

**Adv. R. Sudha, M.P.,**

Member of Parliament (Lok Sabha)

Mayiladuthurai - Tamil Nadu



New Delhi :

Flat No. 1902, 19<sup>th</sup> Floor, "KRISHNA",  
M P Residential Complex, B.K.S. Marg,  
New Delhi - 110 001.

Mobile : +91 94441 41925

Email : mpsudha.mayiladuthurai@gmail.com

29/04/2026

To

The Hon'ble Smt. Droupadi Murmu,  
President of India,  
President's Secretariat,  
Rashtrapati Bhavan,  
New Delhi - 110 004.

**Sub:** Enrolment of former Prime Minister Shri. Rajiv Gandhi's assassin as an advocate by Bar Council of TN and Puducherry.

Respected Sir,

I pen this letter to your good selves not with ink, but with the blood and rage of every right-thinking lawyer and a conscientious person from every corner of this nation. I am a lawyer practising for 26 years now in the Madras High Court, and had the distinction of having held several elected positions, including the Vice-President, in the Madras High Court Advocates Association (MHAA). As I am a sitting MP in the Lok Sabha, I am conscious of the responsibilities of a lawmaker. I am, therefore, writing this to address a gap or vacuum in law relating to enrolment of people convicted for serious offences including acts of terrorism.

April 27, 2026 shall go down in the judicial history of our great nation as a Black Day, as the Bar Council of Tamil Nadu and Puducherry enrolled A.G. Perarivalan as the convicted assassin of former Prime Minister Shri. Rajiv Gandhi, as an advocate on its rolls.

Perarivalan is an active member of the Liberation Tigers of Tamil Eelam (LTTE), which is an internationally banned terrorist organisation. The ban is continuing in India as well as in other countries across the world even now.

Sirs, Perarivalan's death penalty was confirmed by the Hon'ble Supreme Court in 1999 (**Superintendent of Police, CBI/SIT vs. Nalini and Ors. (11.05.1999 - SC)**), and he came to be released following a May 18, 2022, order of a three-judge bench of the Hon'ble Supreme Court. The

Page : 1

---

**Head Office & Communication Address :** No.6, " CHENNAI HOUSE", 3<sup>rd</sup> Floor, Annex Building,  
Esplanade Road, (Opp. Esplanade Police Station), Broadway, Chennai - 600 104.

**Consitituency Address :** No.7A, "Sampoorna Building", First Floor, (Old State Bank Building), State Bank Road,  
Avayambalpuram, Mayiladuthurai Town, Mayiladuthurai Dist. - 609 001, Tamil Nadu.

No. 75, Kumbeswaran Koil South Street, Thanjavur Main Road, Kumbakonam, Thanjavur Dist. - 612 001.



Hon'ble bench invoked its extraordinary powers to do complete justice under Article 142 of the Constitution and ordered the release of Perarivalan, a convict in the assassination of former Prime Minister Rajiv Gandhi. It ruled that there has been an inordinate delay on the part of the Governor in deciding the plea of remission of Perarivalan under Article 161 of the Constitution.

Such a court-inspired clemency cannot be unconditional and without any preconditions as to their future activities, such as getting enrolled in the Bar Council or holding any sensitive public office in any part of the country and in any capacity.

There is no iota of doubt about the involvement of Perarivalan in the assassination of one of the greatest leaders our nation has ever seen. Shri. Rajiv Gandhi's assassination on May 21, 1991 resulted in pushing the progress of our nation by a couple of decades, as he had pioneered initiatives like computer revolution of our generation and empowerment of the common man through Panchayati Raj laws. His assassination shocked the entire world, and those who were responsible were tried and convicted by a Special Court, and thereafter by the Supreme Court. The accused were afforded every opportunity in the book to defend themselves. After exhaustive proceedings, the Hon'ble Supreme Court found Perarivalan and others guilty of the assassination, and awarded them the death penalty.

His later release in May 2022 was merely on the ground of inordinate and unexplained delay in deciding his pending mercy petitions. Once he was found guilty by the Hon'ble Supreme Court, which also rejected the connected review pleas, a finality of guilt is attained. The subsequent commuting of the death penalty into imprisonment for life, and then a complete release from jail on the ground of inordinate delay in deciding his mercy pleas will not wipe off the guilt.

