



W.P.(MD)No.29015 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**AND**

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

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Balasubramanian

... Petitioner

Vs.

- 1.The Chairman,  
Bar Council of India,  
No.21, Rouse Avenue,  
Institutional Area, Near Bal Bhavan,  
New Delhi.
- 2.The Chairman,  
Tamil Nadu & Puducherry Bar Council,  
High Court Campus,  
Chennai – 104.
- 3.The Disciplinary Committee,  
No.5, Tamil Nadu & Puducherry Bar Council,  
High Court Campus, Chennai – 104.
- 4.S.Siranjeevi Seenivasan

...Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to consider the



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petitioner's representation dated 07.09.2023 to conclude the petitioner's complaint in D.C.C.No.173 of 2022 on the file of the 3<sup>rd</sup> respondent which was subsequently forwarded to the 1<sup>st</sup> respondent under section 36B of the Advocates Act on 23.01.2023 within a time frame.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.K.R.Laxman for R1 to R3

### **ORDER**

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The Writ of Mandamus has been instituted to direct the respondents 1 to 3 to consider the representation submitted by the writ petitioner on 07.09.2023 and to conclude the complaint filed by the petitioner in D.C.C.No.173 of 2022 on the file of the third respondent Disciplinary Committee.

2. By consent of both sides, the Writ Petition itself is taken up for final disposal at the time of admission itself. Considering the nature of the order proposed to be passed in this Writ Petition, protecting the interests of the 4<sup>th</sup> respondent also, notice to the 4<sup>th</sup> respondent is dispensed with.



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3. Learned counsel appearing on behalf of the second respondent made a submission that the complaint given by the petitioner has already been transferred to the Bar Council of India on 17.05.2023.

4. It is brought to our notice that the evidence in the complaint commenced even before transferring of the case. That being the factum, the first respondent is directed to proceed with the enquiry and conclude the same and pass final orders within a period of six months from the date of receipt of a copy of this order. The time limit prescribed in this Writ Petition is subject to the condition that the petitioner cooperates for early disposal of the complaint. In the event of adjournment on flimsy grounds, the petitioner cannot insist upon the first respondent to conclude the same within a period of six months.

5. The Writ Petition stands disposed of with the above directions. No costs.

**(S.M.S., J.) & (V.L.N., J.)**  
**11.12.2023**

NCC : Yes / No  
Index : Yes / No  
SJ



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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

*SJ*

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