



WP(MD). No.30785 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 24/03/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.30785 of 2024
and WMP(MD) Nos.25853 and 25854/2024

M.Vinothkumar

... Petitioner

Vs

1. The Secretary,
The Bar Council of Tamilnadu and Puducherry,
High Court Campus,
Chennai - 600104..

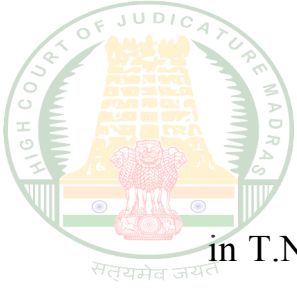
2. The Registrar,
The Bar Council of Tamilnadu and Puducherry,
High Court Campus,
Chennai - 600104..

3. C.Dinakaran,
S/o.Chinnasamy,
No.56b, Kalainagar 2nd Main Road,
3rd Cross Road,
Madurai – 625017..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the entire records of impugned order passed by 1st respondent

1/5



WP(MD). No.30785 of 2024

in T.N.E.C.R.No.14 of 2022 dated 22.06.2023 and Resolution No.656 of 2023 dated 18.10.2023 in connection with Notification No.28 of 2023 dated 25.10.2023 quash the same as illegal arbitrary and devoid any reasons and consequently directing the 1st and 2nd respondent to restore the petitioner's name on the roll of the 1st respondent by considering petitioner's representation dated on 03.12.2024 within the time stipulated by this Court.

For Petitioner : Mr.G.Sakthi Rao

For Respondents : Mr.K.R.Laxman for R1&R2

ORDER

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

The writ petition has been filed challenging the impugned order passed by 1st respondent in T.N.E.C.R.No.14 of 2022 dated 22.06.2023 and the resolution No.656 of 2023 dated 18.10.2023 in connection with Notification No.28 of 2023 dated 25.10.2023 and consequently to direct the 1st and 2nd respondents to restore the petitioner's name on the roll of the 1st respondent by considering petitioner's representation dated on 03.12.2024 within the time stipulated by this Court.



WP(MD). No.30785 of 2024

2. The petitioner's case is that he has completed his law degree at the Nagarjuna Law University and enrolled himself with the respondent Bar Council. He was married with the daughter of the 3rd respondent. It is alleged that due to the illegal activities of the 3rd respondent and his daughter with the unlawful prohibited elements, the petitioner has given divorce and a decree has also been obtained. However, without issuing notice and without hearing the petitioner, his name has been removed from the rolls of the respondent Bar Council. Therefore, challenging the said removal, the petitioner is before this Court.

3. The learned counsel for the petitioner would submit that though it is stated in the impugned order that notice has been served on the petitioner, neither notice nor opportunity was given to the petitioner before passing the impugned order.

4. The learned standing counsel appearing for the Bar Council would fairly submit that the impugned order may be set aside and matter may be remanded back to the respondents for fresh consideration.



WP(MD). No.30785 of 2024

5. In view of the said submission, the impugned order is set aside and the matter is remanded back to the 1st respondent for fresh consideration. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petitions are closed.

[J.N.B.,J]

[S.S.Y.,J]

24.03.2025

NCC : Yes/No

Index : Yes/No

RR



WEB COPY



WP(MD). No.30785 of 2024

J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
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