



W.P.No.37345 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM :

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

W.P.No.37345 of 2024
and W.M.P.Nos.40361 & 40363 of 2024

R.Sarala

...Petitioner

Vs.

1. The Secretary
Bar Council Of Tamil Nadu And Puducherry,
Madras High Court Buildings,
Chennai-600 104.

2.The Secretary,
Alandur Advocates Association (AAA)
Combined Court Buildings,
Alandur, Chennai-600 0163.

3.The President
Alandur Advocates Association (AAA)
Combined Court Buildings,
Alandur, Chennai-600 016

4.The Election Officer
Alandur Advocates Association (AAA)
Combined Court Buildings,
Alandur, Chennai-600 016

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records relating to the proceedings in notice dated 27.11.2024 issued by the second and third respondent removing the petitioner from the Alandur Advocates Association and quash the same.

For Petitioner : Mr.K.V.Bhashyam Chari

For Respondent :Mr.C.K.Chandrasekar, Standing Counsel
for R1

Mr. J.Arul Prakasam
for R2 and R3

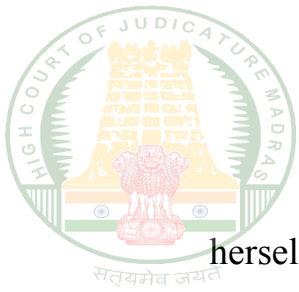
R4 - Served - No Appearance

ORDER

(Order of this Court was made by M.S.RAMESH.J.)

This Writ Petition has been filed to call for the records relating to the proceedings in notice dated 27.11.2024 issued by the second and third respondent, removing the petitioner from the Alandur Advocates Association and quash the same.

2. The petitioner herein is a practising advocate, having enrolled



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herself before the Bar Council of Tamil Nadu, Puducherry on 01.09.2012.

On an allegation that the petitioner had directly approached the learned Principal District Judge and the learned Chief Judicial Magistrate, Chengalpet, without giving any representation to the President of the Alandur Advocates Association, the second respondent herein, was called for rendering explanation as to why disciplinary action should not be taken against her, through a show cause notice dated 11.11.2024. By way of a reply dated 25.11.2024, the petitioner had denied the allegation that she had met the learned Principal District Judge and the learned Chief Judicial Magistrate, Chengalpet, in her personal capacity and she had sought for some documents in order to render her explanation. However, her request was rejected on 25.11.2024 by simply stating that her reply was not satisfactory and consequently was removed from rolls of the Association. This order is put under challenge in the present Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the first respondent, as well as the learned counsel appearing for the respondents 2 and 3.



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4. It is brought to the notice of the court that pending the Writ Petition, an order of interim stay was granted, on the strength of which the petitioner herein had contested in the General Election for the year 2024 - 2025 and was declared to have been elected as Joint Secretary of the Association, which post she continues to hold till date.

5. On a perusal of the impugned order, we find that though the petitioner herein had sought for some documents, in order to give her explanation and has also rendered some explanation, denying her alleged meeting with the learned Principal District Judge and the learned Chief Judicial Magistrate, the impugned order fails to address any of the objections or to the request for the documents. On the other than, the respondents had passed a cryptic order, without rendering any discussion and the very purpose of issuing the show cause notice has been lost. Consequently, such an order is deemed to be a non-speaking order, which is legally unsustainable.

6. In the light of the above observations, the impugned order dated 27.11.2024 is quashed. This Writ Petition stands allowed accordingly. No



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costs. Consequently, connected miscellaneous petitions are closed.

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

24.02.2025

(2/2)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

Anu

To

1. The Secretary

Bar Council Of Tamil Nadu And Puducherry,
Madras High Court Buildings,
Chennai-600 104.

2.The President

Alandur Advocates Association (AAA)
Combined Court Buildings,
Alandur, Chennai-600 016

3.The Secretary

Alandur Advocates Association (AAA)
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4.The Election Officer

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5.The Public Prosecutor,
High Court, Madras



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and
N.SENTHILKUMAR, J.
Anu

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