

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.03.2017
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
W.P.No.5794 of 2017

M.K.Balasubramaniam

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Petitioner

Vs.

1. The District Collector,
Tiruppur District,
Tiruppur.

2. The Superintendent of Police,
Tiruppur District.

3. The Revenue Divisional Officer,
Udumalpet,
Tiruppur District.

4. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District.

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 1st Respondent to get the report from the Respondents 2 and 3 regarding the representation of the Petitioner dated 27.10.2014 for Gun License and in the absence thereof, direct the 1st Respondent to invoke the power under Sec.13 of the Arms Act, the petitioner's representation dated 27.10.2014.

For Petitioner : Mr.M.Vijayaragavan

For Respondents : MR.A.N.Thambidurai, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner claims to be the owner of a large extent of agricultural lands as well as other properties in Odakkalpalayam Village, Vadhambacherry Village, Sulur Taluk, Thiruppur District and according to him, while disposing of the agricultural lands, the persons with muscle and money power, started threatening him including an Advocate Mr.K.Srinivasan and in this regard, the petitioner lodged a complaint on the

file of the District Crime Branch, Coimbatore District against the said Advocate and based on the said complaint, a case in Crime No.5 of 2017 was registered on 17.02.2017 for the commission of the offences under sections 403, 406, and 420 IPC and the investigation is in progress.

3 The learned counsel for the petitioner would submit that the petitioner is apprehending threat to his life and he submitted an application dated 27.10.2014 praying for issuance of gun license to the District Collector, Tiruppur District vide communication dated 09.02.2015 in Na.Ka.No.16776/2014/,2, has directed the respondents 2 and 3 herein to get the background details and submit the same to him. Since the respondents 2 and 3 has failed to comply with the communication of the 1st respondent, the Petitioner has submitted a reminder representation dated 27.10.2016 to the 1st respondent and since he is yet to be favoured with any kind of response, he came forward to file this Writ Petition.

4 The learned counsel for the petitioner submits that since the petitioner is fearing danger to his life and in this regard, has also lodged a complaint on the file of the District Crime Branch, Coimbatore, which has been taken on file in Crime No.5 of 2017, the need for possessing gun license is very urgent and for the reasons best known, the respondents 2 and 3 are not submitting their opinion / report to the 1st respondent and prays for appropriate orders .

5 This Court heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents 1 to 4 and also perused the materials placed before it.

6 This court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into merits of the claim projected by him, directs the respondents 2 & 3 to respond to the communication of the 1st respondent in Na.Ka.No.16776/2014/,2 within a period of four weeks from the date of receipt of a copy of this order and the 1st respondent, upon receipt of the same, is directed to pass appropriate orders on merits in accordance with law, in respect of the application dated 27.10.2014, submitted by the petitioner for issuance of gun license, within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

7 The Writ petition stands disposed of with the above directions. No costs.

-s/d-
Assistant Registrar(CSV)

True Copy

Sub-Assistant Registrar

rka/AP

To

1. The District Collector,
Tiruppur District,
Tiruppur
2. The Superintendent of Police,
Tiruppur District
3. The Revenue Divisional Officer,
Udumalpet,
Tiruppur District
4. The Inspector of Police,
Madathukulam Police Station,
Tiruppur District

+1 cc to the Government Pleader sr 15290

+1 cc to Mr.M.Vijayaragavan Advocate sr 15057

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