

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.25558 of 2015

R.Santhosh Kumar

...Petitioner

Vs.

The Secretary
Bar Council of Tamil Nadu and Puducherry
High Court Buildings
Chennai 600 104.

...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 in the rolls of the Bar Council of Tamil Nadu and Puducherry based on the application submitted by the petitioner on 20.4.2015.

For Petitioner : Mr.L.Uthaya Kumar

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 cases, has come up with the above writ petition.

2. Heard Mr.L.Uthaya Kumar, 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.25 of 2015 on the file of Prammadesan Police Station, against the petitioner. In the said case, the petitioner was acquitted. 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 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/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

kpl

To

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

1 CC to Mr.L.Uthaya Kumar, Advocate SR.No. 46781

1 CC to Mr.S.Y.Masood, Advocate SR.No. 47171

W.P.No.25558 of 2015

RSI (CO)

PSI (29.09.2015)