



W.P(MD)No.16621 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2022

CORAM

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.16621 of 2022

D.Joseph

... Petitioner

Vs.

1.The Secretary,
The Bar Council of Tamil Nadu,
High Court Campus,
Chennai.

2.A.Brammanayagam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to complete the enquiry initiated against the second respondent in Complaint No.150 of 2022 within the stipulated time as fixed by this Court.

For Petitioner : Mr.V.Malaiyendran

For R1 : Mr.K.R.Laxman



W.P(MD)No.16621 of 2022

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ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

Heard MrV.Malaiyendran, learned counsel appearing for the petitioner and Mr.K.R.Laxman, learned counsel appearing for the first respondent.

2. This Writ Petition has been filed for issuance of a writ of Mandamus, to direct the first respondent to complete the enquiry initiated against the second respondent in Complaint No.150 of 2022 within the stipulated time as fixed by this Court.

3. The petitioner herein is a Journalist in Junior Vikatan and the second respondent is an Advocate and political activist.

4. The learned counsel appearing for the petitioner submits that the petitioner came to know that a complaint was filed in C.C.No.31 of 2019 before the District Consumer Forum, Tirunelveli, in the name of the petitioner, by the second respondent against Hotel Sri Maduram. Thereafter, he had verified with the District Consumer Forum,



W.P(MD)No.16621 of 2022

Tirunelveli and found eight similar complaints, which have been filed in the name of the petitioner before the same Forum. Hence, the petitioner sent a complaint on 12.05.2022 to the Tamil Nadu State Consumer Disputes Redressal Commission, Chennai, stating that the second respondent has filed 1000 complaints against various persons, without the consent of the complainant by misusing the profession. Similarly, the petitioner has also approached the first respondent to take disciplinary action against the second respondent as per the Advocates Act, 1961. Though the first respondent had taken the complaint on file in Complaint No.150 of 2022 and the same was confirmed vide letter, dated 26.04.2022, which was issued to the petitioner, no action has been taken against the second respondent by the first respondent. Therefore, the present Writ Petition has been filed.

5. Having regard to the nature of allegation and the fact that pendency of the complaint in Complaint No.150 of 2022 before the first respondent is confirmed by the learned counsel appearing for the first respondent, this Court, without expressing any opinion on the merits of the case and without issuing notice to the second respondent, is inclined to dispose of the Writ Petition by giving a direction to the first



W.P(MD)No.16621 of 2022

respondent to complete the enquiry initiated against the second respondent in Complaint No.150 of 2022 within a period of three months from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed of. No costs.

[S.S.S.R., J.] [S.S.Y., J.]
28.07.2022

Index : Yes/No
Internet : Yes
ssb

To
The Secretary,
The Bar Council of Tamil Nadu,
High Court Campus,
Chennai.



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W.P(MD)No.16621 of 2022

S.S.SUNDAR, J.
AND
S.SRIMATHY, J.

ssb

ORDER MADE IN
W.P(MD)No.16621 of 2022

28.07.2022