

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.40753 of 2016

K.Dhanapal

.. Petitioner

Vs.

1. The Bar Council of India,
Represented by its Chairman,
New Dellhi.

2. The Bar Council of Tamil Nadu
and Puducherry,
Represented by its Secretary,
High Court Buildings,
Chennai-600 104.

3. The State Rep. by the Inspector of Police,
Town Police Station,
Salem, Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the second respondent to admit the petitioner as an Advocate in the Rolls of the Bar Council of Tamil Nadu and Puducherry, based on the application submitted by the petitioner on 19.10.2015.

For Petitioner : Mr.I.Paul Noble Devakumar

For Respondents : Mr.S.R.Rajagopal for R-1

Mr.S.Y.Masood for R-2

Mr.P.Sanjai Gandhi,

Addl.G.P. for R-3

ORDER

(The Order of the Court was made by M.M.Sundresh,J)

This Writ Petition is filed by the petitioner seeking for a direction to the second respondent to admit the petitioner as an Advocate in the Rolls of the Bar Council of Tamil Nadu and Puducherry, based on the application submitted by the petitioner on 19.10.2015.

2. Learned counsel appearing for the petitioner submitted that as the petitioner is involved in an offence punishable under Section 506 (Part-2) IPC, his enrollment as an Advocate in the Bar Council of Tamil Nadu, was not considered. Learned counsel further submitted that in pursuant to the order passed by this Court in Crl.O.P.No.15324 of 2016, dated 20.07.2016, the offence charged against the petitioner under Section 506 (Part-2) IPC had been modified to Section 506 (Part-1) IPC.

3. Learned counsel for the second respondent/Bar Council of Tamil Nadu submitted that as the said offence had been modified, the application of the petitioner seeking enrollment as an Advocate, will be considered and appropriate steps would be taken in that regard, as in respect of the other offence alleged against the petitioner under Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, the offence punishable is less than three years' imprisonment.

4. In the light of the above submission made by the learned counsel for the second respondent, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cs

Copy to

1. The Chairman Bar Council of India,
Chairman,
New Delhi.
2. The Secretary, Bar Council of Tamil
Nadu and Puducherry,
High Court Buildings, Chennai-600 104.
3. The Inspector of Police,
Town Police Station,
Salem, Salem District.

+ 1 cc to Mr.I.Paul Noble Devakumar, Advocate SR.9014
+ 1 cc to Mr.S. Y. Masood, Advocate Sr.9178

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MSM(CO)
EU 16.2.17