

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13974 of 2016

And

W.M.P.No.12216 of 2016

Mr.Moses Ravikumar

... Petitioner

Vs.

Inspector General of Police, Welfare
Controlling Authority,
Tamil Nadu Private Security Agency,
O/o The Director General of Police,
Chennai - 600 004.
Tamil Nadu.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the application dated 03.02.2015 of the petitioner to the respondent, for granting a license for operating a Private Security Agency in the name of Global Security and Facility Services in the furtherance to explanation dated 09.03.2016 of the petitioner to the respondent.

For Petitioner : Mr.S.Satish

For Respondent : Mrs.M.E.Rani Selvam
Additional Government Pleader

O R D E R

The present writ petition has been filed seeking a Mandamus directing the respondent to consider the application dated 03.02.2015 of the petitioner to the respondent, for granting a license for operating a Private Security Agency in the name of Global Security and Facility Services in the furtherance to explanation dated 09.03.2016 of the petitioner to the respondent.

2.In the petition it is stated that the petitioner is the Ex-Airman of the Indian Air Force and he was operating a Private Security Agency in the name of Modern Facility and Security

Management, a partnership firm, wherein he was a partner. It is further stated that he was granted a license by the respondent to engage in the business of Private Security Agency in the name of M/s.Modern Facility and Security Management in five districts namely, Chennai, Thiruvallur, Kancheepuram, Vellore and Coimbatore in the State of Tamil Nadu and the said license is valid up to 12.09.2017.

3.It is further stated that due to dispute between the partners, the petitioner could not continue the business effectively in the name of the said firm and hence, he applied to the respondent on 03.02.2015 for granting a new license for operating the Private Security Agency in the name of Global Security and Facility Services and the petitioner has also paid the prescribed fees of Rs.25,000/- by way of demand draft.

4.It is further stated that on 30.06.2015, the petitioner received a letter from the respondent stating that the Joint Commissioner of Police, South Zone has informed that he is not residing at the address mentioned in the application and Global Security and Facility Services is not running a private security agency in the address mentioned in the application. Hence, the petitioner immediately provided the proof of his residence and proof of his proprietorship concern Global Security and Facility Services operating in the said address and thereafter, after enquiry, the Joint Commissioner of Police, South Zone also confirmed the said facts vide his letter dated 12.12.2015 to the respondent.

5.It is further stated that on 26.02.2015, the petitioner received a letter from the respondent stating that the petitioner is operating a private security agency with 15 persons in the name of Global Security and Facility Services and that the petitioner ought to have obtained the license first before commencing the operations and was required to provide explanation to the respondent. Hence, he went to the office of the respondent to offer his explanation and he was required to give apology letter in writing and he has also given the same, but his request for grant of license has not yet been considered. Hence, the petitioner has come forward with this petition.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

7.This Court without going into the merits of the averments made in the affidavit filed in support of this petition, directs the respondent to consider the petitioner's application dated 03.02.2015 on merits and in accordance with law and pass appropriate orders, after affording opportunity of personal

hearing to the petitioner as well as to all other necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

8.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

The Inspector General of Police, Welfare
Controlling Authority,
Tamil Nadu Private Security Agency,
O/o The Director General of Police,
Chennai - 600 004.
Tamil Nadu.

1 cc to Mr.S.Sathish, Advocate, sr.26266
1 cc to Government Pleader, sr.26793

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pvs co
kra 04.05.2016

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