

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.03.2017

CORAM

THE HONOURABLE MR. HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P. NO. 4036 OF 2017

AND

W.M.P. NOS. 4183, 4184 & 4185 OF 2017

Balaji Sankara Moorthy .. Petitioner
- Vs -

Bar Council of India
rep. By its Secretary
No.21, Rose Avenue Institutional Area
New Delhi 110 002. ... Respondent

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records pertaining to the circular vide BCI:D564/2017 dated 31.01.2017 issued by the respondent herein and quash the same and direct the respondent herein to conduct the All India Bar Exam without charging any fee or in the alternative, at a nominal fee.

For Petitioner : Mr. T.Mathi

ORDER

(DELIVERED BY THE HON'BLE ACTING CHIEF JUSTICE)

This writ petition has been filed by the petitioner for quashing the circular issued by the respondent and direct the respondent herein to conduct the All India Bar Exam without charging any fee or in the alternative, at a nominal fee.

2. Heard the learned counsel appearing for the petitioner.

3. It is the submission of the learned counsel for the petitioner that the exam fee for writing the Bar Council Exam has been enhanced from Rs.1300/= to Rs.3500/=:, which is almost a three-fold increase and this increase is causing great suffering to aspiring persons to become lawyers. In this regard, the petitioner submitted a representation to the respondent on 7.2.17 expressing the grievance, but no action has been taken on the said representation. Therefore, the petitioner is constrained to approach this Court by filing the present petition.

4. From the averments and submissions of the petitioner, it is evident that the grievance expressed is only monetary in nature, wherein an amount higher than the one already been paid had been fixed by the respondent. It is further brought to the notice of this Court that after a span of four years, the amount towards exam fees has been enhanced from Rs.1300/= to Rs.3500/=. Though the act of the respondent, according to the petitioner is unreasonable and excessive, but the same could not be characterised as one falling within the realm of public interest for this Court to entertain this writ petition.

5. Accordingly, this Court finding no element of public interest involved in this writ petition, disposes of this writ petition with liberty to the petitioner to work out his remedies in accordance with law. Consequently, connected miscellaneous petitions are closed. However, there shall be no order as to costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

GLN

To
The Secretary
Bar Council of India
No.21, Rose Avenue Institutional Area
New Delhi 110 002.

rsy(co)
ss(22/3/2017)

सत्यमेव जयते W.P. NO.4036 OF 2017

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