

W.P.(MD)No.22639 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 20.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.22639 of 2025

and

W.M.P(MD)No.17755 of 2025

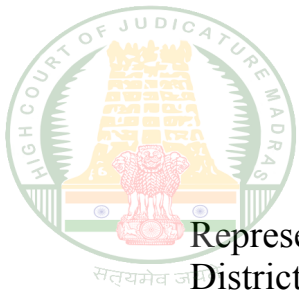
- 1.P.Senthilkumar
- 2.G.Chidambaram
- 3.A.Windsir
- 4.Malathi Ramani Bai
- 5.Ponmani Susila
- 6.K.Palani
- 7.M.S.Galster Anand
- 8.G.Vinothkumar
- 9.S.Kavi Sundar Singh
- 10.C.Thangapandy
- 11.B.Karthick Thamban

... Petitioners

-Vs-

- 1.The Bar Council of Tamil Nadu and Puducherry,
Represented by its Secretary,
Door No.19,
NSC Bose Road,
High Court Campus,
Chennai-600 104.

- 2.The Tirunelveli Bar Association,



W.P.(MD)No.22639 of 2025

Represented by its Secretary,
District Court Campus,
Tirunelveli - 627 002

3.The President
Tirunelveli Bar Association,
District Court Campus,
Tirunelveli-627 002.

4.The Secretary,
Tirunelveli Bar Association,
District Court Campus,
Tirunelveli-627 002.

5.Mr.D.Saravanan

6.Mr.Sri Murugaa

7.Mr.K.Kathiravan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring that the bye-law 11(iii) of the second respondent association shall have precedence over One Bar One Vote direction issued by the Hon'ble Supreme Court of India in its orders reported in Supre Court Bar Association Vs. B.D.Kaushik reported in 2011(13) SCC 774 and 2012 (6) SCC 152 and consequentially, direct the respondents 1, 5 to 7 to follow the bye law 11(iii) and One Bar One Vote direction and publish the eligible voters list and conduct the election for the second respondent association.

For Petitioners : Mr.J.Barathan

For R1, R5 to R7 : Mr.Niranjan S.Kumar

For R3 : Mr.G.Prabhu Rajadurai

for P.Ronald

For R2 & R4 : Mr.C.Venkatesh



WEB COPY



W.P.(MD)No.22639 of 2025

ORDER

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

The present writ petitioners had earlier filed a writ petition in W.P(MD)No.11518 of 2025 seeking the following relief:-

"PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration declaring that the process of election for the second respondent Association for the year 2025-2026 as per the resolution dated 15.04.2025 passed by the Executive Committee as illegal, null and void and contrary to the One Bar One Vote direction issued by the Hon'ble Supreme Court of India in its orders reported in Supreme Court Bar Association Vs. B.K.Kaushik reported in 2011(13) SCC 774 and 2012 (6) SCC 152 and direct the respondents 1 and 2 to complete the process of verification of non practising advocates and deletion of their name from the voters list adhering to byelaw 11(ii) of the second respondent Association".

2. This Court dispose of the writ petition by an order dated 30.06.2025 as follows:-

"9.The Bar Council of Tamil Nadu and Puducherry is directed to conduct the election by following the procedures as



WEB COPY



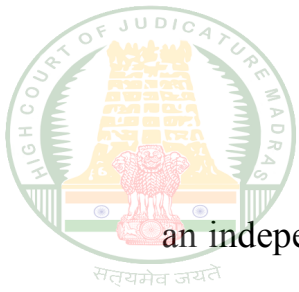
W.P.(MD)No.22639 of 2025

contemplated in the bye-laws as well as the guidelines issued by the Bar Council of Tamil Nadu and Puducherry. In these circumstances, the first respondent/the Bar Council of Tamil Nadu and Puducherry is directed to notify the election immediately, without causing any further delay and to complete the entire election process and declare the results within a period of four weeks from the date of receipt of a copy of this order.

10. The earlier election notification issued by the Advocate Commissioner stands annulled in view of the directions issued by this Court. The panel appointed by the Bar Council of Tamil Nadu and Puducherry is at liberty to seek the assistance of Police, if required, for the peaceful conduct of the election. In the event of such a request, the police authorities are directed to provide protection.

