



W.P.(MD) No.9003 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.9003 of 2023
and
W.M.P.(MD) Nos.8163 & 8164 of 2023**

M.Ashokan

... Petitioner

-vs-

1.The Secretary to Government
Bar Council of Tamilnadu & Puducheri
High Court Campus
Chennai-600 014

2.The District Registrar (Societies)
Registration Department
Integrated Court Campus
Pudukottai District

3.The Pudukottai Bar Association
rep.by its Secretary
District Court Building
Pudukottai

4.The Election Officer
Pudukottai Bar Association
District Court Building
Pudukottai
Pudukottai District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus challenging the impugned notification of the fourth respondent herein to conduct Pudukottai Bar Association Election which was not given are displayed in the notice board and published in the News Paper on 01.04.2023 citing that the election to be held on 23.04.2023 at 09.00 a.m. and also the General Body of the year ending will be conducted on the same date i.e. on 23.04.2023 for submitting the accounts for the year 2022-23 to quash the same and further seeking direction directing the respondents to conduct the election of Pudukottai Bar Association, with in prescribed time as fixed by this Court by following

- (i) After renewal of the Registration before the District Registrar, so far it is not renewed.
- (ii) To conduct the election according to the amended Bye-Law as per the valid resolutions passed on 22.03.2017.
- (iii) To conduct the election with strict adherence of the rules of Bar Council of Tamilnadu, by preparing proper electoral roll and by following one bar one vote which has to be verified by the Bar Council of Tamilnadu and to upload in the website of Bar Council of Tamilnadu



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(iv) A retired district Judge has to be appointed for the election 2023-24 as an observer with the help of the first respondent to conduct the election right from the preparation of election rolls upto the announcing of successful candidates.

For Petitioner : Mr.R.Anandharaj

For Respondents : Mr.K.R.Laxman for R1
Mr.M.Prakash
Additional Government Pleader for R2

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.K.R.Laxman, learned counsel, takes notice for the first respondent and Mr.M.Prakash, learned Additional Government Pleader, takes notice for the second respondent.

2. The petitioner challenges the notification issued by the Advocates Association, Pudukkottai, for conduct of election.



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3. It is the claim of the petitioner that there is no proper voters list and the members have not exercised their option under One Bar One Vote scheme.

4. Learned counsel appearing for the first respondent would submit that the members have exercised their option and 466 members have submitted certificate of practice.

5. In view of the above and the fact that the election process has already begun, we do not think that we can entertain this writ petition at this stage. The writ petition is, therefore, dismissed with liberty to the petitioner to challenge the election in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

19.04.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:
The District Registrar (Societies),
Registration Department,
Integrated Court Campus,
Pudukottai District.



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