



WEB COPY



W.P.No.29824 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

W.P.No.29824 of 2024
and W.M.P.No.77 of 2025

G.Siva

...Petitioner

Vs.

1. The Secretary

Bar Council Of India, No.21, Rouse Avenue, Institutional Area, New
Delhi-110 002

2.The Secretary

Bar Council Of Tamil Nadu And Puducherry, Bar Council Building,
High Court Campus, Chennai-600 104.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of Writ of Mandamus, to direct the respondents
to enroll the petitioner as an Advocate in Bar Council of Tamil Nadu and
Puducherry based on his representation dated 07.05.2024 within a time
frame to be fixed by this court.

For Petitioner : Mr.Ashok Menon



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For Respondent : Mr.C.K.Chandrasekhar

Standing Counsel

ORDER

M.S.RAMESH, J.

And

N.SENTHILKUMAR, J.

This Writ Petition has been filed to direct the respondents to enroll the petitioner as an Advocate in Bar Council of Tamil Nadu and Puducherry based on his representation dated 07.05.2024, within a time frame to be fixed by this court.

2. Learned counsel for the petitioner submitted that the petitioner had completed his Diploma in Mechanical Engineering through 'distance education' and had completed LLB degree (3 years) in Dr.Ambedkar Law College, Chennai, which is affiliated to Tamil Nadu Dr.Ambedkar Law University. Therefore, the petitioner made a representation dated 07.05.2024 to the respondents, seeking to enroll him as an advocate in the Bar Council of Tamil Nadu and Puducherry. Since the same has not been considered till date, the petitioner has come forward with this Writ Petition.



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3. Heard the learned counsel for the petitioner and the learned

Additional Public Prosecutor appearing for the respondents.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

5. In view of the above observation, this Court, without going into the merits of the petitioner's representation or the contentions of the petitioner in the affidavit filed in support of this Writ Petition, directs the respondents to consider the representation of the petitioner dated 07.05.2024, seeking to enrol the petitioner as an advocate, if not already disposed of and pass appropriate orders on merits and in accordance with



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Anu

law, within a period of three (3) months from the date of receipt of a copy of this order and communicate the same to the petitioner.

6. With the above direction, this Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

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

07.04.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1. The Secretary

Bar Council Of India, No.21, Rouse Avenue, Institutional Area, New Delhi-110 002

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Bar Council Of Tamil Nadu And Puducherry, Bar Council Building, High Court Campus, Chennai-600 104.

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