



W.P.No.3262 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.3262 of 2025
and W.M.P.No.3612 of 2025

Mrs.Nisha Agarwal

... Petitioner

Vs.

1.The Bar Council of Tamil Nadu & Puducherry,
Rep. by its Secretary,
High Court Campus,
Chennai – 600 104.

2.Mr.P.Mohan, Advocate

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to take appropriate action against the 2nd respondent for professional or other misconduct, on the basis of the Complaint lodged by the petitioner pending before the 1st respondent in Complaint No.634 of 2024.

For Petitioner : Mr.AR.Karthik Lakshmanan

For R1 : Mr.C.K.Chandrasekar



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ORDER

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

Heard the learned counsel for the petitioner, as well as the learned counsel, who accepts notice for the first respondent. Since this Court is directing the first respondent to consider the petitioner's complaint, after giving due notice and opportunity to the second respondent, notice to the second respondent is hereby dispensed with.

2. The petitioner had lodged a complaint on 14.12.2024 before the first respondent for professional and other misconduct by the second respondent. Since the same is not considered, the present Writ Petition has been filed.

3. The learned counsel appearing for the first respondent would submit that the first respondent has received the complaint only on 16.12.2024 and the same was numbered as Complaint No.634 of 2024. He would further submit that they have already sent a notice to the second respondent herein and that they would pass final orders after giving due



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opportunity to both the sides.

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4. Accordingly, there shall be a direction to the first respondent herein to consider the petitioner's complaint dated 16.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as the second respondent, within a period of three (3) months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

[M.S.R, J.]

[N.S, J.]

05.02.2025

Index: Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH, J.
and
N. SENTHILKUMAR, J.

Sni

To

The Secretary,
Bar Council of Tamil Nadu & Puducherry,
High Court Campus,
Chennai – 600 104.

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