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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.13057 OF 2021

N.Raman

... Petitioner

.Vs.

1. The Secretary,
Bar Council of India,
21, Rouge Avenue Institutional Area,
New Delhi - 110 002.
2. The Bar Council of Karnataka,
Old Election Commission Building,
Dr.Ambedkar Road,
Bengaluru - 560 001.
3. The Bar Council of Tamil Nadu & Puducherry,
Bar Council Building,
High Court Campus,
Chennai - 600 104.

... Respondents

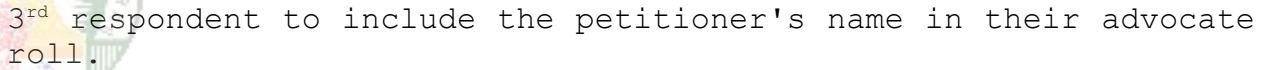
PRAYER:- Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to consider the representation made by the petitioner through letter dated 03.10.2018 respectfully and subsequently direct the 3rd respondent to include the petitioner's name in their advocate roll.

For Petitioner : Ms.M.Rithika
For M/s.Nathan and Associates

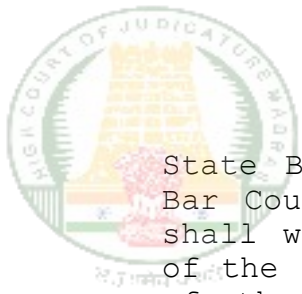
For Respondents : Mr.P.Gurunathan
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition for the issuance of writ of Mandamus directing the 3rd respondent to consider the representation made by the petitioner through letter dated 03.10.2018 respectfully and subsequently direct the



3. The learned counsel appearing for the petitioner submitted that as per Section 18 of the Advocates Act, 1961, any person whose name is entered as an advocate on the roll of any State Bar Council may make an application in the prescribed form to the Bar Council of India for the transfer of his name from the roll of that State Bar Council to the roll of any other



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State Bar Council and, on receipt of any such application the Bar Council of India shall direct that the name of such person shall without the payment of any fee, be removed from the roll of the first mentioned State Bar council and entered in the roll of the other State Bar Council and the State Bar Council concerned. In compliance of the said provision, the petitioner has made application before the 1st respondent, who passed an order directing to transfer the name of the petitioner from the rolls of the 2nd respondent to the rolls of the 3rd respondent. However, the said order has not been complied in letter and spirit. Hence, the petitioner has sent representations to the respondents 2 and 3, however till date no action or whatsoever has taken on the said representations. Hence prays for appropriate orders.

4. Since no adverse orders are passed against the respondents, notice to them are dispensed with and further this Court is inclined to dispose of the matter with the available materials.

5. In compliance of the Section 18 of the said Act, as contemplated, the petitioner has made the application in the prescribed form to the Bar Council of India for transfer of his name from the roll of the Karnataka Bar Council to the roll of the Tamil Nadu Bar Council before the 1st respondent, who also passed an order of transfer. Now the only claim of the petitioner is that the order of transfer has not been implemented till date. Therefore, this Court considering the above facts and circumstances is inclined to issue the following direction.

6. In view of the limited prayer sought for by the petitioner to implement the order of the 1st respondent, this Court issues direction to the respondents to implement the order of the 1st respondent dated 27.02.2018 bearing No.BCI:D:942/2018 (Council/Transfer), within a period of six weeks from the date of receipt of a copy of this order.

7. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

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+1cc to M/s.Nathan and Associates, Advocate, S.R.No.64406

W.P.NO.13057 OF 2021

SSI (CO)
PBS/28/01/2022