



WEB COPY



W.P.No.16523 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.16523 of 2024
and
W.M.P.No.18115 of 2024

R.Rajendiran

... Petitioner

Vs.

1. The Secretary,
Bar Council of Tamilnadu,
and Puducherry,
High Court Complex,
Chennai - 104.
2. The Registrar,
The Disciplinary Committee,
Bar Council of Tamilnadu
and Puducherry,
High Court Complex,
Chennai - 104.
3. The Secretary,
Karur Bar Association (KBA),
District Court Building,
Karur - 630 997.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari, to call for the records pertaining to the impugned order in R.O.C.No.3087 of 2019 passed by the 1st respondent against the petitioner vide his proceedings dated 23.09.2019 and quash the same.

For Petitioner : Dr.S.Manoharan

For R1 & R2 : Mr.M.R.Jothimanian

ORDER

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

The writ of hand has been instituted challenging the show cause notice issued by the Bar Council of Tamil Nadu and Puducherry in proceedings dated 23.09.2019.

2. The said impugned show cause notice lost its relevance, in view of the fact that the Bar Council of Tamil Nadu has already referred the matter to the Bar Council of India under Section 36 (b) of the Advocates Act, since the period of one year has lapsed from the date of initiation of disciplinary proceedings.

3. The grounds raised by the petitioner on merits cannot be



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adjudicated in a writ petition. Disputed facts are to be adjudicated with reference to the documents and evidences available on record. The Bar Council of India has already issued a hearing notice to the petitioner in BC.I.Tr Case No.145 of 2023. Thus, the petitioner is at liberty to participate in the process of enquiry to be conducted by the Bar Council of India and defend his case by availing the opportunities to be provided in the manner known to law.

4. With this liberty, the writ petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

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

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To
1. The Secretary,
Bar Council of Tamilnadu,

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and Puducherry,
High Court Complex,
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2. The Registrar,
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S.M.SUBRAMANIAM, J.
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Order in
W.P.No.16523 of 2024

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