



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2022

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN
AND
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.27634 of 2019

M/s.Egmore Court Advocates Association,
Rep by its Secretary,
Egmore Bar Association
Egmore, Chennai 600 008.

.. Petitioner

Versus

1.Bar Council of Tamil Nadu and Puducherry,
Rep by its Secretary,
High Court Campus,
Chennai 600 104.

2.R.Natarajan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to consider and dispose of the representation of the petitioner dated 08.02.2019 on merits.

For Petitioner :Mr.K.N.Nataraja

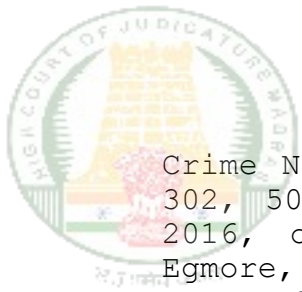
For Respondents:Mr.C.K.Chandrasekar for R1
Mr.R.Venkatesan for R2

ORDER

(Order of the court was delivered by R. MAHADEVAN, J.)

This Writ Petition has been filed for directing the 1st respondent to consider and dispose of the petitioner's representation dated 08.02.2019 on merits.

2.The petitioner is an Association registered under the Societies Registration Act. It is their case that in the election conducted in 2015, at the time of counting the votes, one Advocate by name Stalin was murdered and in this regard, a case was registered on the file of F2 Egmore Police Station



Crime No.222 of 2015 for the offences punishable under sections 302, 506(ii), 147 & 148 IPC, which culminated in PRC No.20 of 2016, on the file of the XIV Metropolitan Magistrate Court, Egmore, Chennai, in which, the second respondent was arrayed as one of the accused. Based on the criminal complaint, disciplinary proceedings were initiated in ROC No.30 of 2015 dated 16.02.2015, as per which, the second respondent was barred from practising as an Advocate until further orders from the first respondent. Subsequently, pursuant to the undertaking given by the second respondent, the first respondent revoked the said prohibition order on 24.07.2015. Thereafter, the second respondent was frequently interfering with the administration of the petitioner Association, thereby causing disturbances. Hence, the petitioner Association made a representation on 08.02.2019 to the first respondent, stating that by proceedings dated 19.09.2017, the first respondent debarred one P.M.Basil and B.Williams, in the Chennai Metropolitan Area till the disposal of the trial proceedings in connection with a murder case against the said persons; and requesting to take similar action against the second respondent as well. However, till date, the said representation was not considered. Therefore, the petitioner Association is before this court with the present writ petition.

3.Heard both sides. Considering the limited nature of the relief sought in this writ petition, this court without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representation dated 08.02.2019 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

4.Accordingly, this writ petition stands disposed. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

dhk/vkr
To

1.The Secretary,
Bar Council of Tamil Nadu and Puducherry,
High Court Campus, Chennai 600 104.

W.P.No.27634 of 2019

SV(CO)
GMY(27/04/2022)