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W.P.No.42495 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.P.No.42495 of 2025
and W.M.P.No.47551 of 2025**

S.Devadharshani
D/o.R.Sridhar,
No.F2, B Block, 1st Floor, Sri Sakthi Flats,
Perumal Kovil 1st Street, Kotturpuram,
Chennai-600 085

Petitioner(s)

Vs

1.The Bar Council of Tamil Nadu and Puducherry
Madras High Court Campus, Gate No.4, NSC Bose Road,
George Town, Chennai-600 104

2.Colonel Ganesan Associates
Partner S.Ganesan Advocate (MS/2846/2021)
No.10/17, 1st Main Road, Nandanam Extension,
Nandanam, Chennai-600 035

3.S.Ganesan Advocate (MS/2846/2021)
S/o.Shri.M.Subbusamy,

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No.74, Lotus Colony, 1st Street, Nandanam,
Chennai-600 035

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4.S.Vijayakumar, Advocate (MS/1366/2011)
386, III Floor, Additional Law Chambers,
Madras High Court - 600 104

5.R.Mohan Ranganathan, Advocate (MS/409/1995)
No.7A/5A Venus Colony, 2nd Street, Poes Garden,
Teynampet, Chennai - 600 018.

Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorari to call for the records of the Bar Council
complaint No.400 of 2025 dated 18.07.2025 on the file of first respondent-
Bar council of Tamil Nadu and Puducherry and quash the same as against
the petitioner as illegal, arbitrary and passed without jurisdiction.

For Petitioner(s) : Mr.P.Ashwin Kumar

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

ORDER

(Made by N.Sathish Kumar, J.)

This writ petition has been filed seeking to call for the records of the
Bar Council Complaint No.400 of 2025 dated 18.07.2025 on the file of first



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respondent-Bar council of Tamil Nadu and Puducherry and quash the same as against the petitioner as illegal, arbitrary and passed without jurisdiction.

2. The petitioner seeks to quash the notice dated 28.08.2025 issued to her by the first respondent to offer comments within fifteen days from the date of receipt of the copy of the complaint.

3. According to the petitioner, she was working as a Junior Lawyer to the third respondent from June 2024 to December 2024; as she has already initiated some complaint against the third respondent for sexual harassment, after thirteen months, the third respondent has filed the present complaint alleging that she has fabricated the vakalat dated 28.08.2024 filed in CrI.O.P.No.8980 of 2023 on behalf of the second respondent.

4. The learned counsel for the petitioner would submit that the entire complaint is nothing but an abuse of process of law, whereas, the first respondent, instead of closing the complaint, issued notice to the petitioner. He would mainly contend that there is no jural relationship to entertain the complaint filed within the ambit of misconduct, which warrants proceedings



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under the Advocates Act, 1961.

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5. The learned Standing Counsel appearing for the first respondent would submit that the procedure is whenever a complaint is filed, notice will be issued calling for the comments, after receiving which, the same will be produced before the General Council, which in turn, will decide as to whether the complaint has to be closed or to be referred for further action and such stage has not been reached in this case. He would further submit that only the petitioner's comments alone are called for and therefore, at this stage notice cannot be quashed.

6. It is also stated that there is another complaint pending against the third respondent on the basis of the complaint dated 09.04.2025 given by the petitioner herein. Subsequently, the petitioner also filed W.P.No.14370 of 2025, in which, this Court, by order dated 05.06.2025, directed the first respondent to conclude the proceedings by following the principles of natural justice.

7. As the complaints have been given by the Advocates practising



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together against each other and this Court has already directed one of the complaints to be enquired and completed expeditiously, we are of the view that the first respondent shall enquire this matter after receiving the comments from the petitioner, placed it before the ensuing next General Council Meeting and proceed further. If the General Council is of the view that the complaint against the petitioner is not maintainable, decision can be taken then and there or if the General Council is of the view that it requires further proceedings, the same shall be completed within two months. The petitioner is at liberty to raise all the points and grievances before the first respondent.

With the above directions, this writ petition stands disposed of. No costs. Connected W.M.P. is closed.

(N.S.K., J.) (M.J.R., J.)

04.11.2025

nsd

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The Secretary, Bar Council of Tamil Nadu and Puducherry
Madras High Court Campus, Gate No.4, NSC Bose Road,
George Town, Chennai-600 104

N.SATHISH KUMAR, J.
and
M.JOTHIRAMAN, J.

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