

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN  
AND  
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WRIT PETITION NO.19985 OF 2014

R.Janaki

...Petitioner

Versus

- 1.Bar Council of India  
Represented by Secretary,  
No.21, Rouse Avenue,  
Institutional Area,  
New Delhi 110 002.
- 2.The Disciplinary Committee of the  
Bar Council of India, New Delhi,  
Camp Office at Bar Council of  
Tamil Nadu, High Court Campus,  
Chennai 600 104.
- 3.Bar Council of Tamil Nadu,  
Represented by its Secretary,  
High Court Campus,  
Chennai 600 104.
- 4.Lita Srinivasan,  
No.7, (Old No.3/1),  
Kilpauk Garden Road,  
Kilpauk, Chennai 600 010.  
Tamilnadu

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to conduct enquiry and all further proceedings in R.P.No.6 of 2008 in 2<sup>nd</sup> respondent premises in the capacity of camp office by considering the petitioner's representation dated 18.07.2014.

For Petitioner : Mr.S.Kumaresan

For Respondents : Mr.S.R.Raghunathan -R1  
Mr.C.K.Chandrasekar - R2 & R3

## ORDER

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus to direct the respondents to conduct enquiry and all further proceedings in R.P.No.6 of 2008 in the 2<sup>nd</sup> respondent premises in the capacity of camp office by considering her representation dated 18.07.2014.

2. According to the petitioner, she is a practising lawyer and she preferred a complaint before the 3<sup>rd</sup> respondent in complaint No.99 of 2004 against the 4<sup>th</sup> respondent, who is also a practising Advocate. After hearing both sides, an order dated 16.12.2006 was passed vide Resolution No.313/2006 dropping further action on the said complaint. Aggrieved by the same, the petitioner preferred a revision in R.P.No.6 of 2008 before the 1<sup>st</sup> respondent. The first respondent, on receipt of the same, issued a notice dated 07.07.2014 in B.C.I.D. No. 3243 of 2014 calling upon the petitioner to appear in person on 02.08.2014 at their premises situated at New Delhi. It is the further case of the petitioner that the proceedings of this nature will be normally conducted only at the camp office of the respective State Bar Council. In similar circumstances, this Court, by order dated 23.09.2013 passed in W.P. No. 22184 of 2013, directed the respondent therein to conduct enquiry in the camp office, considering the convenience of both the parties. In this context, the petitioner sent a detailed representation dated 18.07.2014 requesting the first respondent to conduct enquiry of the case in R.P.No. 6 of 2008 at the premises of the second respondent, which was not considered till date. Therefore, the petitioner is before this Court with this writ petition for the aforesaid prayer.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 1 as well as the respondents 2 and 3 and also perused the materials available on record.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the 1<sup>st</sup> respondent to consider the representation of the petitioner dated 18.07.2014, if not considered earlier and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No costs.

Sd/-  
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

msr/rsh

To

- 1.Secretary, Bar Council of India,  
No.21, Rouse Avenue,  
Institutional Area,  
New Delhi 110 002.
- 2.The Disciplinary Committee of the  
Bar Council of India, New Delhi,  
Camp Office at Bar Council of  
Tamil Nadu, High Court Campus,  
Chennai 600 104.
- 3.Secretary, Bar Council of Tamil Nadu,  
High Court Campus,  
Chennai 600 104.

+1cc to Mr.S.Kumaresan, Advocate Sr.No.38455

W.P.No.19985 of 2014

SJ(CO)  
RVM(13/07/2022)