



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.21303 of 2014

V.Mayilvaganan

... Petitioner

Vs.

The Commissioner of Revenue Administration,
Chepauk,
Chennai 600 005.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the order of rejection of the Petitioner's appeal passed by the respondent in R.A.5 (1) / 42788/2010/ (A.A. No.75/2010) dated 20.08.2014 and quash the same as illegal and consequently direct him to issue suitable orders to renew the petitioner's SBBL license.

For Petitioner : Mr.C.Arul Vadivel @ Sekar

For Respondent : Mr.S.Chandrasekar,
Government Advocate.**O R D E R**

According to the petitioner, the impugned order was passed on the ground that the petitioner being the senior citizen, he is not entitled to have a gun licence.

2.Learned Government Advocate submitted that since the petitioner did not appear before the appellate authority for enquiry, the present impugned order has been passed rightly rejecting his claim and therefore, no interference is required.

3.But the impugned order only states that in view of the age (75 years) and health condition of the petitioner his appeal was rejected and therefore, the age cannot be a criterion for rejection because the rules does not say so anything about the age. Therefore, the impugned order is set aside and the matter is remitted back to the respondent for deciding the matter afresh after giving sufficient opportunity to the petitioner. The above exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

4.The writ petition is ordered accordingly. No costs.

SD/-

Assistant Registrar(T&P)

/True copy/



sms

To

The Commissioner of Revenue Administration,
Chepauk,
Chennai 600 005.

+1cc to MR. C.Arul Vadivel @ Sekar, Advocate Sr NO.66

+1cc to Special Government Pleader Sr No.154

Writ Petition (MD)No.21303 of 2014
05.01.2015

rg.20.01.2015 2p/4c