On May 21, 1991, along with Shri. Rajiv Gandhi, 14 more people, including police personnel, were killed, and countless people suffered debilitating bodily injuries besides trauma that still haunts them. The assassination happened at Sriperumpudur in Kancheepuram district, whereas the convict's enrolment as an advocate happened 50 kilometres away, at the premises of the Bar Council of Tamil Nadu and Puducherry.



Sirs, first of all, the Bar Council of Tamil Nadu and Puducherry is not in existence for all practical and legal purposes, as its existing office-bearers have ceased to be office-bearers because election for new set of office-bearers has already been held. In fact, the counting of votes is in progress.

While the Bar Council itself is yet to be elected, how can a team which has ceased to be office-bearers conduct the enrolment function on April 27. What is the tearing hurry? Is it to benefit this one convict, and allow him to be enrolled as an advocate?

According to Section 24A of the Advocates Act, 1961, a convicted person shall not be enrolled for a period of two years since his release. But, here is a case of Perarivalan, who, after being released by the Hon'ble Supreme Court in May 2022, joined a law course in a college in Karnataka and completed it. He was enrolled in April 2026.

**<sup>1</sup>[24A. Disqualification for enrolment:**

*(1) No person shall be admitted as an advocate on a State roll:*

- (a) if he is convicted of an offence involving moral turpitude;*
- (b) if he is convicted of an offence under the provisions of the Untouchability (Offences) Act, 1955 (22 of 1955);*
- (c) if he is dismissed or removed from employment or office under the State on any charge involving moral turpitude.*

*Explanation: In this clause, the expression "State" shall have the meaning assigned to it under article 12 of the Constitution:]*

*Provided that the disqualification for enrolment as aforesaid shall cease to have effect after a period of two years has elapsed since his <sup>3</sup>[released or dismissal or, as the case may be, removal.]*

*(2) Nothing contained in sub-section (1) shall apply to a person who, having been found guilty is dealt with under the provisions of the Probation of Offenders Act, 1958 (20 of 1958).]*

The 24(A)(2) clause will not be applicable to Perarivalan, who is a convict for the murder of a former Prime Minister of India Shri. Rajiv Gandhi, and his



association with the LTTE, which is an internationally banned terrorist organisation. He continues to be an active member or sympathiser of the LTTE. An act of terrorism cannot be equated with usual crime, however grave it could be, for the purpose of taking a spot in the hallowed halls of legal fraternity.

Allowing the convict to be enrolled as a law student and then allowing him to be enrolled as an advocate, saying it is beyond the statutory bar period is like cocking a snook at the prohibitory provision. A law and rule comprise letter and spirit. The above enrolment is akin to taking only the letter of Section 24A of the Advocates Act, 1961, abandoning the spirit.

A Hon'ble Division Bench of Madras High Court comprising Justice G.R. Swaminathan and Justice R Kalaimathi dealt with a similar case. They have referred it to a larger bench to decide the question.

**The larger bench should suo motu take up the Perarivalan case as well and decide whether the letter of Section 24A of the Advocates Act, 1961, alone could be relied on to allow him to be enrolled as an advocate inspite of the fact that he was a member of the internationally banned terrorist organisation and was convicted for the assassination of the former Prime Minister of India Shri. Rajiv Gandhi. Till a decision is taken, his enrolment on April 27, 2026 shall be kept in abeyance, and he shall not be allowed to practice before any court, or tribunal or chambers, pending a decision by the larger bench.**

Sirs, our Law Commission too has dealt with this disturbing question and come out with vivid findings and recommendations. Here are excerpts from a report published by **Advocate Khoj**:

*The Law Commission considered the desirability of suggesting modifications in section 24A of the Advocates Act which provides for disqualification for enrolment in certain cases. Section 24A provides that any person who has been convicted of an offence, may become eligible to be enrolled as an advocate after the expiry of two years from completion of the sentence. Further, it is also seen that section 26A, which makes provision for Bar Councils to remove names from the rolls, does not provide for removal of names of advocates, who stand convicted for an offence. These aspects need examination, keeping in view the judgment given by the Gujarat High Court in 'C' v. Bar Council of Gujarat<sup>34</sup> which was quoted and reiterated by the Supreme Court in Mahipal Singh Rana (supra), as under:*



*"We, however, wish to avail of this opportunity to place on record our feeling of distress and dismay at the fact that a public servant who is found guilty of an offence of taking an illegal gratification in the discharge of his official duties by a competent court can be enrolled as a member of the Bar even after a lapse of two years from the date of his release from imprisonment. It is for the authorities who are concerned with this question to reflect on the question as to whether such a provision is in keeping with the high stature which the profession (which we so often describe as the noble profession) enjoys and from which even the members of highest judiciary are drawn.*

