

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

W.P.No.4938 of 2015

S.Raja

...Petitioner

Vs.

The Bar Council of Tamil Nadu & Puducherry
Rep. By its Secretary
High Court Campus
Chennai - 600 104

...Respondent

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent herein to forthwith consider and pass order on the representation of the petitioner dated 11.02.2015 submitted to enroll him as an advocate in the rolls of the Bar Council of Tamil Nadu and Puducherry on the basis of the Application of the petitioner dated 18.07.2013.

For Petitioner : Mr.A.Bharathi

For Respondent : Mr.S.Y.Masood
for R1 and R2

ORDER

(Judgment was delivered by V.RAMASUBRAMANIAN,J)

The petitioner whose application for enrollment as an advocate was not entertained by the Bar Council has come forward with the above writ petition seeking a mandamus.

2. Heard Mr.A.Bharathi, learned counsel for the petitioner and Mr.S.Y.Masood, learned counsel for the respondent.

3. Admittedly, the petitioner was implicated in two criminal cases, one in C.C.No.116 of 2006 and another in C.C.No.105 of 2012.

Both the cases were pending on the file of the Judicial Magistrate Court, Polur, Thiruvannamalai. Therefore, his application for enrollment was kept pending by the Bar Council in view of the orders passed by this Court in a series of cases.

4. However, by a judgment dated 01.07.2014, the petitioner was acquitted in the first case. By another judgment dated 09.01.2015, he was acquitted in the second criminal case. Therefore, there is actually any impediment as on date for enrollment in view of the orders of acquittal.

5. In view of the above, the writ petition is disposed of directing the Bar Council to examine the other certificates of the petitioner and proceed in accordance with law with his enrollment, taking into account the fact that he has been acquitted in the criminal cases. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gpa

To

The Secretary
The Bar Council of Tamil Nadu & Puducherry
High Court Campus
Chennai - 600 104

1 CC to Mr.A.Bharathi, Advocate SR.No. 15668

1 CC to Mr.S.Y.Masood, Advocate SR.No. 15720

W.P.No.4938 of 2015

KM (CO)
PSI (24.03.2015)