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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2022

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.18822 of 2022

and

W.M.P.Nos.18171 & 18172 of 2022

S.Karthi

.. Petitioner

Vs.

1.The Registrar,
The Tamil Nadu Dr.Ambedkar Law University,
Raja Annamalaipuram,
Chennai – 600 028.

2.The Bar Council of India,
Rep.by its Secretary,
No.21, Rouse Avenue,
Institutional Area,
New Delhi – 110 002.

3.The Bar Council of Tamil Nadu,
Rep.by its Secretary,
High Court Campus,
Chennai – 600 014.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the records



pertaining to the Admission notification for five years integrated Law Degree Course for the Academic year 2022 – 2023 dated 11.07.2022 issued by the 1st respondent and quash the same insofar as Clause III (d) of the information Bulletin published for the purpose of the said notification and consequently permit the petitioner to participate in the Selection process to the 5 years B.A., L.L.B., course offered at the affiliated colleges under the 1st respondent.

For Petitioner	.. Mr.A.Mohamed Ismail
For R2	.. Mr.S.R.Raghunathan, Standing Counsel
For R3	.. Mr.C.K.Chandrasekaran

ORDER

The petitioner, S.Karthi has filed the present writ petition in the nature of Certiorarified Mandamus seeking interference of this Court with the Admission notification for five years integrated Law Degree course for the academic year 2022 – 2023 dated 11.07.2022 issued by the 1st respondent, the Tamil Nadu Dr.Ambedkar Law University, and permit him to participate in the selection process for the five years B.A., L.L.B., course offered at the affiliated colleges under the 1st respondent.



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2.The petitioner had completed his 10th standard. He had then done his 3 year diploma course. He now wants to join law.

3.Let me not enter into a detailed discussion about the merits or otherwise of the respective courses, but restrict myself to examine whether the petitioner is eligible to apply for five year B.A., L.L.B., and whether the respondents are placed under an obligation to consider his application.

4.In this connection, a circular of the Bar Council of India dated 12.12.2022 had been forwarded by Mr.S.R.Raghunathan, learned Standing Counsel for the 2nd respondent, which is as follows:

“Sir/Ma'am(s),

This is to bring to your kind knowledge that the Legal Education Committee of the Bar Council of India has considered the Orders dated 23.03.2021 passed by the Hon'ble High Court of Madras in W.P.No.7665 of 2021 and in W.P.No.10646 of 2021 vide dated 27.04.2021.



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After consideration, it is resolved that the 3 year diploma / polytechnic course issued by an institution recognized by the Government shall be considered at par with +2 certificate for the purpose of admission to the 5 year integrated L.L.B. Degree Course.

You are all required to kindly implement the same.

This is for your kind information and necessary compliance.”

5.The circular is quite self-explanatory in nature. It is clear that the petitioner's qualification entitle him to participate in the selection process for the 5 year integrated law course. In this connection, I am also informed that a Division Bench of this Court in ***W.P.No.22193 of 2022*** by an order dated ***21.12.2022, P.Santhru Swaminathan Vs. The Registrar, the Tamil Nadu Dr.Ambedkar Law University and two others***, had also examined the very same aspect and had held that the 3 year diploma / polytechnic course issued by an institution recognized by the Government shall be considered at par with +2 certificate for the purpose of admission for the 5 year



integrated L.L.B., degree course.

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6.This judgment simplifies the entire issue and a direction is given to the respondents to permit the petitioner to participate in the counselling and thereafter, if he is otherwise eligible offer him a seat for 5 year B.A., L.L.B., course, in accordance with other rules and regulations. But he cannot be disqualified merely on the ground that, he had studied 3 year diploma course, after completing the 10th standard.

7.This Writ Petition stands allowed to that extent. No costs. Consequently, connected Miscellaneous Petitions are closed.

8.The 1st respondent, when they issue the prospectus for the future years, may consider the judgment of this Court, particularly, the judgment of the Division Bench, stated above, and also the Bar Council of India circular and incorporate in their prospectus, that the students who have completed 3 year diploma / polytechnic by a recognized institution after completing 10th standard, shall also be considered at par with those students who had done their +2 and obtained their certificates.

23.12.2022

Index:Yes/No

(1/2)



Internet: Yes/No

smv

C.V.KARTHIKEYAN,J.

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To

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