



WEB COPY



WP.No.26224 of 2023

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.26224 of 2023

Shakkubai

... Petitioner

Vs.

1. The Secretary,
The Bar Council of Tamil Nadu & Puducherry,
High Court Campus,
Chennai-104.
2. The Chairman,
The Disciplinary Committee-X of
the Bar Council of Tamil Nadu & Puducherry,
High Court Campus,
Chennai-104.
3. K.Kumaresan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records relating to the order dated 25.01.2023 passed by the 2nd respondent disciplinary committee in DCC No.174 of 2022, thereby dismissing the complaint of the petitioner dated 27.01.2022, quash the same and consequentially issue direction to the respondents 1 & 2 to take disciplinary



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action against the 3rd respondent in accordance with law.

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For Petitioner : Mr.G.Mageshkumar

For Respondents : Mr.C.K.Chandrasekar
Standing Counsel for R1 & R2
Mr.C.Prabakaran for R3

ORDER

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

Mr.C.K.Chandrasekaran, learned counsel appearing on behalf of the Bar Council of Tamil Nadu would submit that the Disciplinary Committee dismissed the complaint in DCC.No.174 of 2022 on 25.01.2023. Since the Disciplinary Committee dismissed the complaint, the petitioner is at liberty to prefer an appeal under Section 37 of The Advocates Act before the Bar Council of India. Exhausting the appeal remedy contemplated under the Act is of paramount importance. After exhausting the appeal remedy, the person has to approach the Hon'ble Supreme Court of India. This being the distinct scheme contemplated under the Advocates Act, the petitioner is at liberty to approach the Appellate Authority in the manner known to law.



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2. With the above liberty, this writ petition stands disposed of. No costs.

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

2. The Chairman,
The Disciplinary Committee-X of
the Bar Council of Tamil Nadu & Puducherry,
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S.M.SUBRAMANIAM, J.
and
C.KUMARAPPAN, J.

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