IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

Friday, the 30th day of October 2026 / 8th Karthika, 1948

IA.NO.2/2026 IN WP(C) NO. 26232 OF 2026

PETITIONER:

YESHWANTH SHENOY AGED 47 YEARS PRIYADARSHINI, VEEKSHNAM ROAD, ERNAKULAM, PIN - 682018

RESPONDENT:

1. **BAR COUNCIL OF INDIA REPRESENTED BY ITS SECRETARY, 21, ROUSE AVENUE INSTITUTIONAL AREA, NEAR BAL BHAWAN, NEW DELHI , PIN - 110002**
2. **THE CHAIRMAN BAR COUNCIL OF INDIA, 21, ROUSE AVENUE INSTITUTIONAL AREA, NEAR BAL BHAWAN, NEW DELHI, PIN - 110002**
3. **THE SECRETARY BAR COUNCIL OF KERALA, BAR COUNCIL BHAVAN, HIGH COURT CAMPUS, ERNAKULAM, KOCHI , PIN - 682031**
4. **KERALA ADVOCATES WELFARE FUND TRUST COMMITTEE REPRESENTED BY ITS SECRETARY, BAR COUNCIL BHAVAN, HIGH COURT CAMPUS, ERNAKULAM, KOCHI , PIN - 682031**
5. **AJITH TS ATHULYA, MAMMIYUR, GURUVAYOOR P.O., THRISSUR , PIN - 680101**

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to restrain the Respondent No.5 from holding himself out as the Executive Trustee of the Bar Council of Kerala Advocates Academy for Continuing Legal Education Trust and attending the function mentioned in Exhibit-P18 in that capacity as the same is in blatant violation of the Kerala Advocates Welfare Fund Act, 1980, to protect the interest of justice.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of YESHWANTH SHENOY (Party-In-Person), Advocates for the petitioners and of Adv. RAJIT for respondents 1 and 2 and of P.Ramakrishnan Advocate for the respondent 3, the court passed the following:

ORDER

FRIDAY, THE 30TH DAY OF OCTOBER 2026

IA 2/2026 IN WP(C) No. 26232 of 2026

YESHWANTH SHENOY

VS

BAR COUNCIL OF INDIA & OTHERS

PARTY-IN-PERSON FOR PETITIONER/S:
YESHWANTH SHENOY

ADVS FOR RESPONDENT/S:
SRI.RAJIT, SHRI.P.RAMAKRISHNAN, SC, BAR COUNCIL OF KERALA

THE HIGH COURT OF KERALA
सत्यमेव जयते

P.V.KUNHIKRISHNAN, J

I.A .No. 2 of 2026
in
W.P.(C.) No. 26232 of 2026

Dated this the 30th day of October, 2026

O R D E R

This interlocutory application is filed to restrain the 5th respondent from holding himself out as the Executive Trustee of the Bar Council of Kerala Advocates Academy for continuing Legal Education Trust and attending the function mentioned in Ext.P18 in that capacity stating that, it is in blatant violation of the Kerala Advocates Welfare Fund Act, 1980.

2. Heard Adv. Yeshwanth Shenoy, who appeared in person. I also heard Adv.Rajit, who appeared for the Bar Council of India and Adv. P. Ramakrishnan, who appeared for

the Bar Council of Kerala.

3. Different contentions are raised by the petitioner in this application. Mr.Shenoy takes me through paragraph Nos. 7, 18 and 22 of the writ petition and also the relevant portion of Ext.P20 produced along with the interlocutory application to support his contentions. He submitted that the prayers in the interlocutory application may be allowed.

4. This is seriously opposed by Adv. Ramakrishan and Adv. Rajit, who appeared for the Bar Council of Kerala and Bar Council of India respectively.

5. The writ petition is filed with the following prayers :

> *A. "to issue a writ of certiorari or any other appropriate writ, order or direction, quashing Exhibit P10 and Exhibit P11 as being issued in violation of the express provisions of the Advocates Act, 1961;*
>
> *B. to issue a writ of mandamus or any other appropriate writ, order or direction, directing the 3rd Respondent to forthwith convene the first meeting of the XIII Bar Council*

of Kerala in terms of Rule 1 of Chapter III of the Bar Council of Kerala Rules, 1979, and to enable the duly elected members to assume full charge of the affairs of the Bar Council of Kerala without any further delay;

C. to declare that Exhibits P10 and P11 have been issued by the 2nd Respondent without authority of law, in as much as the power to issue directions to a State Bar Council under Section 48B of the Advocates Act, 1961 vests in the Bar Council of India as a statutory body and not in its Chairman acting individually;

D. to declare that the XIII Bar Council of Kerala stands validly and fully constituted with effect from 16.06.2026, the date of publication of Exhibit P1, and that neither the 1st nor the 2nd Respondent has any power thereafter to constitute any interim body, howsoever styled, to discharge the statutory functions of the Bar Council of Kerala;

E. to pass such other and further orders as this Hon'ble Court may deem just and necessary in the facts and circumstances of the case." [sic]

6. The connected writ petition namely, WP(C) No.25168/2026 was disposed by this Court as per judgment dated 07.10.2026. The petitioner submitted that this writ petition is to be retained stating that, a larger issue is to be

decided in this case.

7. After going through the prayers in the writ petition and the prayer in this interlocutory application, I think the prayer in the interlocutory application is not connected to the main prayers. Moreover, the petitioner wants to see that the 5th respondent is not participating in the function, which is scheduled tomorrow (31.10.2026). In tomorrow's function, the Hon'ble Chief Justice of India, Hon'ble Chief Justice of the High Court of Kerala, Hon'ble Chief Justice of Sikkim High Court, Attorney General of India, Advocate General of Kerala etc. are participating. At this belated stage, I am not inclined to pass any interim order in this case to change the scheduled programme. Moreover, as I mentioned earlier, the prayer in this petition is not connected to the main prayer in the writ petition. Therefore, the prayer in this petition cannot be entertained. But, I make it clear that, all the contentions raised by the petitioner in this interlocutory

application are left open and the petitioner can agitate the same separately in accordance with the law.

With the above observation, this petition is dismissed.

Sd/-

P.V.KUNHIKRISHNAN
JUDGE

SKS

APPENDIX OF WP(C) 26232/2026

Exhibit P1	**A TRUE COPY OF KERALA GAZETTE DATED 16.06.2026**
Exhibit P10	**THE TRUE COPY OF THE CHAIRMAN'S ORDER DATED 24.06.2026**
Exhibit P11	**THE TRUE COPY OF THE ORDER DATED 30.06.2026 PASSED BY CHAIRMAN, BAR COUNCIL OF INDIA**
Exhibit P18	**A TRUE COPY OF THE MINUTE TO MINUTE PROGRAMME SCHEDULE OF THE 2ND TRIBUTE OF HONOUR AWARD.**
Exhibit P20	**A TRUE COPY OF THE NEWS REPORT DATED 21 SEPTEMBER 2026 IN THE WIRE THAT REPORTED THE HEARING BEFORE THE HON'BLE SUPREME COURT ON BCI PEARL TRUST.**

THE HIGH COURT OF KERALA
सत्यमेव जयते