

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.01.2018

Coram

The Honourable Mr.Justice T.RAJA

W.P.No.644 of 2018
and W.M.P.No.803 of 2018

R.Selvakumar

.. Petitioner

-vs-

The Secretary,
Bar Council of Tamilnadu
and Puducherry,
High Court Buildings,
Chennai 600 104.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records pertaining to the notice of the respondent dated 19.12.2017 made in R.O.C.No.7452 of 2017, quash the same and consequently direct the respondent / Bar Council of Tamilndu and Puducherry to reinstate the petitioner with all monetary attendant and service benefits.

For Petitioner : Mr.M.Gnanasekar

For Respondent : Ms.Selvi George
Stng. Counsel

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सत्यमेव जयते

O R D E R

Mr.Gnanasekaran, learned counsel appearing for the petitioner, submitted that the petitioner was placed under suspension by order dated 23.11.2016 and being the Bar Council of Tamilnadu and Puducherry, they should have been a model employer by paying the subsistence allowance, which has not been done. Moreover, it is submitted that the Bar Council, which is the competent authority, has not passed the order of suspension.

2.But, this Court is not inclined to entertain that argument. The reason being that when the petitioner was serving as Assistant Section Officer, mindless of the consequences, so

liberally he has issued certificates/licences to ineligible persons to practice in the State of Tamilnadu and Puducherry. Therefore, an enquiry has been called for. Hence, this Court is not inclined to entertain the order of suspension dated 23.11.2016.

3.However, with regard to the non-payment of subsistence allowance, M/s.Selvi George, learned Standing Counsel appearing for the respondent, has submitted that whatever the subsistence allowance payable to the petitioner will be paid forthwith, on or before 23.01.2018.

With the aforesaid observation, the writ petition is dismissed. No costs. Consequently, W.M.P.No.803 of 2018 is also dismissed.

-sd/-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sra

To

The Secretary,
Bar Council of Tamilnadu
and Puducherry,
High Court Buildings,
Chennai 600 104.

+1 C.C. to MRS.SELVI GEORGE Advocate SR.NO.4287

सत्यमेव जयते

W.P.No.644 of 2018

KK (CO)

VS 07.02.2018

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