th and 5th defendants. To prevent her from hiring another advocate the 1st defendant filed the Partition suit with lack of real facts just as an eye wash even though the 1st defendant is well versed in law and knowing the value of pleadings in the suit. Further more, the said Visalakshi was forwarding a series of emails sent and received from 1st defendant where in he denies the fact that the 6th defendant was being represented by a lawyer and only admitted the same after 9 months. So due to the inaction and omissions by the 1st & 2nd defendant, she decided to take back her files and entrusted them to a new lawyer. After getting back her files, she came to understand 1st and 2nd Defendant had manipulated her partition suit by many ways. The plaintiff has many documentary proofs for their breach of Trust, manipulation , fabricated documents, threatening and cheating and also giving wrong informations and also forgery.
R) The plaintiff humbly states that the said Visalakshi's friend's advocate appointed one advocate Mr. Ellamurgan to represent the visalakshi's Tr.C.M.P and C.R.P(PD) petitions before the Hon'ble High Court and also to assist in the Family Court Cases. The plaintiff humbly states that he has done very honest service to Visalakshi but without informing the said Visalakshi's and her Power agent Mr. Jayakumar, the said advocate Mr. Ellamurgan represented before the Hon 'ble High Court in her Tr.C.M.P cases that he voluntarily wanted to withdrawn from the said Visalakshi's cases and returned her cases bundles to her power agent.
S) The plaintiff submits that The Registrar (General) and other official staff clearly understood the

fraudulent activities of the above defendants, when they verified the records for Visalakshi's both the first and second Complaints (C.1918/11). Their main aim is to protect all the above defendants from the above said fraudulent activities of manipulation, cheating, misrepresentation and forgery and at the same time to safe guard the court staffs' from their misconducts. But, at the same time they have to give something as a report to Visalakshi for her both the complaints and they knew very well that the plaintiff is the only advocate representing for her in India. Instead of giving a report for her complaints, they all jointly decided to stop the plaintiff to represent for the Visalakshi. Even though the plaintiff has already filed a suit for recovery of her legal fees and her professional charges before the Hon'ble High Court now for the pecuniary jurisdiction it was transferred to Fast Track V at Chennai (O.S.No.11987/2011), even though the 13th defendant filed Written Statement for the 7th Defendant before the Fast Track V at Chennai for O.S.No.11987/2011 on 28.02.2011, even though the 7th defendant's co-sister, the said Visalakshi sent directly and the plaintiff also enclosed her letter in her reply as a supportive document for the 7th defendant's complaint No.67/10, without considering anything above, the Bar Council has referred the 7th defendant's complaint against the plaintiff to the Disciplinary committee III (D.C.C.No.80/2011) on 22.10.2011 under Resolution No.250/11, to give severe torture (physically and mentally) to the plaintiff. Only for the purpose of this torture is the plaintiff is the only advocate representing for the said Visalakshi before the Courts. The plaintiff state that to hide their cunningness for the above action, just as an eye wash, the Registrar (General), High Court, Chennai gave a "Report" for Visalakshi's first complaint No.1918/11 on 03.04.2012 to the plaintiff. In that Report which stated that there was no endorsement in that 'memo' other than "filed in court" and court officer initial with dated 12.06.2009 along with unnecessary opinions to safe guard their court staff. The plaintiff humbly submits that they are very much concern about the Vishalakshi's second complaint. They are waiting for the action of the Bar Council against the plaintiff. For that only they have kept as pending for long time without disclosing their report for Visalakshi's second complaint.

