

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.17534 of 2018

K.Ganeshamoorthy

.. Petitioner

-vs-

The District Collector,
Dharmapuri District,
District Collectorate,
Dharmapuri-636 701.

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider and pass appropriate orders on the representation dated 25.05.2018 sent by the petitioner within a time to be stipulated by this Court.

For Petitioner :: Mr.M.Babu Muthu Meeran

For Respondent :: Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

The petitioner has come to this Court seeking a direction to the respondent to consider and pass appropriate orders on his representation dated 25.05.2018 within a time to be stipulated by this Court.

2.The petitioner is an agriculturist and residing with his family members in the midst of agriculture land and they are owning about hundreds of acres of agricultural lands in which they have been planting coconut, mango, teak wood, beetle nut, sandalwood trees with the permission of the Government authorities and has also been cultivating seasonal crops like paddy, tapioca, turmeric etc. He has also been owning agricultural lands at K.N.Pudur Village, situated in the Servarayan foot hills, Omalur Taluk in Salem District and his

grand mother has been residing in the farm house and looking after the farm. Since he used to visit the farms at K.N.Pudur Village for the cultivation of crops in the fields and to protect him from the wild life animals from the nearby forest area, he has obtained Arms Licence and also possessing a S.B.B.L. Gun from the year 2012. In the year 2013, his grandmother Lakshmi, aged about 85 years was murdered by some unknown persons on 23.08.2013. On the complaint of his mother Kamalam, a case in Crime No.404 of 2013 was registered under Section 302 IPC before the Deevattipatty Police Station. But till date no person was arrested by the police. Apart from the said occurrence, various untoward incidents have been taken place in the fields both at K.N.Pudur village and in palakkadu village till date. Due to the aforesaid reasons, the petitioner decided to apply for an Arms Licence for possessing a pistol or revolver which will be convenient to carry in the odd hours from one farm to other. In this regard, on 06.09.2013, he applied for an Arms Licence to possess either a revolver or pistol. Though he visited number of times before the District Collector Office, Dharmapuri and enquired about the licence for revolver or pistol, he was informed that he would be get orders for an Arms Licence, but till date there was no response. While so, on 27.06.2018, some unknown culprits committed house breaking at his farm and his farm house and committed theft of 7.5 HP submersible electric motor, 5 HP pump set electric motor from the wells and cash Rs.30,000/- and Gas oven and regulator etc. Based on his complaint, a case was registered in Crime No.370 of 2018 under Sections 454, 380 of IPC before the Sub Inspector of Police, Deevattipatty Police Station, Salem District and the same is under investigation. Again he approached the District Collector, Dharmapuri and informed about the theft occurred and requested about the status of his Arms Licence and he was informed by the officials that the same was pending. As the same was pending for more than 4 years, he is before this Court seeking the above said prayer.

3.Learned Special Government Pleader appearing for the respondent sought four weeks time to consider the petitioner's representation.

4.Considering the facts and circumstances of the case, this Court is of the view that the District Collector could consider for grant of licence for the reasons that the petitioner has been living far away from the residential area and in addition thereto, two untoward incidents have been taken place namely his grand mother has been murdered and a burglary has taken place in the same farm house.

5.Therefore, the respondent is directed to consider the case of the petitioner within a period of four weeks from the date of

receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

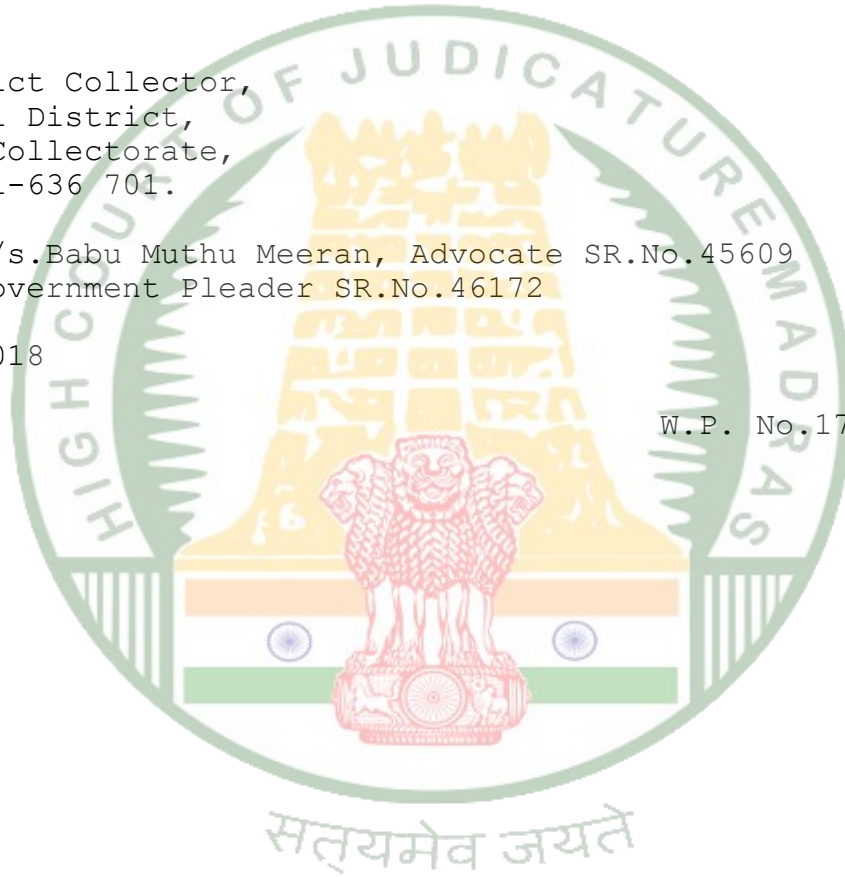
To

The District Collector,
Dharmapuri District,
District Collectorate,
Dharmapuri-636 701.

+1cc to M/s.Babu Muthu Meeran, Advocate SR.No.45609
+1cc to Government Pleader SR.No.46172

sm:23.7.2018

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