



WEB COPY



WP.No.36274 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.36274 of 2023

TR.Rethineswaran

... Petitioner

Vs.

1. The Bar Council of Tamil Nadu,
Represented by its Secretary,
High Court Campus,
Chennai-104.
2. PL.Narayanan
3. R.Vigneshkumar
4. R.Rakesh
5. Nishanth Kumar
6. R.Vignesh
7. Niha
8. Govindarajan
9. VV Giridhar

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for records pertaining to 1st respondent in complaint No. 551 of 2022 vide Resolution No.111 / 2023 dated 03.02.2023 quash the same and consequently direct the 1st respondent to conduct an impartial enquiry under section 35 of the



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Advocates Act 1961 against respondents 2 to 9 thereby disqualify / debar respondents 2 to 9 from practice.

For Petitioner : Mr.R.Natarajan

For Respondents : Mr.C.K.Chandrasekar
Standing Counsel for R1

ORDER

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

The complaint preferred by the petitioner against the respondents 2 to 9 before the Bar Council of Tamil Nadu was rejected on the ground that no *prima facie* case has been made out. The learned counsel for the petitioner Mr.R.Natarajan would submit that no opportunity has been granted to the writ petitioner to establish his case. However, Mr.C.K.Chandrasekar, learned counsel appearing on behalf of the Bar Council of Tamil Nadu would submit that the Bar Council of Tamil Nadu found that no *prima facie* case has been made out and accordingly, rejected the complaint. Thus, the petitioner filed the present writ petition.



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2. In view of the fact that the complaint has been rejected without referring to the Disciplinary Committee, the petitioner has to approach the Bar Council of India under Section 48A of The Advocates Act. Thus, the petitioner is at liberty to file a revision before the Bar Council of India.

3. With the above observations, this writ petition stands disposed of.

No costs.

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

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Index : Yes /No

Speaking order : Yes/No

Neutral Citation : Yes/No

To

1. The Bar Council of Tamil Nadu,
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