



**W.P(MD)No.6671 of 2025**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 10.06.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM  
and  
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.6671 of 2025  
and  
W.M.P(MD)No.4935 of 2025**

P.Bala Krishnan

... Petitioner

vs.

1.The Disciplinary Committee,  
Bar council of India,  
No.21, Rouse Avenue Institutional Area,  
New Delhi – 110 002.

2.The Secretary (I/C),  
Disciplinary Committee,  
Bar Council of Tamil Nadu and Puducherry,  
High Court Campus,  
Chennai – 600 104.

3.A.Siva

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 21.03.2024 passed by the first respondent

**1/5**



**W.P(MD)No.6671 of 2025**

**WEB COPY** in BCI Tr.Case No.136 of 2023 in D.C.C.No.230 of 2021 (Bar Council of Tamil Nadu and Pudhucherry) as prima - facie illegal, arbitrary and quash the same and consequently directing the respondent Nos.1 and 2 to take appropriate action against the third respondent in accordance with law.

For Petitioner : Mr.M.Sathiamoorthy

For RR 1 & 2 : Mr.K.R.Laxman

### **ORDER**

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

The order passed by the Disciplinary Committee of the Bar Council of India in BCI Transfer Case No.136 of 2023 in D.C.C No.230 of 2021, dated 21.03.2024, is under challenge in the present writ proceedings.

2.The High Court, in exercise of the powers under Article 226 of the Constitution of India, is not empowered to entertain a Writ Petition in view of the statutory bar contemplated under Section 38 of the Advocates Act, 1961.



**W.P(MD)No.6671 of 2025**

WEB COPY

3. Section 38 of the Advocates Act, 1961, enumerates that “*any person aggrieved by an order made by the disciplinary committee of the Bar Council of India under Section 36 or Section 37 may, within sixty days of the date on which the order is communicated to him, prefer an appeal to the Supreme Court and the Supreme Court may pass such orders.*”

4. The said provision is a special provision enabling the Supreme Court to deal with the disciplinary matters decided by the Bar Council of India. That being so, the present Writ Petition is not maintainable.

5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**[S.M.S.,J.] & [A.D.M.C.,J.]**  
**10.06.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
ps



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**S.M.SUBRAMANIAM, J.**  
**and**  
**DR.A.D.MARIA CLETE, J.**

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**ORDER MADE IN**  
**W.P(MD)No.6671 of 2025**

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