

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

CORAM

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

W.P.No. 42843 of 2016

S.Karunanithi

... Petitioner

Vs.

1. The Chairman, Bar Council of India,
No.21, Rouse Avenue Institutional Area,
New Delhi-110 002.
2. The Secretary,
Bar Council of Tamil Nadu and Puducherry,
Chennai.
3. The Special Disciplinary Committee,
Bar Council of Tamil Nadu and Puducherry,
rep. by its Secretary,
Bar Council Building, Chennai,
4. The Chairman,
Special Disciplinary Committee,
Bar Council of Karnataka,
Bangaluru, State of Karnataka.

... Respondents

Prayer:-Writ petition is filed under Article 226 of the Constitution of India praying to issue writ of certiorari to call for the records of the impugned order passed by the fourth respondent dated 16.09.2016 in DCC No.49/2015 and quash the same.

For Petitioner : Mr.J.Haja Mujeeb Rahman

For Respondents : Mr.S.R.Rajagopal for R1

Mr.R.Singharavelan, S.C., for
Mrs.R.Srividhya for R2 & R3

ORDER

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

Challenging the order of punishment passed by the Special Disciplinary Committee Constituted by Bar Council of Karnataka, this writ petition has been filed without exhausting the statutory remedy available under Section 37 of the Advocates Act, 1961.

2. The learned counsel appearing for the petitioner submits that the petitioner, without exhausting the statutory remedy before the Bar Council of India, has filed the above writ petition. Since the petitioner has been pursuing the matter before this Court, sufficient time may be given to work out the remedy available under Section 37 of the Advocates Act, 1961.

3. Taking note of the fact that the petition being agitated before us, we deem it fit to permit the petitioner to make statutory appeal under Section 37 of the Advocates Act, 1961, before the Bar Council of India within a period of four weeks from the date of receipt of a copy of this order. As and when such an application is filed, the Bar Council of India shall receive and number it without rejecting it on the ground of limitation.

4. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

raa

To

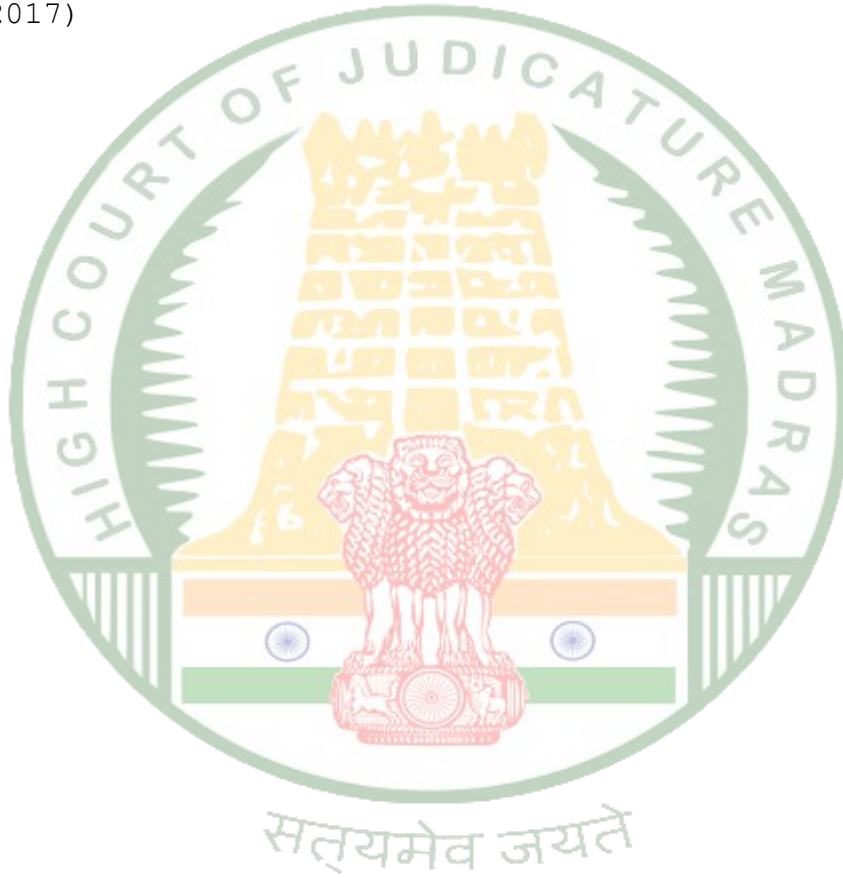
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Bar Council Building, Chennai

4. The Chairman,
Special Disciplinary Committee,
Bar Council of Karnataka,
Bangaluru, State of Karnataka.

+1cc to Mr.J.Haja Mujeeb Rahman, Advocate, S.R.No.5210

W.P.No.42843 of 2016

RP (CO)
CA(01/02/2017)



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