

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.Nos.39300, 41858 and 43538 of 2016
and

W.M.P.Nos.35842, 35843, 37356, 37357,
37358, 37359 and 33638 of 2016

W.P.No.39300 of 2016

M.Varadhan

... 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 India,
No.21, Rouse Avenue,
Institutional Area,
New Delhi - 110 002.
3. The Secretary,
Bar Council of Tamil Nadu and Puducherry,
High Court Buildings,
Chennai 600 104.

... Respondents

PRAYER :

Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of declaration declaring the Special Committee constituted under Section 8-A of the Advocates Act and the Adhoc Committee formed under Rule 32 of the Certificate and Place of Practice (Verification) Rules, as per the Resolution bearing item No.376 of 2016 is inconsistent with the Section 8-A and Rule 32 of the Advocates Act and Certificate and Place of Practice (Verification) Rules and in so far as the formation of Committees are against the Statute and Rules and consequently direct the 1st and 2nd respondent to constitute the

special committee and Adhoc Committee in tune with the letter and spirit of the Advocates Act and Rules.

For Petitioner :Mr.S.P.Harikrishnan
for M/s.K.M.Vijayan Associates

For Respondents :Mr.S.R.Raghunathan (for R1 and R2)

Mr.R.Singgaravelan,
Senior counsel
for Ms.M.Srividhya (for R3)

W.P.No.41858 of 2016

Elephant G.Rajendran ... Party in person

Vs

1. The Chairman,
Bar Council of India,
Bar Council Bhawan,
21, Rouse Avenue Institutional Area,
New Delhi - 2.
2. The Secretary,
Bar Council of India,
Bar Council Bhawan,
21, Rouse Avenue Institutional Area,
New Delhi - 2.
3. The Secretary,
Bar Council of Tamil Nadu and Pondicherry,
Chennai 104.
4. The Advocate General,
High Court of Madras,
Chennai 104.
5. D.Selvam
6. Mr.Amalraj
7. S.Prabakaran

... Respondents

PRAYER :

Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus to call for the records relating to the resolution dated 17.10.2016 passed by item:376/2016 BCI D:6004/2016 (Council) by 1st and 2nd

respondents and quash the same with a direction to appoint two advocates as member of the Adhoc Committee.

For Petitioner :Mr.Elephant G.Rajendran (Party in person)

For Respondents:Mr.S.R.Raghunathan (for R2)

Mr.R.Singgaravelan,
Senior counsel
for Ms.M.Srividhya (for R3)

Mr.S.Y.Masood (for R5)

Mr.R.Annamalai (for R6)

Mr.J.Pothiraj (for R7)

W.P.No.43538 of 2016

R.Muthuvelan

... Petitioner

Vs

1. The Chairman,
Bar Council of India,
No.21, Rouse Avenue,
Institutional Area, New Delhi.
2. The Secretary,
Bar Council of India, 21, Rouse Avenue,
Institutional Area, New Delhi.
3. The Secretary,
Bar Council of Tamil Nadu and Puducherry,
High Court Buildings, Chennai 600 104.
4. D.Selvam (Ex-chairman cum Member of Special Committee)
Bar Council of Tamil Nadu and Puducherry,
High Court Buildings,
Chennai 600 104.
5. Mr.Amalraj (Ex-vice chairman cum Member of Special
Committee)
Bar Council of Tamil Nadu and Puducherry,
High Court Buildings, Chennai 600 104.

... Respondents

PRAYER :

Writ petition is filed under Article 226 of the Constitution

of India for issuance of writ of certiorarified mandamus to call for the records pertains to the resolution dated 16.10.2016 vide item No.376 of 2016 passed at the general body meeting of 1st and 2nd respondents, constituting a Special Committee under Section 8-A of Advocates Act and ad-hoc committee under the provisions of Bar Council of India Certificate and place of practice (verification) rules, 2015 and to quash the same as discriminatory and violation of Advocates Act and Certificate and Place of Practice (verification) rules, 2015 and to direct the 1st and 2nd respondents to constitute the Special and Ad-hoc Committee strictly adhering to the Advocates Act and Certificate and Place of practice (verification) rules, 2015.

