

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 30.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.34562 of 2005

R. RAVI

... petitioner

Vs

1 THE SPECIAL COMMISSIONER AND
COMMISSIONER OF REVENUE ADMINISTRATIOIN
EZHILAGAM CHENNAI-5.

2 THE DISTRICT REVENUE OFFICER
COIMBATORE COIMBATORE DISTRICT.

3 THE SUPERINTENDENT OF POLICE
COIMBATORE COIMBATORE DISTRICT.

4 THE TAHSILDAR
UDUMALPET TALUK COIMBATORE DIST. ... Respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the entire records in connection with the order of the 1st respondent No.D.Dis.RA5(2)/106373/2004 A.A.No.252/2004 dated 16.09.2005 and that of the 2nd Respondent No.M.M.20866/03/C3 dated 12.11.2004 and quash the same and consequently direct the 2nd respondent to issue a licence to the petitioner to possess the DBBL gun.

For petitioner ... Mr.Thalapthy Vigneshkumar
For respondents ... Mr.R.Janaki, A.G.P.

O R D E R

The rejection of gun license made by the first respondent by proceedings dated 16.09.2005, confirming the order of the second respondent dated 12.11.2004 are under challenge in the present writ petition.

2. This Court is of the opinion that gun licenses cannot be granted by competent authorities in a routine manner. Such licenses are to be granted to individual persons only after thorough verification of their character, conduct and antecedents. Mere application on the ground that the applicant is an agriculturist and there is possibility of threat through animals cannot be set out as a ground to grant gun license. In

the current day circumstances, graph in crime rate are considerably increasing. When the gun licenses are granted in favour of some individuals on some flimsy grounds, there is every possibility of causing threat to the public in general and there is possibility of hunting the animals in the forest area. Therefore, all these aspects are to be properly verified before recommending the case of the applicants, who are all seeking license to possess gun or pistol.

3. This apart, ability to handle gun or pistol is also to be ascertained by properly conducting drill or by examination. It is pertinent to note that the competent authorities, even at the time of recommending the application for grant of gun license must scrutinize all these aspects and accordingly forward the same to the higher authorities.

4. In the case on hand, the application submitted by the writ petitioner was rejected on the ground that there is a possibility of hunting animals by the writ petitioner in the forest area and further, he is not trained through rifle club for handling gun or pistol. This apart, it is found by the authorities that the writ petitioner has failed to establish any threat to his life or any reason to believe for such a threat. Under these circumstances, this court does not find any infirmity in the order of rejection passed by the respondents. It is seen that the writ petitioner is aged about 59 years and it is not feasible at this age to grant such license in favour of the writ petitioner.

5. For the foregoing reasons, the Writ Petition is dismissed. No costs. Consequently, W.P.M.P.No.37469 of 2005 is also dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

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THE SPECIAL COMMISSIONER AND
COMMISSIONER OF REVENUE ADMINISTRATIOIN
EZHILAGAM CHENNAI-5.

2 THE DISTRICT REVENUE OFFICER
COIMBATORE COIMBATORE DISTRICT.

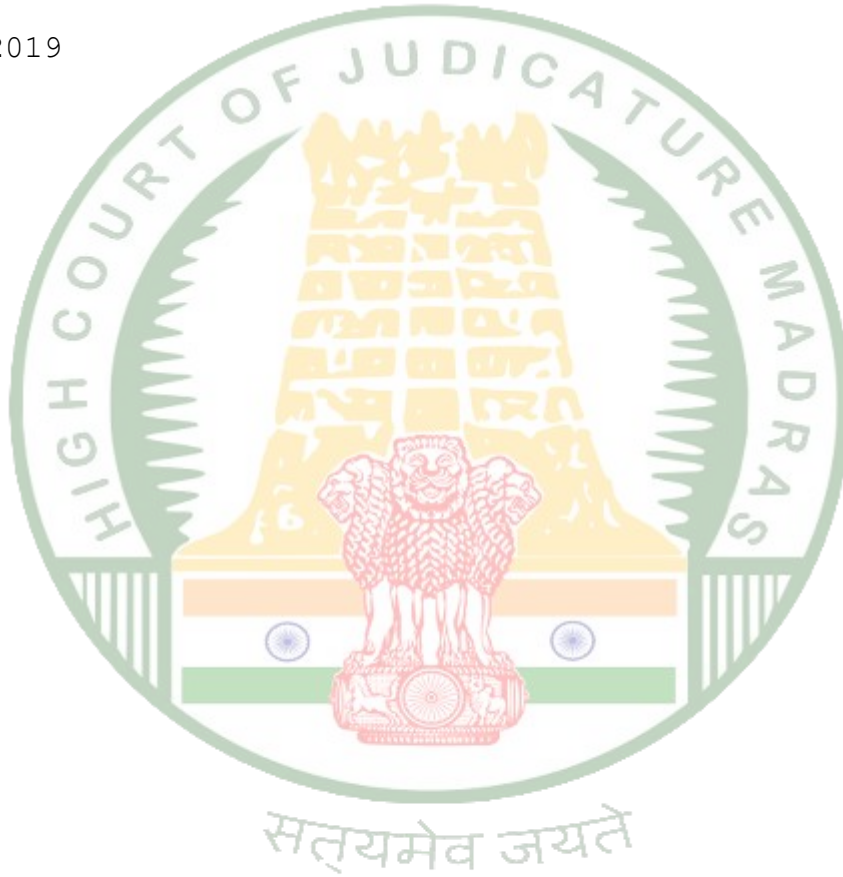
3 THE SUPERINTENDENT OF POLICE
COIMBATORE COIMBATORE DISTRICT.

4 THE TAHSILDAR
UDUMALPET TALUK COIMBATORE DIST.

+lcc to Mr.M.Sriram, Advocate sr.no.8725

W.P. No.34562 of 2005

nr 14/03/2019



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