



WEB COPY



W.P.No.16457 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.16457 of 2024

T.Thirunavukkarasu

... Petitioner

Vs.

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

2. K.Hemalatha (Advocate)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus, to call for the records of the 1st respondent vide proceedings Confl.5133 of 2022 dated 21.11.2022 and quash the same and consequently direct the 1st respondent to punish the 2nd respondent for her conduct and to repay the sum of Rs.34,000/- to petitioner.

For Petitioner : Mr.K.Thenrajan

For R1 : Mr.M.R.Jothimanian



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ORDER

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

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The resolution passed by the Bar Council of Tamil Nadu and Puducherry in complaint No.185 of 2022 is sought to be quashed in the present writ proceedings.

2. The petitioner submitted a complaint before the Bar Council against an Advocate for receiving a sum of Rs.34,000/- from the petitioner and the Advocate has not instituted any litigation. However, the Bar Council of Tamil Nadu closed the complaint, as they found no *prima facie* case in the complaint.

3. In such circumstances, the aggrieved person has to prefer an appeal before the Bar Council of India under the Advocates Act. Since an appeal remedy is contemplated, it is to be exhausted in the manner contemplated. Accordingly, the petitioner is at liberty to file an appeal before the Bar Council of India challenging the resolution passed by the Bar Council of Tamil Nadu.



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4. With this liberty, the writ petition stands **disposed of**. No order as to costs.

[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 Chairman,
The Bar Council of Tamil Nadu & Puducherry,
Madras High Court Campus,
Chennai - 600 104.



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S.M.SUBRAMANIAM, J.
AND
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