T) The plaintiff submits that the 15th defendant purposely didn't entertain the said Visaslakshi's second complaint before the Council against the defendants No.3 along with 9 to 12 on 05.09.2011 given by her power agent after perusing the records. After deleting the 3rd defendant's name, when the Visalakshi through her power agent went to file the third complaint before the Council, the 15th defendant forced to reject to take it on file. He said the reasons that the power deed is not a special power. Later he accepted on condition that he will return it. And at the same time if the 15th defendant gives proper respect to the Courts, he should not allow the 7th defendant to file a complaint against the plaintiff for any reasons when the plaintiff already filed a suit for recovery of her legal fees and charges before the Hon'ble High Court, as how he replied for the Visalakshi's complaints. Further the 15th defendant himself should strictly insist and instruct the 7th defendant to give proper respect to the Courts and he would ask her to file a petition for the same reason before this Hon'ble Court when she already appointed advocate for the above suit. He did not do anything. Hence it is clearly proved there was collusion between the above all defendants. And the 7th defendant has appointed an advocate Mr.Shahul Hameed to represent her before the Hon'ble High Court for the suit before filing this complaint. The 7th defendant has full rights to represent if she has any difficulties through her lawyer or by herself before this Hon'ble Court before filing the complaint in the Council. Even the 7th defendant had enough chances and times to file the same before the Council also. But the 7th defendant didn't ask anything before the Hon'ble court, even though she appointed advocate and also her advocate represented many times s for her before this Hon'ble Court. If the 7th defendant really wanted her bundle and if she really trusted the court, she would come and ask the Court only. Hence it is clearly proved that for the purpose of hiding and protecting her fraud and other defendants' misconduct in Visalakshi's case and case bundles, she filed the complaint against the plaintiff before the Council. Further when the 13th defendant represented for the 7th defendant before the Fast Track Court, she would file a petition so far, but she did not file any petition. The 13th Defendant has filed Written Statement for the 7th defendant before the Fast Track Court V at Chennai. Therefore It is clearly proved there was collusion between the above all defendants. The plaintiff further state that the 4th defendant already collapsed his brother the 6th defendant's family and he wanted to exploit the 6th defendant's whole properties. For that the 4th defendant didn't allow any advocate to represent on behalf of the said Visalakshi before the Hon'ble Courts. If any advocate the said Visalakshi appoints on behalf of her, the 4th defendant by giving intolerable pressure to them through the 5th defendant the Senior Counsel Mr.AR.L.Sundarasan S/o. the Hon'ble Supreme Court Retd Justice Mr.A.R. Lakshumanan to make them to bind to accept to do all fraudulent activities in Visalakshi's cases like how the Visalakshi's erstwhile advocates the above defendants No.1,2 & 3 did in her cases. If anyone does not bind to accept the 4th & 5th defendants' words, they give severe torture to them by many ways. Even though the Bar Council knew very well that the advocate Sudharshana's all fraudulent activities, they passed Order stating that complaint was dropped. Since the plaintiff is the only advocate representing for the Visalakshi that is the only reason, now the plaintiff is suffering a lot by all the ways, even though the plaintiff already filed a suit for recovery of her legal fees and her professional charges before the Hon'ble High Court now for the pecuniary jurisdiction it was transferred to Fast Track V at Chennai (O.S.No.11987/2011). The plaintiff submits that because of the above all defendants' joint force with malafide intention, there was no progress even she filed a simple petition before the Fast Track Court V at Chennai. The Bar Council is not sending anything and not giving any informations. If it is so, how could the plaintiff expect Fair Justice from the Bar Council. When the Bar council didn't consider 7th defendant's co-sister's supportive letter for the plaintiff about the conduct of the plaintiff but the same Council considered Sudharshana's bogus documents as supportive documents for her, It looks like the above defendants used the Bar Council as their own Fort and procedure. It is not a word of mouth, the plaintiff has all the documentary proofs and also Hon'ble courts' bundles for the said Visalakshi's cases itself is enough for the proof for the misconduct for the above all defendants. When the plaintiff have seen the replies of the defendants No.3 and 9 to 12 filed before the Council, they entirely twisted the facts and their list of documents only showed how much they all jointly collapsed the Visalakshi cases. The 13th and 14th defendants misrepresented and supporting the 7th defendant's all fraudulent activities especially within the court's bundles and at the same time supported other defendants fraudulent activities and guided them to fabricate fraudulent documents and cheating the Courts and Council. The plaintiff submits that the 7th defendant's notice, written statement filed before the court and her complaint, and her oral representation before the committee, she unnecessarily pronounced the name Mr.AR.L. Sundarasan just like mantra to show their man power and at the same time to hide her fraudulent activities and also to protect other defendants from their misconducts. Further the 6th defendant unnecessarily filed his marriage photo along with the Hon'ble Supreme Court Retd Justice Mr.A.R. Lakshmanan and his family in his Written Statement (C.S.171/2007) as one of the list of documents and the same photo filed for Tr.C.M.P's counter also by him. Photo is not necessary for both the cases. Even though they are running own photo studios and they only took photo for their marriage, they are wantonly using their name and photo before the Courts and Council to show their man power and money power. The Plaintiff submits that by showing their man power and money power that itself immediately and directly affected the plaintiff before the Courts and the Council and also defaming the plaintiff's name. Since this kind of torture and harassment is giving mental agony, monitory loss, disturbing her work, distract other clients' works, severely threatened to the plaintiff about her legal practice and profession in near future, spoil the plaintiff's health and defame between friends and relative circle to the plaintiff, no other way to the plaintiff than to file this suit. Hence the plaintiff requested this Hon'ble Court to recover from the mental torture, monitory loss, severe threatens about her near future, physical torture, harassment and defame by giving monitory compensation as reasonable remedy for it.

