

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.5315 of 2017
and
W.M.P.No.5638 of 2017

K.Elangoo

.. Petitioner

Vs.

- 1 The Secretary
Department of Law
Government of Tamil Nadu
Secretariat, Fort St. George,
Chennai-600 009.
- 2 The Secretary
Department of Finance
Government of Tamil Nadu
Secretariat, Fort St. George,
Chennai - 600 009.
- 3 The Secretary
Bar Council of India
No.21 Rouse Avenue
Institutional Area
New Delhi-110 002.
- 4 The Secretary
Bar Council of Tamilnadu & Puducherry
Madras High Court Campus
Chennai-600 104.
- 5 The Vice Chancellor
The Tamil Nadu Dr. Ambedkar Law University
No.5 Dr.D.G.S Dinakaran Salai
Poompozhi, Raja Annamalai Puram
Chennai-600 028.
- 6 The Director of Legal Studies
Purasawalkam High Road
Kilpauk, Chennai-600 010.

7 The Principal
Dr.Ambedkar Government Law College Chennai
High Court Building Campus
NSC Bose Road,Parrys
Chennai- 600 104.

8 The Principal
Government Law College, Chengalpattu
Thirumeni Road, Chengalpattu- 603 001.

9 The Principal
Government Law College, Tiruchirappali
Race Course Road, Khajamalai,
Tiruchirappali- 620 023.

10 The Principal
Government Law College, Madurai
Dr.SVKS Thangaraj Salai Road
Tallakulam, Madurai- 625 020.

11 The Principal
Government Law College, Coimbatore
Maruthamalai Main Road,
Bharathiyar University Post
Coimbatore- 641 046.

12 The Principal
Government Law College, Tirunelveli
Thiruchendur Road, Tirunelveli.

13 The Principal
Government Law College, Vellore
Gandhi Nagar(West),
Katpadi, Vellore- 632 006.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus to direct the respondent 1 to 4 to provide adequate infrastructure and facilities to the students studying in the 7th to 13th Respondent College as per the Rules of Education 2008 and guidelines issued by the Bar Council of India to have quality legal education.

For Petitioner : N.Senthilkumar

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondent Nos.1,2,5,6
to 13

ORDER

(Order of the Court was made by the Acting Chief Justice)

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents 1 to 4 to provide adequate infrastructure and facilities to the students studying in the 7th to 13th respondent College as per the Rules of Education, 2008 and guidelines issued by the Bar Council of India to have quality legal education.

2. It is the case of the petitioner that he is a practicing Advocate and he had visited respondent No.8 Law College, where he noticed deficiencies and inadequate infrastructure. In this regard, on 18.4.2016, the petitioner sent a representation to the first respondent to take action to improve the facilities and also provide adequate infrastructure to the students studying in respondent Nos.7 to 13 (Law Colleges). The first respondent has forwarded the said representation to the fourth respondent. As there was no action, the petitioner filed W.P.No.26655 of 2016 and later the said petition was withdrawn. On 19.11.2016, the petitioner sent a representation to the fourth respondent, followed with a reminder representation dated 15.12.2016. The fourth respondent forwarded the representation of the petitioner to the third respondent for action. Since the respondents have failed to take action, the petitioner has filed the writ petition seeking the relief stated supra.

3. Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for respondents 1, 2, 5, 6 to 13.

4. The Bar Council of India enacted Rules of Legal Education to improve the minimum standards of legal education and recognition of degrees in law for the purpose of enrolment as Advocate. The University Grants Commission (Affiliation of Colleges by Universities) Regulations, 2009 has also issued certain regulations. As per Clause 3.1.5 of the above said regulations, it is the duty of the University and the respective College to provide adequate essential civic facilities like drinking water, electricity, ventilation, hygienic toilets and sewerage facilities. As per Clause 6 of Schedule III of the Rules of the Legal Education, 2008 issued by the Bar Council of India, there should be adequate space in the library for computer facility with access to internet, national and international library access and the library shall have a set of All India Reporter Manual, Criminal Law Journal, SCC, Company Cases, Indian Bar Review, selected judgments on professional ethics and journals etc.

5. The say of the petitioner however is that the Government

Law Colleges in Tamil Nadu do not have adequate infrastructure/civic facilities as contemplated under the above said Rules issued by the Bar Council of India and the UGC Regulations and only when the above infrastructure and facilities are provided, the students will have a quality education.

6. The quality of legal education obviously has a direct impact on the prestige of the legal profession. If proper facilities are not provided to students pursuing legal education, certainly it will have an adverse effect in turn on the legal profession and the society at large.

7. A perusal of the documents filed show that the petitioner's representation seeking infrastructural facilities has already been forwarded to the authority concerned/Bar Council of India only on 20.12.2016 by the Bar Council of Tamil Nadu and Puducherry for taking necessary action, as the Bar Council of India has framed rules for imparting quality legal education. It is the grievance of the petitioner that till date no effective action has been taken on the same.

8. In our considered opinion, it is for the respondent authorities to look into the matter of providing infrastructural facilities and good legal education to the students studying in respondent Nos.7 to 13/Law Colleges as per the rules and this Public Interest Litigation at this stage is too premature.

9. For the foregoing reasons, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To:

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+1cc to Mr.N.Senthil Kumar, Advocate, SR.No.16486
+1cc to Government Pleader, SR.No.17048

W.P.No.5315 of 2017

AK(CO)
GN(04/04/2017)