



WEB COPY



WP No. 12147 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

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

W.P.No.12147 of 2023

S.Mohan

.. Petitioner

Versus

1. The Bar Council of Tamil Nadu & Puducherry,
Rep. by its Secretary,
Madras High Court Campus,
Chennai - 104.

2. The Enrollment Committee,
Rep. by its Chairperson,
Bar Council of Tamil Nadu & Puducherry,
Madras High Court Campus,
Chennai - 104.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to enroll the petitioner as an advocate on the Roll of the Bar Council of Tamilnadu and Puducherry, by considering the petitioner's application vide PR.No.1222301, within the time limit to be stipulated by this Court.

For Petitioner : M/s. C.Neethimozhi
for Mr.M.Vijayaragavan

For Respondents : Mr.C.K.Chandrasekaran



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ORDER

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

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This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to enroll the petitioner as an advocate on the Roll of the Bar Council of Tamilnadu and Puducherry, by considering his application vide PR.No.1222301, within a time frame to be stipulated by this Court.

2. According to the petitioner, he has completed 3 years LLB course in the year 2021 and thereafter, made application on 13.04.2022 seeking to enroll him as an Advocate, before the Bar Council of Tamil Nadu and Puducherry, enclosing the relevant certificates and undertaking affidavits. However, his name was not published in the list of candidates for enrolment and on enquiry, he came to know that his application was withheld by the respondents 1 and 2, citing pendency of a criminal case in Crime No.27 of 2021 registered against him. Feeling aggrieved, the petitioner is before this court with the present writ petition.

3. The learned counsel for the petitioner submitted that due to wordy quarrel between the petitioner and one Sakthivel, the criminal case in Cr.No.27 of 2021 came to be registered by the Inspector of Police, Thirukalukundram Police Station, Kancheepuram District. According to the



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learned counsel, the petitioner has been falsely implicated and he has nothing to do with the alleged offence and hence, he is eligible to get enrolled as an Advocate. However, the learned counsel submitted that the petitioner would be satisfied, if a direction is issued to the respondents to consider his application dated 13.04.2022, and pass appropriate orders, on merits and in accordance with law, within a time frame to be stipulated by this court.

4. The learned counsel appearing for the respondents has no serious objection for granting such relief to the petitioner.

5. In view of the above, without expressing any opinion on the claim made by the petitioner, there shall be a direction to the respondents 1 and 2 to consider the petitioner's application PR.No.1222301 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of.
No costs.

(R.M.D., J.) (M.S.Q., J.)
06.10.2023

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Internet : Yes / No

Index : Yes/No

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R. MAHADEVAN, J
and
MOHAMMED SHAFFIQ, J

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To

1. The Secretary,
The Bar Council of Tamil Nadu & Puducherry,
Madras High Court Campus,
Chennai - 104.
2. The Chairperson,
The Enrollment Committee,
Bar Council of Tamil Nadu & Puducherry,
Madras High Court Campus,
Chennai - 104.

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