*It is not a crime of passion committed in a moment of loss of equilibrium. Corruption is an offence which is committed after deliberation and it becomes a way of life for him. It is for the legal profession to consider whether it would like such a provision to continue to remain on the statute book and would like to continue to admit persons who have been convicted for offences involving moral turpitude and persons who have been found guilty of acceptance of illegal gratification, rape, dacoity, forgery, misappropriation of public funds, relating to counterfeit currency and coins and other offences of like nature to be enrolled as members merely because two years have elapsed after the date of their release from imprisonment. Does the passage of 2 years cleanse such a person of the corrupt character trait, purify his mind and transform him into a person fit for being enrolled as a member of this noble profession?*

*Enrolled so that widows can go to him, matters pertaining to properties of minors and matters on behalf of workers pitted against rich and influential persons can be entrusted to him without qualms, court records can be placed at his disposal, his word at the Bar should be accepted? Should a character certificate in the form of a black gown be given to him so that a promise of probity and trustworthiness is held out to the unwary litigants seeking justice? A copy of this order may, therefore, be sent to the appropriate authorities concerned with the administration of the Bar Council of India and the State Bar Council, Ministry of Law of the Government of India and Law Commission in order that the matter may be examined fully and closely with the end in view to preserve the image of the profession and protect the seekers for justice from dangers inherent in admitting such persons on the rolls of the Bar Council."*

*10.2. The Law Commission is of the view that wiping out the bar after enrolment, in case of conviction of an advocate after two years in the nature of cases mentioned in section 24A, does not render the person in any way desirable to plead on behalf of a person seeking redressal of his grievance through the justice delivery system. The legal profession, as such, has been placed on a very high pedestal acknowledging advocates' legal status and authority to plead on behalf of a person in court of law. Similarly, there can be hardly any justification for*



*wiping out such disqualification, which is otherwise applicable for enrolment, after the enrolment is made. Having regard to the broader objective of the provision, the said bar should certainly operate post enrolment. With this in view, the Commission recommends the substitution of section 24A and 26A with new provisions to take care of the objectives of undesirability of a convicted person being allowed to perform important public functions.*

The Hon'ble Supreme Court has used its extraordinary powers under Article 142 of the Constitution, from the Union Carbide Case in 1989 through the Ayodhya Ram Mandir ruling in 2019.

In situations where a law or statute may not always offer a remedy, Article 142 "provide(s) a unique power to the Supreme Court, to do 'full justice' between the parties, i.e., the Court might extend itself to put a quietus to a dispute in a way that would befit the facts of the case. The framers of the Constitution thought that this clause was crucial for people who are compelled to endure suffering because the judicial system is ineligible to provide the necessary remedies.

Such a remedy was extended to Perarivalan on the ground of inordinate delay in deciding his pending mercy petitions. The Hon'ble Supreme Court's verdict in the case should not be interpreted as a blank cheque to do whatever one wants to put the honourable legal profession itself to shame. The Hon'ble Supreme Court did not foresee a situation where the convict would join a law course during the prohibitory period and then join the Bar Council's rolls saying the two-year prohibitory period was over.

Sirs, the legal profession has seen such jailed and convicted freedom fighters as V.O. Chidambaram Pillai and Chakravarthi Rajagopalachari. Young women and men make a beeline to join the profession because the legal profession offers them freedom, empowerment, fame, wealth and strength of character. Once enrolled as a lawyer, they are officers of the court, and so they could access any records and represent anyone before any judicial and quasi-judicial forum.

While so, allowing Perarivalan this exclusive access to state and societal resources will be disastrous as well as demoralising for youngsters entering the profession. It will be a rude shock to the families of those who were killed along with the assassination of Shri. Rajiv Gandhi.



