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WP.No.9394 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP.No.9394 of 2022

and

WMP.No.9141 of 2022

B.Chandran

... Petitioner

Vs.

1. The Secretary/Disciplinary Committee-I,
The Bar Council of Tamil Nadu and
Puducherry, Bar Council Building,
High Court Campus, Chennai-104.
2. The Secretary/ District Judge,
High Court Legal Services Committee
(A Unit of Tamilnadu State Legal Services Authority)
High Court Campus, Chennai-104.
3. U.Krishnamurthy

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Certiorari, to call for the records of 1st respondent, quash its proceeding in complaint No.142 of 2020 and pass such further or other orders as this Hon'ble Court may deem fit and proper.



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For Petitioner : Mr.I.Arockia Selvaraj

For Respondents : Mr.C.K.Chandrasekaran for R1

ORDER

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

The writ petition has been instituted to quash the proceedings in Complaint No.142 of 2020. The 3rd respondent filed a complaint before the Bar Council of Tamil Nadu for initiation of disciplinary action against the petitioner, who is a practising lawyer. The complaint has been numbered as Complaint No.142 of 2020. The petitioner raised several grounds on merits. The High Court in exercise of the powers of judicial review cannot adjudicate such disputed facts, which all are to be adjudicated by the Bar Council of Tamil Nadu based on the documents and evidences and by following due process. Quashing of the complaint cannot be made in a routine manner, unless the actions are initiated by an incompetent authority having no jurisdiction. In the present case, the complaint has been entertained and numbered as Complaint No.142 of 2020. It is brought to the notice of this Court that the Bar Council of Tamil Nadu transferred the complaint to the Bar Council of India. Thus,



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the petitioner is at liberty to defend his case before the Bar Council of India.

2. With the above observations, this writ petition stands dismissed.

No costs. Consequently, connected WMP is also closed.

[S.M.S., J.] [C.K., J.]
11.06.2024

kmi

Index : Yes

Speaking order : Yes/No

Neutral Citation : Yes/No

To

1. The Secretary/Disciplinary Committee-I,
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Puducherry, Bar Council Building,
High Court Campus, Chennai-104.

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