

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.9218 of 2017

and W.M.P.Nos.10146 and 10147 of 2017

K.Muthuramanlingam

.. Petitioner

-vs-

1. The Registrar General,
Madras High Court, Chennai.
2. The Secretary,
Bar Council of India,
Rouse Avenue, New Delhi.
3. The Secretary,
Bar Council of Tamilnadu &
Puducherry, Chennai-1.
4. Manan Kumar Mishra,
Chairman, Bar Council of India,
Rouse Avenue, New Delhi.
5. S.Prabakaran
Member, Bar Council of India,
No.196, Law Chambers,
High Court Campus, Chennai.
6. D.Selvam
Member of the Special Committee,
Bar Council of Tamilnadu & Puducherry,
Chennai.
7. P.S.Amalraj,
Member of the Special Committee,
Bar Council of Tamilnadu & Puducherry,
Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration to declare that the impugned communication made by the 2nd respondent, vide BCI:

D: 1762/2017/ Council dated 10.04.2017 as illegal, arbitrary, without jurisdiction and opposed to law laid down in Ex-Capt. Harish Uppal vs. Union of India, AIR 2003 SC 739.

For Petitioner : Mr.M.Shreedhar
For Respondents : Mr.M.Baskar for R-1
: Mr.S.R.Raghunathan for RR 2 & 4
: Mr.J.Pothiraj for R-3

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

This writ petition has been filed seeking orders of this Court restraining the State Bar Council from holding any meeting on 16.04.2017. Our attention has been drawn to a letter dated 10.04.2017 issued by the Bar Council of India to the Secretaries of all the State Bar Councils.

2.The aforesaid letter, inter alia, calls upon the State Bar Councils to convene meetings on 16.04.2017 with all the representatives of all Bar Associations, in order to make them aware of the agitation programmes to protest against certain recommendations of the Law Commission of India for amendment of the Advocates Act, 1961.

3.The meetings are to be held at the Headquarters of State Bar Councils, to make Bar Associations acquainted with the decisions taken at the joint meetings of the Bar Council of India with the State Bar Councils held on 8th and 9th April 2017. It appears that a signature campaign of the Bar Associations of the country demanding, inter alia, the rejection of recommendations of the Law Commission is to be undertaken.

4.Mr.Pothiraj, learned counsel appearing on behalf of the State Bar Council submits, on instructions, that State Bar Council shall hold a peaceful meeting within its office building to decide on the course of action regarding the recommendations of the Law Commission of India. The State Bar Council will not, however, call upon advocates to abstain from Court, or prevent any Advocate from appearing in Court. Further, they will not indulge in any agitation or in disruptive / illegal activities in any Court premises / campus in the State.

5.In view of such undertaking given on behalf of the State Bar Council, we do not deem it necessary to pass any order stopping the State Bar Council from holding its meeting.

6.Writ petition is disposed of. Consequently,
W.M.P.Nos.10146 and 10147 of 2017 are closed. There shall be no
order as to costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

sra

To

- 1.The Registrar General,
Madras High Court, Chennai.
2. The Secretary,
Bar Council of India,
Rouse Avenue, New Delhi.
3. The Secretary,
Bar Council of Tamilnadu &
Puducherry, Chennai-1.
4. The Section Officer,
Legal Cell, High Court, Madras.

+1cc to M/S.M. Shreedhar, Advocate Sr.22740

+1cc to M/S.J. Pothiraj, Advocate Sr. 22862

सत्यमेव जयते

W.P.No.9218 of 2017

SS (CO)
VR(20/4/2017)

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