

A M. POORNACHANDRAN AND ANR.  
v.  
STATE OF TAMIL NADU AND ORS.

NOVEMBER 6, 1996

B [K. RAMASWAMY, B.L. HANSARIA  
AND S.B. MAJMUDAR, JJ.]

*Practice and Procedure :*

C *Review petition—Filing of before the Supreme Court—Advocate on Record filing the review petition—Not obtained "No Objection Certificate" from the Advocate-on-Record in the appeal—He was neither a counsel of the petitioner when the appeal was heard nor was he present at that time—Grounds taken in the review petition do not confine to the scope of review—Held, it would be not in the interest of the profession to permit such practice.*

D *Advocate-on-Record—Filing review petition before the Supreme Court without obtaining "No objection Certificate" from the Advocate-on-Record in the appeal—Held, filing of "No Objection Certificate" would be the basis for him to come on record—Otherwise the Advocate-on-Record is answerable to the Court—Failure to obtain "No Objection Certificate" from the erstwhile counsel has disentitled him to file the review petition.*

CIVIL APPELLATE JURISDICTION : Review Petition (C) No. 2070 of 1996.

F IN

Arising out of Civil Appeal No. 1867 of 1992

G From the Judgment and Order dated 22.4.91 of the Madras High Court in W.P. Nos. 9269 of 1983.

Prabir Chowdhary for the Petitioner/Appellants.

The following of the Court was delivered :

H The record of the appeal indicates that Shri Sudarsh Menon was the

Advocate-on-Record when the appeal was heard and decided on merits, A  
The Review Petition has been filed by Shri Prabir Chowdhury who was  
neither an arguing counsel when the appeal was heard nor was he present  
at the time of arguments. It is unknown on what basis he has written the  
grounds in the Review Petition as if it is a re-hearing of an appeal against  
our order. He did not confine to the scope of review. It would be not in the  
interest of the profession to permit such practice. That part, he has not B  
obtained "No Objection Certificate" from the Advocate-an-Record in the  
appeal, inspite the fact that Registry had informed him of the requirement  
for doing so. Filing of the "No Objection Certificate" would be the basis  
for him to come on record. Otherwise, the Advocate-an-Record is  
answerable to the Court. The failure to obtain the "No Objection Certificate" C  
from the erstwhile counsel has disentitled him to file the Review petition.  
Even otherwise, the Review petition has no merits. It is an attempt to  
reargue the matter.

On these grounds, we dismiss the Review Petition.

R.P.

Petition dismissed. D