



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2018

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9923 of 2018

M.S.Noor Mohammed

: Petitioner

Vs.

1. The Government of India,
Represented by its Secretary,
Departmental Industrial Policy and Promotion,
Ministry of Commerce and Industry,
Udyog Bhavan, New Delhi.

2. The Secretary,
Ministry of Home Affairs,
Major Dhyani Chand National Stadium,
II Floor, Near India Gate,
New Delhi.

3. The Government of Tamil Nadu,
Represented by its Secretary,
Department of Home,
Fort St.George, Chennai-600 009.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the first respondent to pass an order on the application dated 12.02.2016 preferred by the petitioner for conversion of licence under Arms Rule 2016 and for enhancement of quantity in the existing licence forwarded by the third respondent by his letter in (Home Dept) Letter No.93308/Pol.13/2016-6 dated 29.12.2017 to the second respondent, within the time that may be stipulated by this Court.

For Petitioner : Mr.E.Mareeskumar
for M/s.Ajmal Associates

For R1 and R2 : M/s.L.Victoria Gowri
Standing Counsel for Central Govt.

For R3 : Mr.V.Anand,
Government Advocate



ORDER

Heard Mr.E.Mareeskumar, learned counsel appearing for the petitioner and M/s.L.Victoria Gowri, learned Standing Counsel, who takes notice on behalf of the respondents 1 and 2.

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2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.It is the grievance of the petitioner that his application dated 12.12.2016 seeking renewal of licence has not been considered by the respondents till date and therefore, has filed the present writ petition.

4.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5.In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's application, which has been forwarded by the third respondent and pending with the second respondent, dated 12.02.2016 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Government of India,
Represented by its Secretary,
Departmental Industrial Policy and Promotion,
Ministry of Commerce and Industry,
New Delhi.



2. The Secretary,
Ministry of Home Affairs,
Major Dhyani Chand National Stadium,
II Floor, Near India Gate,
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3. The Government of Tamil Nadu,
Represented by its Secretary,
Department of Home,
Fort St. George, Chennai-600 009.

+1CC to M/s.Ajmal Associates, Sr.63955

+1cc to M/s.L.Victoria Gowri, Standing Counsel, Sr.64257

Myr

JM/KKR/SAR-I/17.05.2018/3P-6C

W.P. (MD) No.9923 of 2018

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