5). The Plaintiff humbly submits that the defendants No.4,6 to 8 are absolute owners of many properties situated in and around Chennai and 4th defendant only is taking care of all the properties and he himself appointing advocate for him and for his brother the 6th defendant and for his wife the 7th defendant and he himself using benefits of all their properties and their income and also he

himself spending money for their court expenses and other expenses.
6). The plaintiff states that the cause of action in filing this case arose at Chennai in the month of July 2008 when the said Visalakshi approached and asked the Plaintiff to assist her in her family court cases (O.P.No.3312/2006) and obtaining documents and collecting evidences for the purpose of the case, On 07.06.2009 when the above all defendants appointed an Advocate M/s Sudharshana Sundar for Visalakshi for the purpose of collapse her cases and her cases and case bundles before the Visalakshi's arrival from Canada without her consent and knowledge, On 15.06.2009 when the 7th defendant introduced M/s Sudharshana Sundar to Mrs.Visalakshi as a casual meeting, without inform anything about as she was a prearranged advocate for Visalkshi, On 17.06.2009 when the 7th defendant & Visalakshi personally handed over her vakalets to Sudharshana, On 13.07.2009 when the 7th defendant created a new case bundle for her case without the plaintiff's knowledge, In the first week of April 2010 when the said Visalakshi's case bundle moved from Sudharshana Sundar, In the first week of April 2010 when the said Visalakshi informed the 7th defendant that she will conduct her case through the plaintiff only, On 13.04.2010 when all the above defendants have jointly planned and by the 7th defendant filed the complaint (No.67/2010) before the Bar Council against the plaintiff, through the complaint they indirectly started to torture the plaintiff, physically and mentally to withdraw the above said Mrs.Visalakshi's cases and also defame the plaintiff's name, even though the plaintiff already filed a suit for recovery of her legal fees and her professional charges before the Hon'ble High Court in September, 2009 (now for the pecuniary jurisdiction it was transferred to Fast Track V at Chennai still it is pending before the Fast Track Court V at Chennai), when the said Visalakshi requested the plaintiff again to undertake her cases, On 26.04.2010 when the plaintiff undertook Visalakshi's cases (C.S.No.171 of 2007) before the Hon'ble High Court and O.P.NO.3312 of 2006 and M.C.No.491/2008 before the Family Court), on 03.08.2010 when the said Visalakshi filed a complaint No.141 of 2010 against Sudharshana Sundar before the Bar council of Tamilnadu for not returning her bundles and original documents. On 18.10.2010 when the plaintiff assisted Visalakshi in the II Additional Family Court to file counter for the OP, reply Counter for M.C. And petition for recovery of Visalakshi's properties. On 18.11.2010 when the plaintiff filed an application to amend the plaint for Visalakshi in (A.No.7147/2010 in C.S.No.171 / 2007) before the Hon'ble High Court. On 28.02.2011 when the 13th defendant has filed written statement for the 7th defendant before the Fast Track Court V at