

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.8.2015

CORAM

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

Writ Petition No.24757 of 2015

M.Rajaram

.. Petitioner

Vs.

The Bar Council of Tamil Nadu and Puducherry
through its Secretary
High Court Campus
Chennai 104.

.. Respondent

Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondent to admit the petitioner for enrolment as an Advocate and enter his name in the rolls of the Bar Council of Tamil Nadu and Puducherry.

For Petitioner : Mr.R.Vasudevan
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 criminal case, has come up with the above writ petition.

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

3. Admittedly, there was a criminal complaint pending in Crime No.422 of 2011 on the file of Serndamaram Police Station, against the petitioner. On 23.6.2015, the said case was closed as "mistake of fact" by the file of Judicial Magistrate, Tenkasi. 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 not entertained by the Bar Council.

4. Contending that no criminal case is pending against him and therefore, there is no bar for entertaining his application for enrolment, the petitioner has come up with the above writ petition.

5. Admittedly, 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/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

kpl

To

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

+1 cc to Mr.S.Y.Massod, Advocate sr.42141

W.P.No.24757 of 2015

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