For Petitioner :Mr.J.Kumaran

For Respondents :Mr.S.R.Raghunathan (for R2)
Mr.R.Singgaravelan,
Senior counsel
for Ms.M.Srividhya (for R3)
Mr.S.Y.Masood (for R4)
Mr.R.Annamalai (for R5)

COMMON ORDER

(Order of the Court was delivered by N.KIRUBAKARAN, J)

The Writ Petitions have been filed challenging the resolution, passed by the 1st and 2nd respondents, dated 17.10.2016, by which an Adhoc Committee was constituted to administer the Bar Council of Tamil Nadu, under Section 8-A of the Advocates Act, 1961.

2.Subsequently, pursuant to the direction given by this Court, Bar Council of India dissolved the said committee and appointed a new committee consisting of the learned Advocate General, Mr.R.Singgaravelan, learned senior counsel, Mr.N.Chandrasekharan, learned counsel and they are effectively functioning in Adhoc Committee.

3.In view of the above development, these Writ Petitions have become infructuous and the same are dismissed as infructuous. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar

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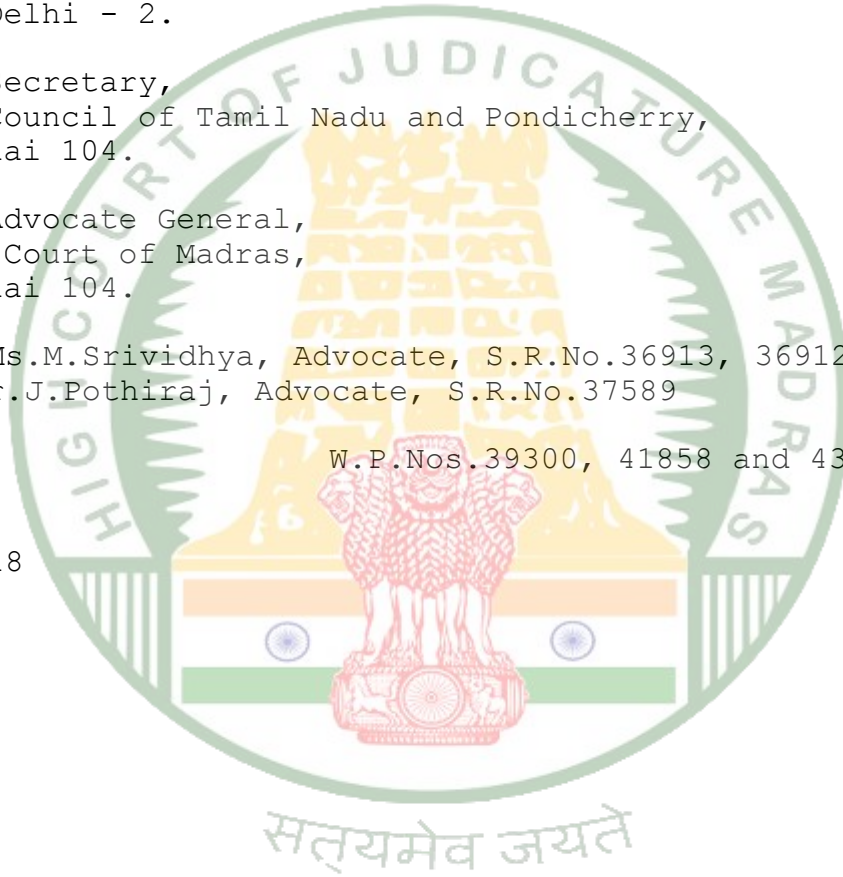
To

1. The Chairman,
Bar Council of India,
Bar Council Bhawan,
21, Rouse Avenue Institutional Area,
New Delhi - 2.
2. The Secretary,
Bar Council of India,
Bar Council Bhawan,
21, Rouse Avenue Institutional Area,
New Delhi - 2.
3. The Secretary,
Bar Council of Tamil Nadu and Pondicherry,
Chennai 104.
4. The Advocate General,
High Court of Madras,
Chennai 104.

+3ccS to Ms.M.Srividhya, Advocate, S.R.No.36913, 36912, 36910
+1cc to Mr.J.Pothiraj, Advocate, S.R.No.37589

W.P.Nos.39300, 41858 and 43538 of 2016

SSV(CO)
CS/27/06/18



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