



2025:KER:66840

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

TUESDAY, THE 9TH DAY OF SEPTEMBER 2025 / 18TH BHADRA, 1947

WP(C) NO. 32947 OF 2025

PETITIONER:

**P S VIJAYAKUMARAN
AGED 66 YEARS
S/O. PM SWAMINATHAN (LATE),
PODIKULANGARA HOUSE,
MATHUR AGRAHARAM PO, PALAKKAD,
PIN - 678571**

**BY ADVS.
SMT.P.V.UTTARA
SMT.SAMAH ABDUL MAJID**

RESPONDENTS:

- 1 UNION OF INDIA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF LAW & JUSTICE, 3RD FLOOR,
C WING, LOK NAYAK BHAVAN,
KHAN MARKET, NEW DELHI, PIN - 110003**
- 2 STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF LAW, SECRETARIAT,
THIRUVANATHAPURAM,
PIN - 695001**
- 3 BAR COUNCIL OF INDIA
REPRESENTED BY THE CHAIRMAN, 21,**



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**ROUSE AVENUE INSTITUTIONAL AREA,
NEAR BAL BHAWAN, NEW DELHI,
PIN - 110002**

- 4 BAR COUNCIL OF KERALA
REPRESENTED BY ITS SECRETARY,
BAR COUNCIL BHAVAN,
HIGH COURT CAMPUS ERNAKULAM,
KOCHI, PIN - 682031**
- 5 SECRETARY, BAR COUNCIL OF KERALA,
BAR COUNCIL BHAVAN,
HIGH COURT CAMPUS ERNAKULAM,
KOCHI, PIN - 682031**
- 6 ENROLLMENT COMMITTEE, BAR COUNCIL OF KERALA,
REPRESENTED BY THE CONVENOR,
BAR COUNCIL BHAVAN,
HIGH COURT CAMPUS ERNAKULAM,
KOCHI, PIN - 682031**

**BY ADV
SMT.O.M.SHALINA, DSGI
SMT.M.U.VIJAYALAKSHMI
SRI.RAJIT,STANDING COUNSEL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 09.09.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**



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JUDGMENT

Dated this the 9th day of September, 2025

The petitioner, who has completed his LL.B Course in the year 1994, has filed this writ petition seeking the following reliefs:

- (i) Issue a writ of certiorari quashing Ext. P5, and P3 to the extent it prevents the applicant from applying for enrolment and obtaining enrollment stating that he completed LL.B via evening course mode, in ignorance of the fact that the petitioner passed his LL.B in 1994, well before the coming into force of the Rules of Legal Education;
- (ii) Issue a writ of certiorari quashing Ext. P7 and P12 to the extent it levies fees, of any kind, in excess of the statutory prescription under section 24(1)(g) of the Advocates Act 1961, i.e. in excess of Rs. 750/- from General Category candidates and Rs. 125/- from SC/ST candidates, towards enrolment;
- (iii) Declare that persons who completed LL.B in evening course mode before the coming into force of the Rules of Legal Education 2008 are entitled to apply for enrolment, and that they are entitled to be enrolled as Advocates;
- (iv) Issue a writ of mandamus directing the respondents 3, 4,5 and 6 to accept applications for enrolment from persons who who completed LL.B in evening course mode before the coming into force



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of the Rules of Legal Education 2008 and to grant them enrolment as Advocate;

(v) Declare that the petitioner is entitled to apply for enrolment in the enrolment process that commenced on 25.08.2025 ;

(vi) Declare that the respondents 4, 5 and 6 are liable to accept the petitioner's application for enrolment in the enrollment process that commenced on 25.08.2025;

(vii) Issue a writ of mandamus, directing the respondents 3,4,5 and 6 to modify the enrolment application portal, such that it permits persons who completed LL.B via evening course mode before the coming into force of the Rules of Legal Education 2008 from applying for enrolment;

Or in the alternative:

(vii)(a) Issue a writ of mandamus directing the respondents 3, 4, 5, and 6 to accept the petitioner's application for enrolment in physical mode;

(viii) Declare that the petitioner is entitled to be enrolled as an Advocate in the rolls of the 4th respondent;

(ix) Issue a writ of mandamus, direct the respondents 3, 4,5 and 6 to enrol the petitioner in the rolls of the 4th respondent

(x) Declare that the respondents are disentitled from levying fees, of any kind, in excess of the statutory prescription under section 24(1)(g) of the Advocates Act 1961, i.e. in excess of Rs. 750/- from General Category candidates and Rs. 125/- from SC/ST candidates, towards enrolment;

(xi) Issue a writ of mandamus directing the respondents 3,4,5 and 6 to not levy fees, of any kind, in excess of the statutory prescription under section 24(1)(g) of the Advocates Act 1961, i.e. in excess of Rs. 750/- from General Category candidates and Rs. 125/- from SC/ST candidates,



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towards enrolment;

(xii) Declare that the respondents are liable to permit the petitioner to apply for enrolment, to accept such application and to grant him enrolment as Advocate in the rolls of the 4th respondent, by remitting Rs. 750/- prescribed in Section 24(1)(f) of the Advocates Act 1961, instead of Rs. 60,400/-.

