

**In Re: Ottappalam**

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**Court :** Chennai

**Decided On :** Nov-23-1942

**Reported in :** AIR1943Mad130; (1943)1MLJ8

**Appellant :** In Re: Ottappalam

**Judgement :**

Alfred Henry Lionel Leach, C.J.

1. The respondent is a pleader practising at Ottappalam. On the 21st August, 1942, he was convicted under Rule 34 (6) (c) read with Rule 38 (5) of the Defence of India Rules by the Joint Magistrate of Malappuram, and sentenced to undergo rigorous imprisonment for one month. The evidence in that case showed that he had interrupted the work of the Subordinate Judge's Court, Ottappalam, by shouting Congress slogans and exhorting the Subordinate judge to resign his position as a protest against the arrest of the Congress leaders. As the result of the respondent's disorderly conduct the Subordinate Judge was forced to retire to his room. The respondent was then ejected from the Court. The respondent afterwards went to the Court of the District Munsiff and made a similar demonstration. In consequence he has been called upon to show cause why he should not be dealt with under Section 13 (f) of the Legal Practitioners' Act. The respondent has not appeared but has written a letter to the Registrar of the Court in which he says that there is no case for action against him under the Legal Practitioners' Act.

2. In effect he admits his misconduct in the two Courts referred to but attempts to excuse himself on the ground that his action was prompted by what he describes as 'the legitimate object of securing the country's freedom'. No charge has been framed against him under Section 12 of the Legal Practitioners' Act and therefore it is not necessary to consider whether that section can be invoked in such a case as this. It is manifest, however, that the respondent has been guilty, of improper conduct as a legal practitioner. It is the duty of a legal practitioner to assist the Court. If he appears in Court and makes a demonstration which has the effect of interfering with the work of the Court and the administration of justice he does something which a member of the legal profession certainly ought not to do. The Court has power under Section 13 (f) to suspend or dismiss a legal practitioner for any reasonable cause. We consider that reasonable cause has been shown here for the taking of action against the respondent : He has suffered a term of imprisonment but that does not mean that he should not be dealt with under the Act. His conduct has been such that we direct that his sanad be suspended for a period of twelve months.

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