



WEB COPY



W.P.No.33183 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

CORAM :

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

**W.P.No.33183 of 2022
and
WMP.No.32596 of 2022 and
WMP.No.69 of 2023**

Haritha @ KR.Vishnupriya
Petitioner

..

Versus

1. The Registrar,
Disciplinary Committee,
Bar Council of Tamilnadu & Puducherry,
Chennai - 104.

2. Mr.K.Balu,
Member of Bar Council,
Bar Council of Tamilnadu & Puducherry,
Chennai - 104.

3. Babu Punniyamoorthy
Respondents

..

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the impugned notice dated 28.11.2022 vide his proceedings in DCC No.145/2022. In resolution No.497/2022 dated 26.08.2022 in complaint No.127/2022 passed by first



W.P.No.33183 of 2022

respondent and quash the same.

For Petitioner : Mr.R.Sankarasubbu
For R1 & R2 : Mr.C.K.Chandrasekaran
For R3 : Mr.B.Kumarasamy

ORDER

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

Challenging the notice dated 28.11.2022 issued by the first respondent, the petitioner has come up with the present writ petition to quash the same.

2.By the notice impugned herein, the petitioner was directed to submit her statement of defence together with the required documents and also appear for enquiry, with respect to DCC No.145 of 2022, which was initiated against her based on the complaint lodged by the third respondent herein.

3.When the matter was taken up for consideration, the learned counsel for the respondents 1 and 2 submitted that the enquiry is at preliminary stage and the petitioner is required to file her objections along with documentary evidence, if any. The learned counsel further submitted that upon perusal of the objections to be filed by the petitioner, if no case is made out, the complaint would be closed by the first respondent.



W.P.No.33183 of 2022

WEB COPY

4. In reply, the learned counsel for the petitioner submitted that the petitioner would approach the respondent authorities and file her objections with supportive documents. The learned counsel further submitted that the petitioner has already filed a miscellaneous petition viz., WMP.No.69 of 2023 to remove the name of the second respondent from arraying him as the second respondent in the writ petition by stating that without proper verification and materials, she inadvertently impleaded him as party to the proceedings and hence, she prayed for removal of his name.

5. Recording the above submissions made by the learned counsel on either side, this writ petition is disposed of, leaving it open to the petitioner to file her objections along with documentary evidence, if any, before the first respondent. Consequently, WMP.No.69 of 2023 is ordered and WMP.No.32596 of 2022 is closed. No costs.

[R.M.D., J.] [J.S.N.P., J.]
04.01.2023

Index : Yes / No
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W.P.No.33183 of 2022

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

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To

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Disciplinary Committee,
Bar Council of Tamilnadu & Puducherry,
Chennai - 104.

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