

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.7.2015

CORAM

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

Writ Petition No.21666 of 2015

V.Ramaiah

...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 directing the respondent to admit the petitioner as an Advocate for enrolment of Bar Council of Tamil Nadu and Pondicherry on the basis of the petitioner's application submitted before the respondent.

For Petitioner : Mr.R.Krishnan

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 rejected by the Bar Council on account of the pendency of a criminal case, has come up with the above writ petition.

2. Heard Mr.R.Krishnan, learned counsel for the petitioner and Mr.S.Y.Masood, learned counsel for the respondent.

3. Admittedly, there was a criminal case in Crime No.40 of 2012 on the file of Suthamalli Police Station lodged against the petitioner and the same was taken on file in S.C.No.401 of 2014 on

the file of Sessions Court, Ambasamudiram. On 07.7.2015, the petitioner was acquitted. However, the petitioner has not disclosed the pendency of the criminal case in the application form and therefore, the Bar Council has rejected the application of the petitioner.

4. Contending that he was falsely implicated as the accused, that now no criminal case is pending against him and that therefore, there is no bar for enrolment, the petitioner has come 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.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kpl

To

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

1 CC to Mr.R.Krishnan, Advocate SR.No. 39046

1 CC to Mr.S.Y.Masood, Advocate SR.No. 39053

W.P.No.21666 of 2015

PSI (05.08.2015)