



W.P.(MD)No.3349 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.04.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P.(MD)No.3349 of 2024
and
W.M.P.(MD)Nos.3330 and 3331 of 2024
and
W.M.P.(MD)No.15784 of 2025**

M.Nalina Sekaran

... Petitioner

Vs.

- 1.The Bar Council of India,
Rep by its Secretary,
21, Rouse Avenue Institutional Area,
New Delhi - 110 002.
 - 2.The Bar Council of Tamil Nadu and Puducherry,
Rep by its Secretary, High Court Building,
Chennai - 600 014.
 - 3.M.Bhuvaneswari, (E.No.1307 of 2014),
The Sub Court Devakottai Bar Association,
Devakottai,
Sivagangai District.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for the records relating to the first respondent's impugned order dated 23.04.2019 in removal proceedings No.7 of 2018 in T.N.E.C.R.No.19 of 2017 and quash the same may be direct the 1st and 2nd respondents to permanently remove the 3rd respondent from the Bar Council Roll and Enrolment No.1307 of 2014.

For Petitioner : Mr.Gobi,
For Mr.J.Suresh Kumar.

For Respondents : Mrs.S.Mahalakshmi for R1
Mr.T.S.Mohammed Mohideen for R2
Mr.V.Meenakshmi Sundaram for R3

ORDER

(Order of the Court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.Shri.Gobi (Enrollment No.22/2009) representing Shri.J.Suresh Kumar contended that the impugned order passed by the Bar Council of India in favour of the third respondent deserves to be quashed. He pointed out that the third respondent obtained her law degree after securing her BA degree through Open University. According to him, the third respondent obtained her BA degree without completing



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12th standard. It is further stated that the third respondent appeared for 12th standard examination in the year 1995, but failed in one subject.

According to him, in view of Rule 5 of Legal Education Rules, 2008, the third respondent cannot be enrolled as an advocate and the Bar Council of Tamil Nadu rightly removed her from her roles. It is seen that the first respondent / Bar Council of India set aside the order passed by the Bar Council of Tamil Nadu on the ground that the third respondent had obtained her graduate degree well before the new the Legal Education Rules, 2008 came into force.

3.The learned counsel for the third respondent submitted that the impugned writ proceeding is an outcome of a matrimonial dispute. It turns out that Thiru.Gobi, the counsel representing Thiru.J.Suresh Kumar is none other than the erstwhile husband of the third respondent. We are clearly of the view that Thiru.Gobi ought not to have stood before us to argue this case at all. It is also seen that assailing the impugned order passed by the Bar Council of India, as many as three writ petitions were filed. One such writ petition is W.P.(MD)No.9062 of 2024. The writ petitioner herein / Nalina Sekaran is the counsel on record in



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W.P.(MD)No.9062 of 2024. The conduct of Thiru.Nalina Sekaran leaves much to be desired. It is further brought to our notice that Aarti, the child born to Gopi and Bhuvaneshwari filed W.P.No.471 of 2024 before the Principal Seat. The said writ petition was disposed of by the Hon'ble Division Bench on 25.06.2024 in the following terms:-

The writ on hand has been instituted challenging the validity of the removal proceedings dated 23.04.2019 passed by the Bar Council of India.

2.The Bar Council of India passed final orders setting aside the decision taken by the Bar Council of Tamil Nadu and Puducherry. Since the subject proceedings were dealt with by the Disciplinary Committee, the aggrieved person has to approach the Hon'ble Supreme Court of India under Section 38 of the Advocates' Act, 1961. An appeal expressly contemplated under Section 38 to the Hon'ble Supreme Court of India. Section 38 is an unique provision in the Advocates' Act, 1961, and no such provision has been contemplated in any other enactments. That being the legal position, the petitioner is at liberty to file an appeal under Section 38 of the Advocates' Act, 1961 in the manner known to law.



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3. With this liberty, this Writ Petition stand disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.”

4. When the impugned order has already been dealt with by a coordinate Division Bench, it would be patently improper for us to take any contra view or to even go into the merits of the matter.

5. This writ petition is also disposed of on the same lines as that of W.P.No.471 of 2024. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.S. J.) & (R.P. J.)
06.04.2026

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