For the above said reasons, I humbly request your good selves to:

1. Refer the enrolment of A.G. Perarivalan, a convict in the former Prime Minister Shri. Rajiv Gandhi assassination case, to a larger bench of Hon'ble Madras High Court hearing a related case on enrolling people with cases pending against them.
2. To suspend the enrolment of A.G. Perarivalan till the larger bench delivers its verdict; and to prohibit A.G. Perarivalan from appearing before any court of law, tribunal, commissions and quasi-judicial proceedings representing anyone.
3. To read Section 24A of the Advocates Act, 1961 in its true letter and spirit, and cancel the enrolment of A.G. Perarivalan as an advocate.
4. Order inquiry on how A.G. Perarivalan was allowed to advertise in an inconspicuous manner, and was enrolled by a set of office-bearers whose tenure has lapsed in a hurried manner.
5. Order inquiry on how A.G. Perarivalan's enrolment application was kept on hold for more than six months before being cleared for enrolment in a hurried manner on April 27, 2026.
6. Appoint a retired Hon'ble judge of the high court to take up this probe, and to prohibit A.G. Perarivalan from appearing before any court of law, tribunal, commissions and quasi-judicial proceedings representing anyone.
7. Ascertain if the Hon'ble Chief Justice of Madras High Court, **Justice Sushrut Arvind Dharmadhikari** delivered his enrolment address fully aware of the fact that A.G. Perarivalan was one among the listed people to be administered oath as an advocate.

And provide such other reliefs, which your good selves may deem it fit.

Regards,

Yours Sincerely,

(Adv. R. Sudha)

M.P. (Loksabha), Tamilnadu



### **TIMELINE**

- **May 21, 1991:** Former prime minister Rajiv Gandhi is assassinated in Sriperumbudur in Tamil Nadu by a suicide bomber belonging to the Liberation Tigers of Tamil Eelam (LTTE).
- **June 11, 1991:** 19-year-old A G Perarivalan was arrested by CBI and booked under TADA along with other accused in the case.
- **January 12, 1998:** After a prolonged trial, the TADA court sentenced 26 accused to death, including Nalini and Perarivalan.
- **May 11, 1999:** Supreme Court upholds the death sentence of four, including Murugan, Santhan, Perarivalan and Nalini, sentences three others to life sentences and frees 19 other death convicts.
- **April 2000:** Nalini's death penalty is commuted to life by the then Tamil Nadu governor on the basis of a recommendation of the state cabinet and a public appeal made by Sonia Gandhi.
- **2001:** Three death convicts, including Santhan, Murugan and Perarivalan, submit their mercy pleas to the President of India.
- **August 11, 2011:** Pratibha Patil, the then President, rejects their mercy petitions after 11 years.
- **Aug 2011:** Madras HC orders stay on the execution of three death convicts ahead of their scheduled hanging on September 9, 2011. A resolution is passed by the then chief minister J Jayalalithaa, seeking commutation of the death sentence.
- **Nov 2013:** Former CBI SP V Thiagarajan, who had taken the confession of Perarivalan in TADA custody, reveals that he altered it to qualify as a confession statement.
- **January 21, 2014:** SC commutes death penalty of three Rajiv Gandhi case convicts, along with 12 others, including aides of forest brigand Veerappan, into life imprisonment. The Court cited the inordinate delay in deciding the mercy petition by the President to commute the sentence of death.



- **2015: Perarivalan submits a mercy petition to the Tamil Nadu governor seeking release under Article 161 of the Constitution. Later, he moves Supreme Court after getting no reply from the Governor.**
- **Aug 2017:** Tamil Nadu government grants parole to Perarivalan, the first after his arrest in 1991.
- **September 9, 2018:** Tamil Nadu Cabinet, headed by the chief minister, recommends the release of all seven convicts.
- **Jan 2021:** As the Governor continues to sit on the cabinet recommendation, SC orders to take a decision and warns that the Court will be forced to release them, citing the inordinate delay.
- **May 2021:** Perarivalan is out on parole. The new DMK government kept extending the parole.
- **March 9, 2022:** The Supreme Court grants bail to Perarivalan.
- **May 11, 2022:** The Supreme Court concludes the hearing in the case.
- **May 18, 2022:** Supreme Court orders release of Perarivalan from jail.

Copy to:

1. The Hon'ble Shri Vice-President of India,
2. The Hon'ble Shri Prime Minister of India.
3. The Hon'ble Chief Justice of India
4. The Hon'ble Shri Union Home Minister.
5. The Hon'ble Shri Union Law Minister.
6. The Hon'ble Shri Attorney-General of India.
7. The Hon'ble Shri Governor of Tamil Nadu.
8. The Hon'ble Shri Chief Minister of Tamil Nadu.
9. The Hon'ble Shri Chief Justice of Madras High Court.
10. The Hon'ble Shri Law Minister of Tamil Nadu.
11. The Hon'ble Shri Advocate-General of Tamil Nadu.
12. The Vice Chairman, Bar Council of India (BCI)
13. The Bar Council of Tamil Nadu and Puducherry.