



W.P(MD)No.10374 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.10374 of 2025
and
W.M.P(MD)No.7769 of 2025**

A.C.Petchi Muthu

... Petitioner

vs.

1.The Secretary,
The Bar Council of Tamil Nadu and Puducherry,
High Court Campus,
Chennai – 600 104.

2.N.Selvaraj
3.N.Ramesh

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to appoint an officer to conduct the elections for April 2025 for Nanguneri Bar Association as per Rule 9 of byelaws Nanguneri Bar Association, Tirunelveli District and also not to permit any members of Nanguneri Bar Association to contest in the elections against whom criminal cases are registered and pending.



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For Petitioner : No appearance
For R – 1 : Mr.K.R.Laxman
For RR 2 & 3 : Mr.S.Palani Velayutham
: Mr.V.Sukumar
Advocate Commissioner

ORDER

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

The writ on hand has been instituted to direct the first respondent to appoint an officer to conduct the elections for April 2025 for the Nanguneri Bar Association as per Rule 9 of byelaws Nanguneri Bar Association, Tirunelveli District and also not to permit any members of Nanguneri Bar Association to contest in the elections against whom criminal cases are registered and pending.

2.The learned Advocate Commissioner appointed by this Court to conduct election, vide interim order dated 25.04.2025, submitted that the election schedule notifications are yet to be issued, since there was a delay in finalising the voters list.



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3.Bar Associations across Tamil Nadu are recognized by the Bar Council of Tamil Nadu and Puducherry. Space is provided for these Bar Association in the Court complex, as the Advocates are officers of the Court. Therefore, the Bar Associations are bound by the Acts, Rules and Regulations and Guidelines issued by the Bar Council of Tamil Nadu and Puducherry as well as the judicial administration. Elections in Bar Associations are to be conducted scrupulously in accordance with the bye laws of the Association which has been registered under the Societies Registration Act. Though a Bar Association is not a State within the meaning of Article 12 of the Constitution of India, since they are functioning within the Court complex and are recognized by the Bar Council of Tamil Nadu and Puducherry, which is a statutory body, their activities are bound to be monitored, since they are performing their professional duties and stakeholders in justice delivery system. Thus, the activities of the lawyers inside the Court premises are to be monitored both by the Judicial Administration as well as by the Bar Council of Tamil Nadu and Puducherry. Elections are to be conducted on expiry of the term of the elected office bearers. Bar Council must ensure that such elections are conducted without causing any undue delay.



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4.In such circumstances, the Bar Council may appoint an Adhoc Committee for the purpose of conducting the election, if necessary, by appointing Special Election Commissioner/s to conduct election for the office bearers of the Bar Association concerned.

5.In the present case, a dispute exists amongst the Bar members of the Nanguneri Bar Association. The Writ Petition came to be instituted and an Advocate Commissioner was appointed without remuneration. The Advocate Commissioner has now withdrawn from the assignment. Election notifications are yet to be issued.

6.In view of the above, the first respondent/Bar Council of Tamil Nadu and Puducherry is directed to appoint an Election Commissioner/s for conducting the election for the Nanguneri Bar Association. The election shall be conducted within a period of eight weeks from the date of receipt of a copy of this order.



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7. Accordingly, this Writ Petition stands disposed of. 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

To

The Secretary,
The Bar Council of Tamil Nadu and Puducherry,
High Court Campus,
Chennai – 600 104.



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

ps

ORDER MADE IN
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