

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.10256 of 2014

and

M.P.No.1 of 2014

B.R.Raja

... Petitioner

Vs

1.Bar Council of India,
Represented by its Secretary,
(Statutory Body Constituted under the
Advocates Act 1961)
No.21, Rouse Avenue Institutional Area,
New Delhi-110 002.

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

3.Union of India,
Rep by its
The Secretary
Ministry of Law Justice and Company affairs,
New Delhi.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the show cause notice in ROC No.1169/2014 dated 17.03.2014 from the file of the 2nd respondent and quash the same consequently directing the respondents to issue permanent certificate of enrollment.

For Petitioner : Mr.G.Appavu

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

: Mr.R.Singaravelan
Senior Counsel for R2

: No Appearance for R3

O R D E R

The order of the 2nd respondent dated 17.03.2014 for removal of the name of the writ petitioner from the rolls of the Bar Council of Tamil Nadu and Puducherry, is under challenge in the present writ petition.

2.The learned counsel appearing on behalf of the respondents brought to the notice of this Court that, now, the issue in relation to the endorsement of persons, who have crossed the prescribed age limit, is subsidized before the Apex Court of India. The Hon'ble Supreme Court of India has passed an interim order in W.P. (Civil) No. 1023 of 2016, as under :

"Having heard learned counsel appearing for the parties, we direct that there shall be stay of the Notification No.BCI:D:1519 (LE:Cir.-6) dated 17.9.2016, issued by the Bar Council of India and all consequential actions taken in pursuance thereof, pending decision of this writ petition.

List the matter in the third week of July, 2017, for final hearing.

In the meantime, all pleadings shall be complete and exchanged between the parties."

3.In view of the interim order passed by the Apex Court, the writ petitioner is at liberty to continue his practice as Advocate and further orders shall be passed by the 2nd respondent, only after the orders, if any, passed by the Apex Court of India, in the aforesaid matter, pending before the Apex Court.

Accordingly, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

tta/mkn

To

1.The Secretary,
Bar Council of India,
(Statutory Body Constituted under the
Advocates Act 1961)
No.21, Rouse Avenue Institutional Area,
New Delhi-110 002.

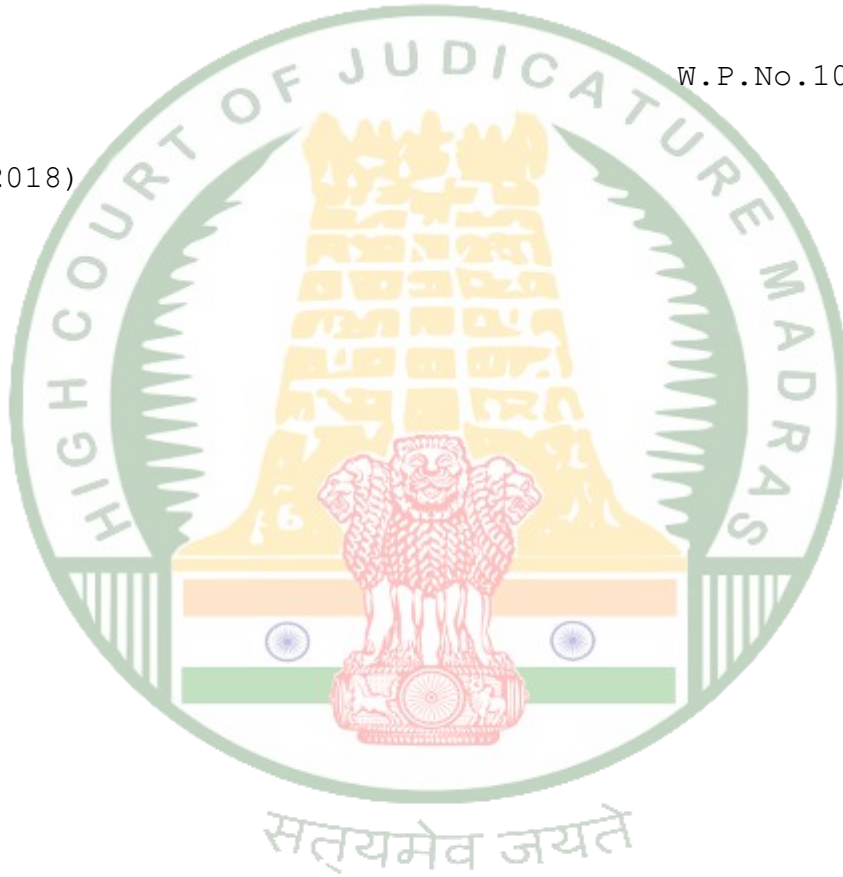
2.The Secretary,
Bar Council of Tamil Nadu and Puducherry
High Court Campus,
Chennai-600 104.

3.The Secretary,
Union of India,
Ministry of Law Justice and Company affairs,
New Delhi.

+3 Ccs to Mr.G.Appavu, Advocate sr 73396.

W.P.No.10256 of 2014

KAN(CO)
SP(19/11/2018)



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