Chennai in OS No.11987/2011. On 18.08.2011 when the plaintiff and Visalakshi perused the records for (Tr.CMP 494 /2007 & CRP 3993/2007) saw Sudharshana Sundar's Vakalet signed by the 7th defendant, from that day only Visalakshi and the plaintiff knew that Sudharshana Sundar was a prearranged advocate, on 19.08.2011 when Visalakshi and the plaintiff saw the above defendants fabricated memo, on 20.08.2011 when Visalakshi has given first complaint No.1918/2011 before the Registrar (General), on 05.09.2011 when the plaintiff has seen another one fabricated memo with some endorsements in the Family Court Judge's Chamber in front of the family Court Judge along with defendants no.6,9 & 10. On 07.09.2011 when Visalakshi has given second complaint before the Registrar (General), On 05.09.2011 when the said Visalakshi through her power agent gave a second complaint before the Bar Council against the defendants No.3 & 9 to 12 but 15th defendant refused to entertain, On 25.11.2011 when after deleting the 3rd defendant's name the said Visalakshi through her power agent gave a complaint before the Bar Council against the defendants no.9 to 12 for their misconducts but 15th defendant refused to take it on file, then accepted, later they number it (173/2011), when the Bar Council passed a resolution that the complaint No.141/2010 was dropped on the basis of the above defendants' strong recommendation and her bogus documents, without sending Sudharshana Sundar's reply to Visalakshi. On 20.10.2011 when the complaint No.67/2010 against the plaintiff passed to the Disciplinary committee without considering any of her documents, on 25.03.2012 when by giving authorization letter through her agent Visalaksi collected the replies for the complaint no.141/2010 and 173/2011 from the Bar Council, in those replies the defendants no.9 to 12 did not disclose the first complaint fabricated "Memo" before the Council, even though they only filed before the Hon'ble High Court and in the 3rd defendant reply clearly showed her

breach of trust and cheating. On 03.04.2012 when the Registrar (General) gave "Report" for the first complaint and the second complaint is still pending, when the Bar Council is keep on pending to pass order for the complaint no.173/11 filed against the defendants no.9 to 12, before passing order to the above complaints, they are cunningly trying to pass unfavourable order against the plaintiff for the purpose of hiding and protecting the above defendants from their misconducts in Visalakshi's case, since the plaintiff is the only advocate representing for the Visalakshi well within the jurisdiction of the Hon'ble Court where the defendants (4,6 & 7) cases are pending before the Hon'ble Court at Chennai.
7). The value of the suit for purposes of the court fees and jurisdiction is Rs.30,00,000/- and a Court fee of Rs.33,525 is paid u/s 22 for the prayer (A) and the value of the prayer (B) for purposes of the Court fees and Jurisdiction is Rs.1000/- and a Court Fee of Rs.75 is paid u/s Section 27(c) and for the prayer C&D when it is general and a Court fee of Rs.1000 is paid u/s Sec 50(iv) and so totally the Court fee of Rs.34,600 is paid of T.C. & S.V. Act 1955 & Appendix 1A of the High Court Fees Rules 1956.

