

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.7.2015

CORAM

THE HONBLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.20943 of 2015

C.Moovendran

.. Petitioner

Vs.

The Secretary
Bar Council of Tamil Nadu and Pondicherry
High Court Buildings
Chennai.

.. Respondent

Petition under Article 226 of the Constitution of India praying for a writ of Mandamus to admit the petitioner as an advocate in the rolls of the Bar Council of Tamil Nadu and Pondicherry on the basis of the petitioner's application dated 21.7.2014.

For Petitioner : Mr.E.P.Senniyangiri

For Respondent : Mr.S.Y.Masood

O R D E R

(Made by V.Ramasubramanian,J)

The petitioner, whose application for enrolment as an Advocate was not entertained by the Bar Council on account of the pendency of a two criminal case, has come up with the above writ petition challenging an order passed by the Bar Council.

2. Heard Mr.E.P.Senniyangiri, learned counsel for the petitioner and Mr.S.Y.Masood, learned counsel for the respondent.

3. Admittedly, there were three criminal complaints in Crime Nos.13 of 2013, 164 of 2012 and 160 of 2012 lodged against the petitioner. In the first case, the petitioner was acquitted and in the second case, he was discharged. The third case was closed as

mistake of fact. However, the petitioner has not disclosed the pendency of the criminal case in his application form for enrolment. Therefore, the application of the petitioner was rejected by the Bar Council.

4. Contending that there was a civil dispute between the petitioner and his paternal uncle, which also led to a criminal case and that no case is pending as on date, the petitioner came up with the above writ petition.

5. In view of the fact that though a criminal case was pending at the time of submission of the application by the petitioner, the said case has ended in acquittal and therefore, no complaint is actually pending against the petitioner as on today. Hence, there is no impediment for the admission of the petitioner for enrolment. Therefore, the writ petition is allowed directing the respondent to process the application of the petitioner in accordance with law and admit him for enrolment if all other qualifications are satisfied and certificates are in order. There shall be no order as to costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

kpl

To

The Secretary
Bar Council of Tamil Nadu and Pondicherry
High Court Buildings, Chennai.

1cc to Mr.M. Murugan, Advocate sr.no.36849
1cc to Mr.S.Y.Masood, Advocate sr.no.37156

W.P.No.20943 of 2015.

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srg 05.08.2015

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