



WEB COPY

W.P.(MD) No.16622 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

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

W.P.(MD) No.16622 of 2025

S.Pandiyan

... Petitioner

-vs-

1.The Bar Council of Tamil Nadu
and Puducherry
rep.by its Chairmen
High Court Campus
Chennai-600 104

2.C.Manikandan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to consider the petitioner's representation dated 10.02.2025 and take necessary action against second respondent within time frame that may be stipulated by this Court.

For Petitioner : Mr.N.Gurusamy

Page 1 of 6



WEB COPY

W.P.(MD) No.16622 of 2025

For Respondents : Mr.K.R.Laxman
Standing Counsel for R1
No appearance for R2

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

This writ petition has been instituted seeking a direction to the first respondent to consider the petitioner's representation.

2. The petitioner has submitted a complaint regarding the professional misconduct committed by the second respondent by not returning the bundle as well as the fee amount.

3. Learned Standing Counsel appearing for the first respondent / Bar Council of Tamil Nadu & Puducherry would submit that a decree has already been passed in favour of petitioner, besides two years disqualification imposed and for non-payment, third year disqualification imposed.



W.P.(MD) No.16622 of 2025

WEB COPY

4. Learned counsel for the petitioner would submit that still the grievance of the petitioner is not redressed.

5. In this regard, Rule 35 of the Bar Council of India Rules reads as under:

“Order awarding Costs : Decretal Order

35. (1) All orders where costs are awarded in disciplinary proceedings shall specify the amount of costs awarded and also state the party against whom the order is made and the time within the amount is payable.

(2) As soon as possible after the order is made by the Disciplinary Committee, in respect of every order where costs are awarded to any of the parties, a decretal order shall be drawn up as in Form J-1/J-2 at the end of this Chapter signed by the Secretary of the State Bar Council, or the Council as the case may be, as Registrar of the Disciplinary Committee and bearing the seal of the State Bar Council or the Council as the case may be.

(3) The Decretal Order aforesaid shall be furnished to any party to the proceeding on application made therefor, and on payment of the charges prescribed under the rules.”



W.P.(MD) No.16622 of 2025

WEB COPY

6. In view of the above, the petitioner is at liberty to get certified copy of the orders from the Bar Council of Tamil Nadu & Puducherry. In the event of filing any such application, the Bar Council of Tamil Nadu & Puducherry is directed to issue the decretal order and other documents sought for by the petitioner. On receipt of the same, the petitioner is at liberty to file an execution petition in the manner contemplated and on filing of such execution petition, the same is directed to be looked into by following the procedures contemplated and to be concluded within a period of four months from the date of filing of the execution petition.

7. At this juncture, learned counsel for the petitioner submitted that even after disqualification, the second respondent is practicing as a lawyer.

8. The Bar Council of Tamil Nadu & Puducherry is directed to verify the said fact and initiate all appropriate actions.

9. With the above observation, this writ petition is disposed of. No



W.P.(MD) No.16622 of 2025

WEB COPY
costs.

[S.M.S., J.] [A.D.M.C., J.]

10.07.2025

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

krk



WEB COPY



W.P.(MD) No.16622 of 2025

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

krk

W.P.(MD) No.16622 of 2025

10.07.2025