



WEB COPY



W.P.No.22193 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.No.22193 of 2022
and
WMP.Nos.21206 and 21208 of 2022**

P.Santhru Swaminathan

.. Petitioner

Versus

1. The Registrar,
The Tamil Nadu Dr.Ambedkar Law University,
Raja Annamali Puram,
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 - 600 104.

.. Respondents

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



W.P.No.22193 of 2022

Admission notification for 3 years Law Degree Course for the Academic year 2022-2023 dated 05.08.2022 issued by the first respondent and Quash the same in so far as restricting undergraduates in 10+2+3 stream alone and consequently permit the petitioner to participate in the Selection process to the 3 year L.L.B., Course offered at the Affiliated colleges under the first respondent.

For Petitioner : Mr.A.Mohamed Ismail
For R1 : Mr.Arun Kumar Rajan
For R2 : Mr. S.R.Ragunathan
For R3 : Mr. C.K.Chendrasekaran

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

The relief sought in this writ petition is to issue a writ of certiorarified mandamus, calling for the records pertaining to the Admission notification dated 05.08.2022 for 3 years Law Degree Course for the Academic year 2022-2023 issued by the first respondent, quash the same insofar as restricting the undergraduates in 10+2+3 stream alone and consequently permit the petitioner to participate in the selection process for three years course offered at the Affiliated colleges under the first respondent.



2. According to the petitioner, after completion of 10th standard, he had joined diploma in Automobile Engineering and successfully, completed the same in June, 2018. It is further stated that he has a passion towards the profession of law. However, to his shock and dismay, the notification was issued by the first respondent, pertaining to the 3 year law degree course for the year 2022-23, in which, it was stated that an undergraduate degree holder in the 10+2+3 stream alone will be eligible for admission to the law course, which is arbitrary, illegal and contrary to law. Therefore, the petitioner is before this court with the present writ petition for the aforesaid relief.

3. The learned counsel for the petitioner submitted that as per Rule 5(a) of the Bar Council of India Rules of Legal Education, 2008, the petitioner is eligible for joining a law degree, as he has completed 10th standard and 3 year diploma course in Anna University. However, in view of the criteria mentioned in the admission notification for the 3 year law degree course for the year 2022-23, that only an undergraduate degree holder in the 10+2+3 stream alone, will be eligible for admission, his application may be rejected. Therefore, the petitioner sought to quash the said notification with respect to the said criteria and permit him to participate in the selection process.



W.P.No.22193 of 2022

4. On the other hand, the learned counsel appearing for the Bar Council of India / 2nd respondent produced a copy of the communication dated 12.12.2022, wherein it is stated that pursuant to the order dated 27.04.2021 passed in WP.No.7665 of 2021 and 10646 of 2021, it was resolved by the Bar Council of India that the 3 year diploma / polytechnic course issued by an institution recognised by the Government shall be considered at par with +2 certificate for the purpose of admission to the 5 year integrated LLB Degree course.

5. Referring to the communication dated 12.12.2022 now produced by the learned counsel for the second respondent, the learned counsel for the first respondent fairly submitted that if the petitioner submits an application seeking admission for law degree course for the year 2022-23 by attending the counselling which is going on, the same will be considered by the first respondent, on merits and also in the light of the said communication of the Bar Council of India, which has been agreed by the learned counsel for the petitioner.

6. In view of the above submissions made by the learned counsel on either side, the petitioner is directed to file an application seeking admission for law



W.P.No.22193 of 2022

degree course relating to the year 2022-23 by attending the counselling immediately, and on filing of such application, the respondents shall consider the same and decide on merits and as per law and also in the light of the communication dated 12.12.2022, as expeditiously as possible.

7. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [J.S.N.P., J.]
21.12.2022

Index : Yes / No
Internet : Yes / No
av

Note: Issue order copy on 21.12.2022

To

1. The Registrar,
Tamil Nadu Dr. Ambedkar Law University,
Raja Annamali Puram,
Chennai - 600 028.

2. The Secretary, Bar Council of India,
No.21, Rouse Avenue,
Institutional Area,
New Delhi - 110 002.



WEB COPY



W.P.No.22193 of 2022

R. MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

av

3. The Bar Council of Tamil Nadu,
Rep.by its Secretary, High Court Campus,
Chennai - 600 104.

W.P.No.22193 of 2022

21.12.2022