



WEB COPY

WA.No.1025 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WA.No.1025 of 2025
and
CMP.Nos.8339 & 8340 of 2025

A.P.Murugan

... Appellant

Vs.

The Principal District Judge,
Tiruppur District,
Tiruppur.

... Respondent

Prayer: Writ appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 01.10.2024 in W.P.No.28783 of 2024.

For Appellant

: Mr.N.Manoharan
for Mr.N.Ponraj

JUDGMENT

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

Under assail is the writ order dated 01.10.2024 passed in
W.P.No.28783 of 2024.



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2. The writ petitioner is the appellant before this Court.

3. The writ petition has been instituted challenging the rejection order dated 16.08.2024 issued by the learned Principal District Judge, Tiruppur District stating that the appellant is ineligible for registration as an Advocate Clerk.

4. The learned Counsel for the appellant would submit that the learned Principal District Judge has not assigned any reason for rejection and the appellant is entitled to know the reason and thus the impugned order is infirm and to be set aside.

5. The writ Court adjudicated the facts and found that the appellant has involved in a criminal case of theft of promissory notes from the Court custody. Therefore, he was found as a tainted person and thus the learned Principal District Judge has rightly rejected the application submitted by the appellant seeking registration as an Advocate Clerk.

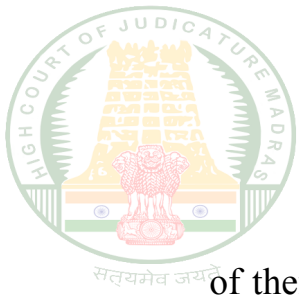


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6. The registration of an Advocate Clerk is to be made under the Advocates' Clerk Rules, 1988. Rule 7 stipulates that "the competent authority shall reject the application of a person for grant of certificate of registration, if the applicant is not qualified, or is in the opinion of the competent Authority, not a desirable person for grant of such certificate." Rule 12 speaks about removal of Advocate Clerk, which reads as under:

"12.A recognised clerk shall be liable to be removed by the competent authority from the register of recognised clerks and his certificate of registration shall be liable to be canceled in the following circumstances, namely:(i)When the advocate who had employed him ceases to practise or has terminated his services; (ii) When he ceases to be under the employment of the advocate as whose recognised clerk he has been registered (iii)When he is convicted of an offence involving moral turpitude;(iv) When he is declared as a tout; (v)for contravention of the Rules framed therein; or (vi) for any good and sufficient reason."

7. Therefore, for any good and sufficient reasons and the Authority competent subjectively arrived a conclusion and in his opinion that an applicant is not a desirable person for grant of certificate, then he is empowered to rejected the same.



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8. In the present case, the appellant has involved in a criminal case of theft of promissory note from the Court custody Therefore, the competent Authority has found the applicant is not a desirable person for grant of certificate of registration. This Court do not find any unreasonableness or reason to interfere. Thus, the writ appeal is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S,J.] [K.R.S,J.]

07.04.2025

veda

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

To

The Principal District Judge,
Tiruppur District,
Tiruppur.

Copy to:

The Registrar General,
High Court of Madras,
Chennai - 600 104.



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S.M.SUBRAMANIAM,J.
AND
K.RAJASEKAR,J.

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