



WEB COPY

W.P.No.5817 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.5817 of 2024

R.Nagarajan

... Petitioner

Vs.

1.The Secretary,
Bar Council of India,
New Delhi.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to allot the enrollment number to the petitioner (PR No.1222985) based on the enrollment conducted on 01.09.2023 through virtual mode, within the time as may be fixed by this Court.



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For Petitioner : Mr.M.Muthappan
For R1 : Mr.S.R.Raghunathan
For R2 : Mr.M.R.Jothimanian

ORDER

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The writ of Mandamus has been instituted to direct the 2nd respondent to allot the enrollment number to the petitioner (PR No.1222985) based on the enrollment conducted on 01.09.2023 through virtual mode.

2. The petitioner admittedly under went one year B.A. Degree course, which cannot be construed as regular pattern of education as contemplated under the University Grants Commission (UGC) Regulations.

3. Mr.M.Muthappan, learned counsel for the petitioner would submit that one year B.A degree obtained by the petitioner is to be considered for the purpose of enrolment by the Bar Council of Tamil Nadu and Puducherry. The Bar Council of Tamil Nadu and Puducherry filed a report stating as follows;

“9. It is humbly submitted that under the



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Advocates Act, 1961 and the Bar Council of India Rules, the State Bar Council do not have power to frame Rules relating to the legal education. However, the State Bar Councils are entitled to verify whether the candidate have fulfilled the criteria fixed by the Bar Council of India for being enrolled in the State Bar Councils and for that purpose the educational certificates of the candidates are being verified so as to analyze whether the candidate had regularly undergone the course and qualified therein in accordance with the rules of the Bar Council of India. Whenever the Bar Council notices such a case of candidates who had not obtained the qualification by following the Bar Council of India Rules, the said applications are being rejected and referred to the Bar Council of India under section 26(2) of the Advocates Act, 1961. The aggrieved candidate has the right to approach the Bar council of India whose decision would be final with regard to the enrolment.

10. It is humbly submitted that in case of the Petitioner since he has not complied the required qualification of under graduation of 3 years, and he had completed only 1 year under graduation course through Distance Education, he was not allowed to get enrolled and he has not been assigned with



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enrolment number.

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4. In view of the factual dispute, the petitioner is at liberty to prefer an appeal before the Bar Council of India under Advocates' Act, 1961 for the purpose of redressal of his grievances. In the event of filing an appeal, the same shall be decided on merits and in accordance with law.

5. With this liberty, this writ petition stands disposed of. No costs.

[S.M.S., J.] [C.K., J.]
25.06.2024

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Index : Yes
Speaking order
Neutral Citation : Yes



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