



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE B.GOKULDAS

W.P (MD) .No.12081 of 2016
and
W.M.P. (MD) .No.9210 of 2016

Sri Ponnaiyah Ramajayam,
Institute of Sciece & Technology,
(Prist University)
rep.by its Registrar,
Arasanoor,Madurai- Sivagangai Road,
Sivagangai District.

... Petitioner

Vs

1.The Chairman,
Bar Council of India,
21, Rouse Avenue,
Institutional Area,
New Delhi-110 002.

2.The Joint Secretary,
Bar Council of India,
21, Rouse Avenue Institutional Area,
(Near Bal Bhavan)
New Delhi-110 002.

... Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent Bar Council of India to consider the petitioner's representation dated 21.12.2015 and conduct an inspection to the petitioner law college at Arasanoor Village, Sivagangai District forthwith and consequently direct the respondent to grant approval for starting three years L.L.B.Degree course in the petitioner law school situated at Arasanoor Village, Sivagangai District, Tamil Nadu.

For petitioner : Mr.Chellapandian
Senior Counsel for
M/s.V.Muthukamatchi

For respondents : Mr.M.Subash Babu



ORDER

(Order of the Court was made by **K.K.SASIDHARAN, J.**)

The petitioner submitted a representation on 21.12.2015 requesting the Bar Council of India to conduct inspection for the purpose of granting approval for starting three years L.L.B.Degree course. Since the said representation was not considered by the respondent, the petitioner is before this Court.

2. The learned Senior Counsel for the petitioner contended that inspite of giving a representation wayback 21.12.2015, the Statutory Body has not deputed any inspection team to inspect the infrastructural facilities available in the College for the purpose of starting the new course. The learned Senior Counsel further contended that there is a ban with regard to opening Law Colleges. As such, there would not be any difficulty for the first respondent to conduct inspection of the existing institution for starting additional course.

3. The learned Standing Counsel appearing on behalf of the first respondent on the other hand submitted that the Bar Council of India has received more than 500 applications across the India, out of which, 50 institutions have been short-listed for inspection. According to him, the representation submitted by the petitioner will be considered on merits and as per law.

4. There is no dispute that the petitioner made a representation on 21.12.2015 to the Bar Council of India for grant of approval for starting three years L.L.B.Degree course. The matter is essentially within the domain of the first respondent. There is nothing on record to show that the first respondent took up the application for inspection during this academic session.

5. We direct the first respondent to consider and dispose of the representation submitted by the petitioner dated 21.12.2015 on merits and as per law. Such exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. We make it clear that we have not considered the merits of the claim made by the petitioner with regard to the grant of approval for starting three years L.L.B.Degree Course. It is for the first respondent to decide the matter purely on merits and as per law.

5. This Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)



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+1 cc to Mr. V.MUTHU KAMATCHI, Advocate, Sr.No: 48729

JAM/DB/2.09.16/SAR III/3P-4C

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M.P. (MD) .No.1 of 2009

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