

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P.Nos.1991 and 1992 of 2008

Shri Swarnavinayakar Educational
Charitable and Rural Welfare Trust
No.9 Arcot Main Road, Rangapuram
Sathuvachari Post, Vellore Taluk
Vellore District-rep. by its
Correspondent Mr.V.Chandran ...Petitioner in both W.Ps.

-Vs-

- 1.The State of Tamil Nadu
rep. by Secretary to Government
Law Department, Fort St.George
Chennai 600 009.
- 2.The Tamil Nadu Dr.Ambedkar Law University
"Poompozhi"
No.5 Greenways Road -
Chennai 600 028
rep. By its Registrar
- 3.The Bar Council of India
Rep. by its Secretary
No.21 Rouse Avenue
New Delhi 110 002. ...Respondents in both W.Ps

Prayer in W.P.No.1991 of 2008: - Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records comprised in the proceedings of the first respondent dated 08.02.2007 in Letter No.67/S/P/LS/2007 Law Department and dated 04.04.2007 in Letter No.8838/Saka/07 Law Department and quash the same as illegal and consequently direct the first respondent to consider and grant the N.O.C. as claimed by the petitioner for starting a Private Law College at Vellore on merits and in conformity with the parameters and guidelines laid down in various judicial pronouncements within such time as may be stipulated by this Hon'ble Court to enable the petitioner to approach the second and third respondents for grant of affiliation and final approval.

Prayer in W.P.No.1992 of 2008:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent viz. Bar Council of India to process the application of the petitioner and grant approval for starting the Private Law College at Vellore by conducting appropriate inspection to assess the infrastructural facilities as per the norms and guidelines stipulated by the Bar Council of India without insisting upon the N.O.C. from the first respondent.

In both W.Ps.

For Petitioner : Mr.R.Kannan

For Respondents : Mrs.K.Bhuvaneswari
Additional Government Pleader for R1
: Mr.S.R.Ragunathan for R3

C O M M O N O R D E R

Writ Petition in W.P.No.1991 of 2008 has been filed seeking issuance of Writ of Certiorarified Mandamus, calling for the records comprised in the proceedings of the first respondent dated 08.02.2007 in Letter No.67/S/P/LS/2007 Law Department and dated 04.04.2007 in Letter No.8838/Saka/07 Law Department and to quash the same as illegal and to consequently direct the first respondent to consider and grant the N.O.C. as claimed by the petitioner for starting a Private Law College at Vellore on merits and in conformity with the parameters and guidelines laid down in various judicial pronouncements within such time as may be stipulated by this Court to enable the petitioner to approach the respondents 2 and 3 for grant of affiliation and final approval.

2.Writ Petition in W.P.No.1992 of 2008 has been filed seeking issuance of Writ of Mandamus, directing the third respondent viz. Bar Council of India to process the application of the petitioner and to grant approval for starting Private Law College at Vellore by conducting appropriate inspection to assess the infrastructural facilities as per the norms and guidelines stipulated by the Bar Council of India without insisting upon the N.O.C. from the first respondent.

3.Heard both sides. Since the petitioner is one and the same in both the writ petitions, these petitions are heard together and a common order is passed.

4.Perusal of record shows that this Court by order dated 25.09.2008 issued direction to the Bar Council of India/ the third respondent herein to inspect the College and file a report. As per the order of this Court the Bar Council of India made inspection on 19.07.2012 and pointed out some deficiencies and the same was informed to the petitioner by letter dated 05.09.2012 and till date the petitioner has not come forward either to comply with the deficiencies pointed out by the Bar Council of India or came forward before this Court by filing appropriate petition with regard to the deficiencies pointed out by the Bar Council of India.

5.The learned counsel for the petitioner would submit that for the past five years, he could not trace out the petitioner and as to whether the petitioner is interested in pursuing the case or not.

6.The deficiencies pointed out by the third respondent was not complied with by the petitioner and the petitioner has no intention to agitate the matter before this Court. Hence, these writ petitions are dismissed.

7.In the result, these Writ Petitions are dismissed. No costs. Consequently, the connected miscellaneous petition, if any, is closed.

rst/pri

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

1.The Secretary,
The State of Tamil Nadu,
Law Department, Fort St.George
Chennai 600 009.

2.The Tamil Nadu Dr.Ambedkar Law University
"Poompozhi"
No.5 Greenways Road - Chennai 600 028
rep. By its Registrar

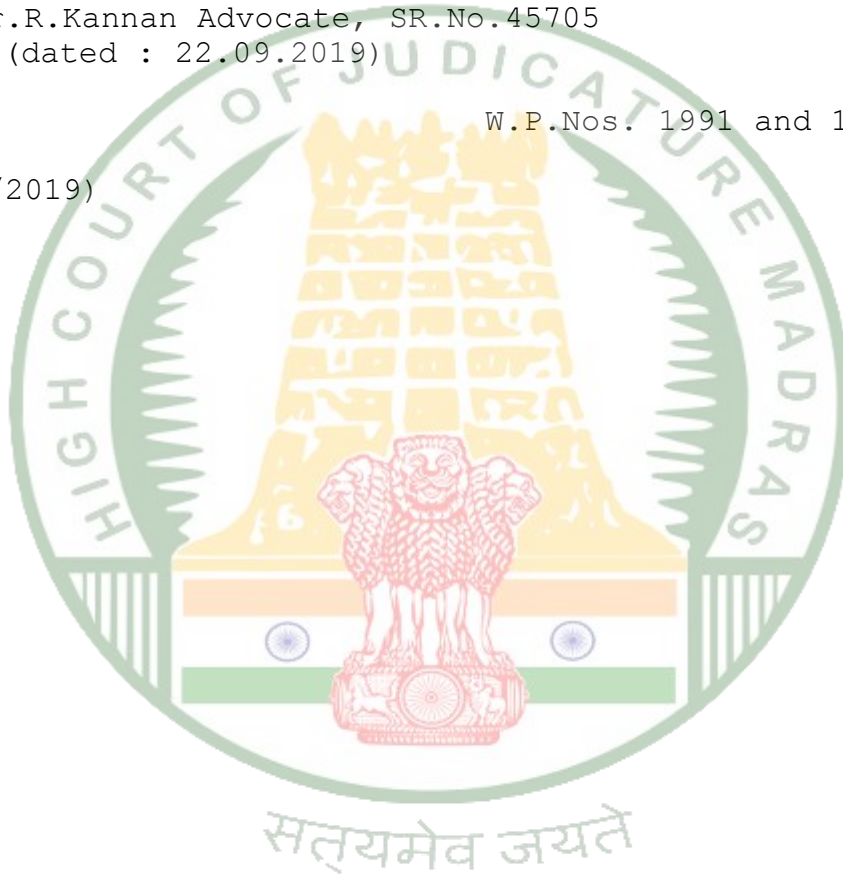
3. The Secretary,
The Bar Council of India,
No.21 Rouse Avenue,
New Delhi 110 002.

+2CCs to Mr.V.M.G.RAMAKKANNAN Advocate, SR.No.45915 & 45916
+1cc to Mr.S.R.RAJAGOPAL Advocate, SR.No.45463
+1cc to the Govt.Pleader, Vide Sr.No.45356

+1cc to Mr.R.Kannan Advocate, SR.No.45705
(dated : 22.09.2019)

W.P.Nos. 1991 and 1992 of 2008

Kak(15/07/2019)



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