



Rev.Appl.Nos.210 & 211 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2025

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CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Rev.Appl.Nos.210 & 211 of 2025

A.Mohandoss

...Applicant in both applications

Vs.

1.P.Vikash Kumar

2.The Bar Council of Tamilnadu & Puducherry,
High Court of Madras Campus,
Chennai – 600 104.

...Respondents in both applications

Common Prayer: Review Applications filed under Order 47 Rule 1(2) r/w Section 114(2) of CPC to review the order passed in paragraph No.20(1)(3) of Contempt Appeal Nos.29 & 30 of 2025 in Contempt Petition Nos.985 & 986 of 2025, dated 19.09.2025 by declaring that the provisions of Section 24A of the Advocates Act, 1960, are not attracted in the present case.

(in both applications)

For Applicant

: Mr.N.L.Rajah, Sr. Counsel
for Mr.G.Anandaraj

For Respondents

: Mr.K.K.Sanchetii
for R1

Mr.C.K.Chandrasekar
for R2



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COMMON ORDER

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

These Review Applications are filed against the common order passed by us in Cont.A.Nos.29 and 30 of 2025 dated 19.09.2025.

2.The main ground raised in these applications is by way of a clarification that since this Court had set aside the direction in Cont.P.Nos.985 and 986 of 2025 to the Bar Council of Tamil Nadu and Puducherry to initiate appropriate disciplinary action against the applicant, there is no bar for the applicant to resume practice.

3.The learned Standing Counsel appearing on behalf of the Bar Council would submit that since this Court had upheld the recording of guilt of civil contempt and directed the contemnor to pay a fine of Rs.2,000/-, he is not entitled to resume his practice, in view of the disqualification under Section 24A of the Advocates Act, 1961.

4.In the final orders passed in Cont.A.Nos.29 and 30 of 2025, though we had approved the recording of guilt of the civil contempt, we had accepted the unconditional apologies tendered by the applicant before



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us and had also taken into account of his withdrawal of litigations and complaints against the first respondent herein. It was not our intention to disqualify the applicant herein or debar him from practice. This apart, Section 24A of the Advocates Act could be pressed into service only for the purpose of disqualifying a person to be an Advocate, if he is convicted of an offence involving moral turpitude.

5.A finding of guilt for civil contempt by this Court is not a conviction of an offence under the Indian Penal Code or any penal statute and does not result in a conviction, as understood in criminal proceedings. The expression "conviction" in Section 24A must be construed strictly as it results in a civil consequence affecting a person's right to practice a profession, which is protected under Article 19(1)(g) of the Constitution of India. Furthermore, the Advocates Act itself draws a clear distinction of disqualification of a person at the stage of enrollment under section 24A, based on criminal conviction involving moral turpitude and Section 35, which provides for a separate mechanism for dealing with professional misconduct of Advocate, including misconduct arising out of contempt. If the recording of guilt of contempt were to be treated as a moral turpitude for the purpose of Section 24A, the elaborate disciplinary framework under Section 35 would be rendered redundant.

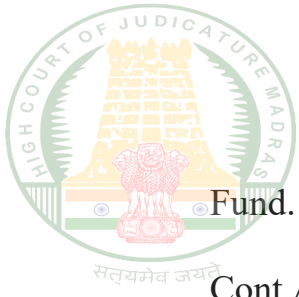


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6.The contempt proceedings under the Contempts of Court Act are not proceedings of the BNSS and thus, the term “conviction” referred to in Section 24A will not apply to recording of guilt for civil contempt. Rather, it could be termed to be a professional or other misconduct for which a separate mechanism is provided for to deal with such misconducts under Section 35 of the Advocates Act.

7.In the instant case, since we had already set aside the direction of the learned Single Judge to initiate disciplinary proceedings against the applicant, the disqualification of a person to enroll himself under Section 24A will not apply.

8.In the result, we hereby hold that the judgment passed by us in Cont.A.Nos.29 and 30 of 2025, dated 19.09.2025, will not be a bar for the applicant to practice his profession and the Bar Council of Tamil Nadu and Puducherry shall pass final orders to revoke the order, suspending the applicant from professional practice, forthwith, in any event, within a period of two days from the date of receipt of a copy of this order. The fine of Rs.2,000/- imposed, in the judgment passed in the said contempt applications, shall be paid by the applicant to the Advocates Welfare



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Fund. This order shall form a part of our judgment order passed in

Cont.A.Nos.29 and 30 of 2025.

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9.Accordingly, both the Review Application stand ordered.

[M.S.R.,J] [V.L.N.,J]
28.11.2025

Index:Yes/No

Speaking order/Non-speaking order

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Note: Upload on 26.12.2025

To

The Bar Council of Tamilnadu & Puducherry,
High Court of Madras Campus,
Chennai – 600 104.



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M.S.RAMESH, J.
and
V.LAKSHMINARAYANAN, J.

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