



W.P.(MD)No.8605 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.03.2025

CORAM:

THE HON'BLE MRS JUSTICE J. NISHA BANU

AND

THE HON'BLE MRS JUSTICE S.SRIMATHY

W.P.(MD)No.8605 of 2025

G.Vairamuthu

...Petitioner

-Vs-

1.The Secretary,
The Bar Council of Tamil Nadu,
High Court Campus,
Chennai.

2.M.Sivasamy

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent to take necessary action against the second respondent based on the representation dated 04.10.2024 within the stipulated time as fixed by this Court.

For Petitioner : Mr.C.Mayil Vahana Rajendran



W.P.(MD)No.8605 of 2025

ORDER

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(Order of the Court was made by **J.NISHA BANU, J.**)

This writ petition is filed seeking a direction to the first respondent to take action against the second respondent for violating the professional ethics.

2.The contention of the petitioner is that the petitioner's father sold his land to one Masilamani. The second respondent prepared the said sale deeds in his capacity as an Advocate. Since the said Masilamani failed to comply with the conditions of sale, the father of the petitioner had cancelled the sale deed and registered the same before the Sub Registrar concerned. In the meantime, the said Masilamani has filed a suit to declare the cancellation of sale deed as null and void. In the said suit, the second respondent filed his vakalat representing the said Masilamani. Having been a party to the sale proceedings, the second respondent ought not to have filed vakalat on behalf of Masilamani and the act of the second respondent is a clear violation of professional ethics. Hence, the petitioner made a representation before the authorities concerned to take action against the second respondent. Since the same was not considered, the petitioner has filed this writ petition.



W.P.(MD)No.8605 of 2025

3.It is seen that the second respondent has only prepared the documents for the sale proceedings of the subject property. In the civil suit regarding the subject property, the second respondent, who is a practicing Advocate, has filed vakalat on behalf of the purchaser. If at all the petitioner has any grievance, it is for him to redress his grievance before the civil Court in the pending civil proceedings. Accordingly, this writ petition is dismissed. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
27.03.2025

Index:Yes/No
Internet : Yes/No
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To

The Bar Council of Tamil Nadu,
High Court Campus,
Chennai.



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W.P.(MD)No.8605 of 2025

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W.P.(MD)No.8605 of 2025

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