

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH
and
THE HON'BLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.No.44789 of 2016

I.Sam Jegan .. Petitioner

Vs.

1.The Secretary,
Bar Council of Tamil Nadu and
Puducherry,
High Court Campus, Chennai - 104.

2.The Secretary,
Bar Council of India,
21, Rose Avenue,
Institutional Area,
New Delhi - 110 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the first respondent to dispose of the representation dated 11.04.2016 of the petitioner by holding an enquiry as per law.

For Petitioner : Mr.R.Kannan

For Respondents : Mr.S.Y.Masood for R1

ORDER

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

The petitioner, who is a practising advocate, has filed this writ petition, seeking a direction to the first respondent to look into the representation made on 11.04.2016, which is directed against the resolution passed against him by the local bar.

2.Learned counsel appearing for the petitioner submits that the resolution is factually incorrect and it is motivated.

3.We are not inclined to entertain this writ petition. Unless and until there is a statutory duty imposed upon the respondents to look into the complaint made, a writ of mandamus would not lie. If the petitioner has got any grievance against the local bar, which has passed the resolution, he has to work out the remedy in the manner known to law, provided there is a civil wrong inflicted on him. Further more, the local bar has also not been added as party respondent in this writ petition. The resolution per se will not give any cause of action to file a writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
Bar Council of Tamil Nadu and
Puducherry,
High Court Campus, Chennai - 104.

2.The Secretary,
Bar Council of India,
21, Rose Avenue,
Institutional Area,
New Delhi - 110 002.

1 cc to Mr.R. Kannan, Advocate Sr.5320

NM(CO)
Eu 17.2.17

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