8). The Plaintiff therefore prays that this Hon'ble Court may be pleased to pass a decree and Judgment as follows:-

A) Directing the defendants to pay the plaintiff a sum of Rs.30,00,000/- for her defame, disturbing her work, mental torture, monitory loss, physical torture, severe threatens to the plaintiff about her practice in near future and harassment as monitory compensation.
B) Directing the Bar Council of Tamilnadu & Puduchery to dismiss the complaint 67/2010 filed by the 7th defendant against the plaintiff (especially filed for the purpose of hiding and protecting the above defendants from their misconducts in some other case i.e. The Visalakshi's case) that has now referred to Disciplinary Committee No.III (D.C.C.No.80/2011) for the same reason, when the plaintiff already filed a suit before this Hon'ble High Court and it is still pending before the Fast Track Court V at Chennai (O.S.No.11987/2011) and also cancel the Order dated 23.12.2011 and all further proceedings of the Bar Council for the above complaint.
C) Directing the Bar Council of Tamil Nadu & Puducherry to reject initially if any complaints comes against an advocate before the Council when the advocate becomes a party in person for his own case and that itself is pending before any court, if the complainant is having more opportunity to represent his difficulties before that court by himself or through his lawyer.
D) By using this Hon'ble Court's their own inherent powers, kindly direct the Family Courts to get consent from the party's advocate when the party applies for certified copy, especially for the disposed case/s.
E) Directing the Defendants to pay the cost of the suit.
F) Granting such other reliefs as this Hon'ble Court may deem fit and necessary in the circumstances of the case."

4. As already noticed above, the prayer is to reject the plaint, firstly, on the ground that the pleadings even if taken on the face value do not show any cause of action, against the defendants/respondents and secondly, that the relief claimed by the plaintiff is barred under law.

5. In spite of two opportunities, the plaintiff is not present.
6. A counter has been filed to the applications. In the counter, the stand of the plaintiff/non-applicant is that of denial of averments in the applications by asserting that the applicants want to hide their misconduct and also to protect other defendants of their misconduct in this Court.

7. The allegations have been made that the order of suspension against plaintiff was passed even though she filed a suit for recovery of damages.

8. It is also the case of the plaintiff/non-applicant, that the applications do not disclose how the plaint does not disclose any cause of action or how it is barred by law.

9. An interesting stand is taken, that the cause of action has been shortened by the plaintiff to be disclosed later, as there were likelihood of defendants/applicants to withhold the evidence from the Court bundle in Vishalakshi's case.

10. The allegations against defendant No.9 is that he is the main supporter of the entire misconduct.

11. A plea is also raised that the plaintiff/applicant conducted the case in good faith.

12. In sum and substance, in the counter again allegations have been made, as in the suit.

13. The learned counsel for the applicants vehemently contends, that even if the pleadings in the plaint are taken on the face value, no cause of action is made out to claim damages against the defendants. It has not been disclosed as to why the persons who alleged to have defamed or ill-treated could not come to Court to claim their right, and as to how the plaintiff in her individual capacity could claim the damages for the wrong done by the others.

14. The learned counsel for the applicants are right in contending that the suit is barred under law as this Court does not have the jurisdiction to dismiss the complaints which has resulted in final order. It is always open to the plaintiff/non-applicant to challenge the order passed by the Bar Council or take appropriate proceedings in accordance with law. Certainly the complaint which has already resulted in passing of final order cannot be set aside or quashed.

15. Similarly, the prayer that the Bar Council of Tamil Nadu and Pondicherry should be directed to reject any complaints against the defendant is also not sustainable, as such a relief is barred under Section 41 of the Specific Relief Act, as this Court cannot restrain the statutory body from performing their function, when no illegality or breach is shown.

16. Moreover, no general direction can be issued to the statutory authority in performing the statutory duty.

17. The learned counsel for applicants therefore is right in contending that the suit is barred under law.

18. The other prayer directing the Family Court to get consent from the party-counsel to issue order copies in the disposed of cases is also not warranted as the framing of rules by the Honourable Court is an administrative function, and not a judicial function, therefore, no such order can also be passed in the suit. The reading of the averments in the plaint, even if taken in face value, does not disclose any cause of action to maintain the suit, and the relief claimed is also barred under law.

19. For the reasons stated , both the applications are allowed.

20. The plaint is ordered to be rejected, for not disclosing the cause of action and being barred under law. No costs.

glp