



WEB COPY



W.P.No.33360 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.11.2023

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

W.P.No.33360 of 2023

Kaviselvam

.. Petitioner

Vs.

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

2.The Chairman,
Bar Council of Tamil Nadu and Puducherry,
Madras High Court Campus,
Chennai – 600 104.

3.The Inspector of Police,
Arakandanallur Police Station,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India
seeking for the issuance of a WRIT OF MANDAMUS directing the first



W.P.No.33360 of 2023

respondent to enroll the petitioner as an advocate in the Roll of Bar Council of Tamil Nadu and Pondicherry within the fixed time frame.

For Petitioner : Mr.M.Selvam
For RR 1 and 2 : Mr.C.K.Chandrasekar
For R3 : Mrs.S.Anitha,
Special Government Pleader

ORDER

[Order of the court was made by R.MAHADEVAN, J.]

Seeking a direction to the first respondent to enroll him as an Advocate in the Roll of the Bar Council of Tamil Nadu and Pondicherry within a fixed time frame, the petitioner has preferred this writ petition.

2.It is the case of the petitioner that he joined law degree in Sri Ravuri Kanakaiah Memorial Law College, R.V.S. Nagar, Chittoor, which is affiliated to Sri Venkateswara University, Tirupathi and completed the same in the year 2023. Subsequently, for getting enrolled as an Advocate in the Bar Council of Tamil Nadu and Pondicherry, the petitioner submitted an online application on 24.08.2023, but, till date his name was not included in



W.P.No.33360 of 2023

the enrolment list due to the pendency of a criminal case in Crime No.458 of 2019 registered against the petitioner on 29.09.2019 by the Inspector of Police, Arankandanallur Police Station, Villupuram District. Thereafter, the petitioner sent a representation dated 06.11.2023 to the first respondent to enrol him as an Advocate and since the same has not been considered, the petitioner is before this court with the present writ petition.

3.The learned counsel for the petitioner has submitted that the petitioner has not committed any offence and he has been falsely implicated in the criminal case relating to a dispute in respect of a temple festival, registered under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC by one Mohan, S/o.Elumalai. It is further submitted that the petitioner has also filed a complaint against the said Mohan and the same has been registered in Crime No.457 of 2019 under Sections 147, 148, 294(b), 323, 324. 506(ii) and 307 IPC and is pending. Due to the pendency of the criminal case, the application seeking enrolment as an Advocate, has not been processed till date. Therefore, the learned counsel prayed for a direction to the respondents 1 and 2 to dispose of the application of the petitioner seeking enrolment, by considering his representation dated 06.11.2023.



W.P.No.33360 of 2023

4.On the other hand, the learned counsel appearing for the respondents 1 and 2 fairly submitted that the authorities concerned would consider the representation of the petitioner and pass orders, on merits, within a time frame to be stipulated by this court.

5.Taking note of the above submission made by the learned counsel appearing for the respondents 1 and 2, without expressing any opinion on the claim of the petitioner, there shall be a direction to the respondents 1 and 2 to pass appropriate orders on the application of the petitioner by considering his representation dated 06.11.2023, on merits and in accordance with law, within a period of twelve 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.]
28.11.2023

Index: Yes / No
Speaking order/ Non-speaking order
Neutral Citation: Yes / No
nsd



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W.P.No.33360 of 2023

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