

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2015

CORAM

THE HON'BLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.12989 of 2014
and
M.P.No.1 of 2014

C.S.Lakshmi

.. Petitioner

Vs.

The Secretary
Bar Council of Tamil Nadu and Puducherry,
Bar Council Building,
High Court Campus,
Chennai 600 104.

.. Respondent

Petition under Article 226 of the Constitution of India
praying for the issue of a writ of Certiorari calling for the
records in the orders bearing R.O.C.Nos.1176 of 2014 dated
17.03.2014 passed by the respondent and quash the same.

For Petitioner : Mr.C.Prasanna Venkatesh
For Respondent : Mr.S.Y.Masood, Standing Counsel

O R D E R

(Made by V.Ramasubramanian,J)

The petitioner has come up with the above writ petition
challenging the communication of the Bar Council of Tamil Nadu,
rejecting her application for enrolment as advocate on the
ground that on the date on which she joined the Law Degree
Course, she was above 35 years of age.

2. We have heard Mr.C.Prasanna Venkatesh, learned counsel
for the petitioner and Mr.S.Y.Masood, learned Standing Counsel
for the Bar Council of Tamil Nadu.

3. There is no dispute on facts that the petitioner joined
the Law Degree Course after crossing the age limit prescribed
under Clause 28 of Schedule III to Rule 11 of the Rules of Legal
Education, 2008, framed by the Bar Council of India. But the

said Rule was struck down by the High Court of Punjab and Haryana Rajan Sharma v. Bar Council by an order dated 20.10.2011, in W.P.No.20966 of 2010. Therefore when the State Bar Council rejected the application of the petitioner for enrolment, the petitioner came up with the above writ petition.

4. But during the pendency of the above writ petition, a Division Bench of this Court passed a judgment in W.P.(MD) No.9533 of 2015 dated 7.8.2015 [B.Ashok Vs. Secretary, Ministry of Union Law and Justice, Government of India, New Delhi] upholding the validity of Rule 28 and striking down the resolution passed by the Bar Council of India withdrawing Rule 28. Therefore, the law as such stand today as per the decision of the another Division Bench of this Court does not entitle the petitioner to grant the relief sought for. Hence, the writ petition is dismissed. There will be no order as to costs. Consequently, M.P.No.1 of 2014 is closed.

gr.

s/d-
Assistant Registrar(Ad-I)

True Copy

Sub-Assistant Registrar

To

The Secretary
Bar Council of Tamil Nadu and Puducherry,
Bar Council Builindg,
High Court Campus, Chennai 600 104.

+ 1 cc to Mr.S.Y.Masood, Advocate SR 54952

+ 1 cc to Mr.C.Prasanna Venkatesh, Advocate SR 54621

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W.P.No.12989 of 2014

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