



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
AND
THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

W.P.[MD].No.13392 of 2018
and
W.M.P. (MD)No.12205 of 2018

V.Vijayamoorthy : Petitioner
Vs.

1.The Secretary,
Bar Council of Tamil Nadu @ Puduchery
Madras High Court Premises,
Chennai - 600 104.

2.President,
Kovilpatti Bar Association,
Office at JM-I Court Premises,
Kovilpatti - 628 501.

3.Secretary,
Kovilpatti Bar Association,
Office at JM-I Court Premises,
Kovilpatti - 628 501.

4.Parameswari

5.Ravichandran

6.Senthamarai Kannan
(R4 to R6 are impleaded as per order
of this Court dated 12.07.2018 in
WMP(MD)No12394 of 2018)

7.Kovilpatti Bar Association,
(Bar Council of Tamil Nadu
Reg.No.78)
Bar Building, Court Campus,
Rep. by its President,
Sri Ramanan

8.Kovilpatti Bar Association,
(Bar Council of Tamil Nadu
Reg.No.78)
Bar Building, Court Campus,
Rep. by its Secretary,
R.Mahendra Kumar



(R7 and R8 are impleaded as per order
of this Court, dated 12.07.2018 in
W.M.P.(MD)No.12958 of 2018)

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to include all members in Kovilpatti Bar Association and convene election only after preparation of Eligible Candidate List to united Kovilpatti Bar Association without any division in the same bar based on petitioner's representation, dated 15.06.2018 according to law.

For petitioner	: Mr.D.Anandan
For R-1	: Mr.Niranjana S.Kumar Standing Counsel
For R-2 and R-3	: Mr.S.Muthuraj
For R-4 and R-5	: Mr.M.Pethu Rajesh
For R-6 to R-8	: Mr.V.Sasikumar

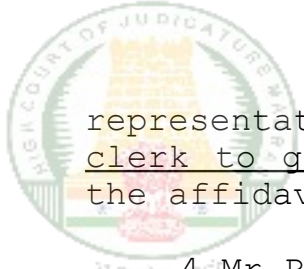
O R D E R

[Order of the Court was made by C.T.SELVAM, J.]

The petitioner, an advocate has moved this writ petition alleging much misconduct by the respondents in respect of Kovilpatti Bar Association and seeking issuance of a Writ of Mandamus, directing the respondents to include all members in Kovilpatti Bar Association and convene election only after preparation of Eligible Candidate List to united Kovilpatti Bar Association without any division in the same bar based on petitioner's representation, dated 15.06.2018.

2.In the typed set, we find a representation of the petitioner made to the third respondent, which contains not only the petitioner's signature, but also the signatures of very many advocates.

3.Mr.P.Pethu Rajesh, learned counsel appeared on behalf of the petitioners in W.M.P.(MD)No.12958 of 2018, the petition seeking to implead two others as party respondents viz., the President and Secretary of the Bar Association, submitted that the petitioner's representation, dated 15.06.2018 made to the second respondent as having support of several advocates, who have signed the same, is false. On being so informed and finding that the representation relied on by the petitioner did not disclose the names or bar council registration numbers or signatures, this Court directed the petitioner to file an affidavit in support of his contentions. Such affidavit dated 11.07.2018 is filed before this Court. On perusing the same, we find that the petitioner resorts to escapism by stating that 'the elder bar members advised all dissenting members to join together in one umbrella for the welfare of members. On 15.06.2018 similar minded advocates signed and requested me to send the



representation to the respondents accordingly. I directed the Bar clerk to get signatures from the supporting persons for the effect the affidavit of Bar clerk is herewith submitted.'

4.Mr.P.Pethu Rajesh, learned counsel again forwarded a Xerox copy of the nomination form of the writ petitioner for the election of Office Bearers to the association, submitting that the signature of the petitioner therein and in the affidavit filed before this Court is totally at variance. We find such submission to be correct. Although, the learned counsel for the petitioner submitted that it is for the petitioner to inform whether the signature on the Xerox Copy of the nomination form indeed is his, we must inform that we are most unhappy with the conduct of the petitioner.

6.We are of the considered view that it is not appropriate to entertain this writ petition. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

+1cc to M/S.D.Anandan, Advocate SR.No. 72694
+1cc to M/S.Niranjan S.Kumar, Advocate SR.No. 72790
+2cc to M/S.M.Pethu Rajesh, Advocate SR.No. 72701

ORDER MADE IN
W.P. [MD] .No.13392 of 2018
and
W.M.P. (MD) No.12205 of 2018
12.07.2018

rj2
JM/KAK/SAR 3/11.08.2018/3P/5C