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W.P.(MD) No.19232 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD) No.19232 of 2023

Nagoor Mohideen

... Petitioner

-VS-

1.The Chairman
Bar Council of Tamil Nadu and Puducherry
High Court Campus
Chennai-600 104

2.The Executive Director
LPG, Southern Region
Indian Oil Corporation Limited
Indian Oil Bhavan
139, Nungambakkam High Road
Chennai-600 034

3.The General Manager
LPG S&D / SRO
Indian Oil Corporation Limited
Indian Oil Bhavan
139, Nungambakkam High Road
Chennai-600 034

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to issue an order as per the petitioner's representation dated 15.06.2022 to include his name in the list of an advocate in the next enrolment date.

For Petitioner : Mr.P.Bhaskar

For Respondents : Mr.K.R.Laxman
Standing Counsel for R1
Mr.K.Muraleedharan
Standing Counsel for R2 & R3

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

This writ petition is filed for issuance of a writ of mandamus directing the first respondent to pass an order on the petitioner's representation dated 15.06.2022 to include his name in the list of advocates for enrolment.

2. The petitioner admits in categorical terms that he has been appointed as a Transport Contractor to transport LPG cylinders for M/s.Indian Oil Corporation Limited. The vehicle engaged by the petitioner for



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such transportation also stands in his name. It is stated that the Enrolment Committee of Bar Council of Tamil Nadu and Puducherry has kept his application for enrolment as an Advocate pending, on the ground that he cannot enrol himself as Advocate so long as he carries business as a contractor for M/s.Indian Oil Corporation Limited.

3. Learned counsel for the petitioner though states that M/s.Indian Oil Corporation Limited has expressed that transfer of contract to any one of his family members is possible, the petitioner states that M/s.Indian Oil Corporation Limited is insisting the Bar Council of Tamil Nadu and Puducherry to give a letter to M/s.Indian Oil Corporation Limited to the effect that the petitioner can be permitted to practice as Advocate.

4. The above submission of the learned counsel for the petitioner appears to be illogic. This Court need not go further as the petitioner is not entitled to seek enrolment so long as he serves as a contractor under M/s.Indian Oil Corporation Limited. It is open to the petitioner to pursue his application for enrolment as and when he renounces his business as a contractor for M/s.Indian Oil Corporation Limited.



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5. The request of the learned counsel for the petitioner for provisional enrolment cannot be considered as there is no specific rule under the Enrolment Act or the Rules framed thereunder permitting a person, who is carrying on business as a contractor for a public undertaking, to enrol himself as Advocate.

6. Hence, this writ petition fails and it is dismissed. No costs.

[S.S.S.R., J.]

[D.B.C., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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S.S.SUNDAR, J.
and
D.BHARATHA CHAKRAVARTHY, J.

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