(xiii) Issue a writ of mandamus directing the respondents 3,4,5 and 6 to permit the petitioner to apply for enrolment, to accept such application and to grant him enrolment as Advocate in the rolls of the 4th respondent, by remitting Rs. 750/- as prescribed in Section 24(1)(f) of the Advocates Act 1961, instead of Rs. 60,400/-.

2. When this writ petition came up for hearing today, Standing Counsel appearing for the Bar Council of Kerala submitted that the petitioner needs to pay only ₹750/- towards statutory fees for enrollment and on payment of the statutory fees, the petitioner will be permitted to enroll.

3. The Standing Counsel further submitted that though the petitioner has studied in the evening course, the Degree Certificate being issued prior to the year 2008, there is no difficulty in enrolling the petitioner and the petitioner can



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practice as an Advocate after enrollment.

4. The submission made on behalf of the Bar Council of Kerala is recorded. As there are certain difficulties in the system maintained by the Bar Council of Kerala for options “Full-Time”, “Part-Time” and “Evening”, the petitioner is permitted to apply through the option “Part-Time”.

The writ petition is disposed of with the afore direction.

Sd/-

N.NAGARESH
JUDGE

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APPENDIX OF WP(C) 32947/2025

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE PETITIONER'S LL.B CERTIFICATE
Exhibit P2	TRUE COPY OF THE PETITIONER'S LL.B MARKLIST
Exhibit P3	TRUE COPY OF THE ENROLLMENT NOTIFICATION PUBLISHED IN THE WEBSITE OF THE 4TH RESPONDENT, DATED 25.08.2025
Exhibit P4	TRUE COPY OF THE PETITIONER'S PORTAL IN THE WEBSITE OF 4TH RESPONDENT TO APPLY FOR ENROLMENT
Exhibit P5	TRUE COPY OF THE POP-UP NOTIFICATION IN THE ENROLMENT APPLICATION PORTAL. PREVENTING THE PETITIONER FROM APPLYING FOR ENROLMENT DUE TO HAVING COMPLETED LL.B IN EVENING COURSE MODE
Exhibit P6	TRUE COPY OF THE JUDGMENT DATED 25.04.2024 IN WP(C) 6272/2024 TITLED SURESH C P VS BAR COUNCIL OF KERALA
Exhibit P7	A TRUE COPY OF THE FEE STRUCTURE FOR ENROLLMENT, PUBLISHED BY THE RESPONDENTS 4-6 IN ITS WEBSITE
Exhibit P8	TRUE COPY OF THE RELEVANT PAGES OF THE JUDGEMENT OF THE HON'BLE SUPREME COURT IN GAURAV KUMAR V. UNION OF INDIA 2025 INSC 558
Exhibit P9	TRUE COPY THE RELEVANT PAGES OF THE JUDGMENT OF THIS HON'BLE COURT IN T KOSHY V. BAR COUNCIL OF KERALA 2018:KER:21260
Exhibit 10	TRUE COPY OF THE ORDER DATED 04.08.2025 IN SLP(C) 43266/2018 TITLED BAR COUNCIL OF KERALA V. RAJU Y
Exhibit P11	TRUE COPY OF THE ORDER DATED



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	04.08.2025 IN IN CONTEMPT PETITION (CIVIL) DIARY NO. 16629/2025 TITLED KLJA KIRAN BABU V. KARNATAKA STATE BAR COUNCIL
Exhibit P12	TRUE COPY OF THE 'ENROLMENT AGREEMENT BAR COUNCIL OF KERALA: INFORMATION TO THE APPLICANTS FOR ENROLMENT'
Exhibit P13	TRUE COPY OF THE PRESCRIPTION OF THE PETITIONER'S WIFE'S PRESCRIPTION
Exhibit P14	TRUE COPY OF THE INTERIM ORDER OF THIS HON'BLE COURT DATED 15.02.2023 IN WP(C) NO. 3068 OF 2023 TITLED AKSHAI M SIVAN V. BAR COUNCIL OF KERALA
Exhibit P15	TRUE COPY OF THE ORDER OF THE HON'BLE SUPREME COURT DATED 25.08.2025 IN WP(C) 774/2025 TITLED DEEPAK YADAV V. BAR COUNCIL OF INDIA
Exhibit P16	TRUE COPY OF THE REVISED FEE STRUCTURE PUBLISHED IN THE WEBSITE OF THE 4TH RESPONDENT
Exhibit P17	TRUE COPY OF THE JUDGMENT 31.12.2024 IN WA NO. 2153/2024 TITLED ALAN BENNY V. BAR COUNCIL OF KERALA: 2024:KER:98018