



W.P.(MD)No.10823 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND**

THE HON'BLE MS.JUSTICE R.POORNIMA

Writ Petition(MD)No.10823 of 2025

S.Kannan

: Petitioner

Vs.

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

2.The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam.

3.Ranjan

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus to direct the respondents 1 and 2 to consider the petitioner's representation dated 04.06.2024 and take action against the 3rd respondent and pass such



W.P.(MD)No.10823 of 2025

WEB COPY

other or further orders as this Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.D.Venkatachalam

For Respondents : Mr.A.Albert James
Govt. Advocate (R2)

ORDER

DR.G.JAYACHANDRAN,J.

and

R.POORNIMA,J.

This writ petition is filed seeking a Mandamus directing to take action against the third respondent for facing himself as an Advocate.

2. The petitioner has arrayed the Bar Counsel of Tamil Nadu and Puducherry as the first respondent and the Inspector of Police, Kumbakonam Taluk Police Station as the second respondent.

3. From the affidavit and the complaint, it appears that the third respondent is not an Advocate enrolled under the Bar Council of Tamil



W.P.(MD)No.10823 of 2025

WEB COPY

Nadu, but he is being impersonated. In these circumstances, for the act of impersonation or forgery or cheating, whatever a case is made out, it is for the police to take action. The Bar Council has no control or authority over a non-enrolled person. The Bar Council will have control over the discipline of persons who are enrolled under them and not the persons who are not enrolled. Hence, the prayer sought for in this writ petition is not maintainable. Accordingly, this writ petition stands dismissed. It is open to the petitioner herein to approach the appropriate authority for necessary action, and if the authority fails to take action, his remedy is to file an appropriate petition under Article 227 of the Constitution of India or under Section 528 of the BNSS Act, if he is so advised. No costs.

(G.J.,J.) (R.P.,J.)
17.04.2025

skn
NCC : Yes/No
Index : Yes/No
Internet : Yes/No

To
1.The Inspector of Police,
Kumbakonam Taluk Police Station,
Kumbakonam.



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W.P.(MD)No.10823 of 2025

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Order made in
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