11. With these directions, these Writ Petitions stand disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed."

3. Pursuant to the directions issued to the Bar Council of Tamil Nadu and Puducherry, a three Member Committee consisting three Bar Council members/respondents 5 to 7 were appointed to conduct an election in Tirunelveli Bar Association. The committee appointed by the Bar Council of Tamil Nadu is

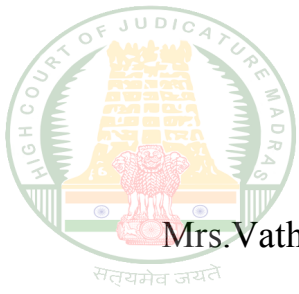


W.P.(MD)No.22639 of 2025

an independent committee and unconnected with the affairs of the Tirunelveli Bar Association.

4. The committee issued notification containing schedule of elections.

Before issuing notification, the Committee members had conducted meeting with the members of the Tirunelveli Bar Association on 10.07.2025 in the presence of the members of the Bar Association. The election officers have conducted elaborate discussion with the members of the association on several occasions to sort out all pending issues for smooth conducting of election by following One Bar One Vote. The Election Committee has appointed 5 senior most members of the Tirunelveli Bar Association, each having more than 30 years of bar experience. The Election Commission Team appointed the Coordination and Assisting Committee by its R.O.C.No.869/2025, dated 11.07.2025 with various roles and responsibilities in assisting the Election Commission Team in conducting the Tirunelveli Bar Association election in a peaceful manner. As per the election schedule, the process commenced and is in progress. The contesting members filed their respective nominations on 06.08.2025. Final list of candidate was published on 08.08.2025. It was displayed and announced on the same day on 08.08.2025. The two members for Executive Member (Women) Mrs.Shunmuga Priya.A and



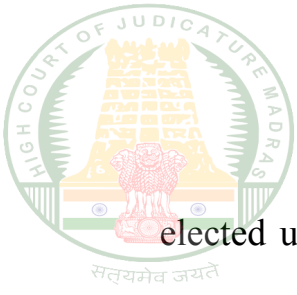
W.P.(MD)No.22639 of 2025

Mrs.Vathsale Bharathi.K. were declared elected as unopposed on the same day.

The election is scheduled to be held on 22.08.2025. At this juncture, the present writ petition is filed with the very same prayer which was sought for by the very same petitioners in W.P(MD)No.11518 of 2025. The learned counsel for the petitioners would submit that the principles settled by the Apex Court of India i.e., One Bar One Vote has not been followed. Certain clauses in the byelaws are also flouted.

5. This Court is of the considered view that, if at all any such allegations exists or available to the petitioners, they have to raise an election dispute. The election process is set in motion and in midway. The election is scheduled on 22.08.2025. Three Bar Council members are the Election Commission appointed by the Bar Council of Tamil Nadu and Puducherry pursuant to the orders of this Court. Therefore, the present writ petition is ill-motivated and filed with an idea to stall the elections by the bar members which cannot be appreciated.

6. The writ petitioners are experienced legal practitioners and they are expected to avoid such vexatious litigations when the election process is in midway and more specifically, two women Executive Committee members were



W.P.(MD)No.22639 of 2025

electd unopposed. Thus, this court is of the considered opinion that the present writ petition is frivolous and vexatious and stands dismissed with cost of Rs.50,000/- (Rupees Fifty Thousand Only).

7. Accordingly, the writ petition is dismissed with a cost of Rs.50,000/- (Rupees Fifty Thousand Only). The cost amount is directed to be paid by the petitioners in the name of the Secretary, Bar Council of Tamil Nadu and Puducherry, within a period of two weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

**(S.M.S., J.) & (G.A.M., J.)
20.08.2025**

NCC : Yes / No
Index : Yes / No
am



WEB COPY



W.P.(MD)No.22639 of 2025

S.M.SUBRAMANIAM, J.
AND
G.ARUL MURUGAN, J.
am

W.P.(MD)No.22639 of 2025

20.08.2025