

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 11439/2014

[Arising out of S.L.P. (Civil) No. 22725 of 2014]

T. N. Raghupathy

... Appellant (s)

Versus

High Court of Karnataka and others

... Respondent (s)

WITH

TRANSFER PETITION (C) NO. 1150/2014

AND

TRANSFER PETITION (C) NO. 1838/2014

J U D G M E N T

KURIAN, J.:

Leave granted.

2. Appellant has challenged an interim order passed by the High Court of Karnataka at Bangalore in Writ Petition No. 35106 of 2014 filed in public interest.

3. Appellant has mainly sought for a writ of mandamus for framing new norms strictly in consonance with the provisions of Section 16(2) of the Advocates Act, 1961 in the matter of designation of senior advocates. A writ of certiorari is also

sought for quashing notifications dated 30.06.2014 and 14.07.2014 whereby 15 advocates have been designated as senior advocates by the High Court of Karnataka.

4. In the nature of the order we propose to pass in this case, we do not deem it necessary or proper to go into the various contentions raised by the appellant.

5. As per the impugned interim order dated 04.08.2014, the High Court has taken the view that the appellant does not have *locus standi* to file writ petition in public interest. Mr. K.K. Venugopal, Mr. Kapil Sibal, Mr. Gopal Subramaniam, Mr. Aditya Sondhi, learned senior counsel appearing for some of the parties and the other counsel appearing for others before this Court have graciously submitted that the High Court is not right in holding that view. Some of the issues raised in the writ petition require consideration. As rightly pointed out by the learned senior counsel, these are the issues to be considered by the High Court only since it is the High Court concerned which frames the rules/regulations/guidelines regarding the designation of senior advocates. Therefore, we set aside the impugned order with a request to the High Court to consider the matter on merits.

6. The appeal is accordingly disposed of. No costs.

T.P.(C) No.1150/2014 & T.P.(C) No. 1838/2014

7. In view of the order passed in Civil Appeal No. 11439/2014 (arising out of S.L.P. (C) No. 22725/2014), these transfer petitions have in effect been rendered infructuous.

8. The transfer petitions are accordingly dismissed. No costs.



..... J.
(ANIL R. DAVE)

..... J.
(KURIAN JOSEPH)

**New Delhi;
December 16, 2014.**

JUDGMENT