

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.9.2015

CORAM

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

Writ Petition No.25451 of 2015

N.Rajendiran .. Petitioner

Vs.

1. The Chairman
Bar Council of Tamil Nadu and Puducherry
High Court Building
Chennai.

2. The Secretary
Bar Council of Tamil Nadu and Puducherry
High Court Building
Chennai.

3. The Secretary
The Enrollment Committee
Bar Council of Tamil Nadu and Puducherry
High Court Building
Chennai.

.. Respondents

Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to consider the petitioner's application dated 06.5.2013 for enrolment, in view of representation dated 24.7.2015 and direct them to enrol the petitioner in the rolls of the Bar Council of Tamil Nadu and Puducherry.

For Petitioner : Mr.S.Arivazhagan
For Respondents : 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 cases, has come up with the above writ petition.

2. Heard Mr.S.Arivazhagan, learned counsel for the petitioner and Mr.S.Y.Masood, learned counsel for the respondents.

3. Admittedly, there were two criminal complaints pending in Crime Nos.547 of 2008 and 504 of 2009 on the file of Thiruvavarur Town Police Station, against the petitioner. In both the cases, the petitioner was acquitted. However, the petitioner has not disclosed the pendency of the criminal cases 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 made a representation to the respondents 1 and 2 on 24.7.2015. As there was no response from the respondents, 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 respondents 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

1. The Chairman
Bar Council of Tamil Nadu and Puducherry
High Court Building, Chennai.
 2. The Secretary
Bar Council of Tamil Nadu and Puducherry
High Court Building, Chennai.
 3. The Secretary
The Enrollment Committee
Bar Council of Tamil Nadu and Puducherry
High Court Building, Chennai.
- +1 cc to M/s.S.Arivazhagan, Advocate, sr.47020
+1 cc to M/s.S.Y.Masood, Advocate, sr.47172

W.P.No.25451 of 2015.

mp co, kra 23/09