

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10662 of 2019

and

WMP.No.11134 of 2019

Maraimalai

...Petitioner

Vs.

1.The District Collector
Erode District Collectorate
Erode-9.

2.The Revenue Divisional Officer
Erode, Erode District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to pass appropriate orders on the application of the petitioner dated 26.09.2014 for firearm licence, which was taken on file by the first respondent under proceedings in Ma.Pa.No.27/2014 C3 dated 20.10.2014, based on the representation dated 30.06.2018 given by the petitioner.

For Petitioner : Mr.C.D.Sugumar

For Respondents: Mr.S.N.Parthasarathy

Additional Government Pleader

O R D E R

Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to pass appropriate orders on his application dated 26.09.2014, wherein and whereby, he requested the respondents to grant firearm licence.

3. It is stated that the petitioner is a retired Deputy Superintendent of Police and served in the Tamil Nadu Police Department from 02.11.1979 to 31.05.2016. It is further stated

that since the petitioner encountered various criminals, there is every chance of threat from the said criminals and therefore, in order to protect him, he is in need of a firearm. Hence, the petitioner made an application to the 1st respondent on 26.09.2014 for obtaining license for possession of a pistol. Thereafter, the petitioner sent a representation dated 30.06.2018 requesting the 1st respondent to grant licence for possession of pistol. However, the same has not been considered by the respondents so far. Hence, the present writ petition is filed before this Court with the relief as stated supra.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the 1st respondent to consider and decide the same on merits and in accordance with law. Thus, this writ petition is disposed of, only with a direction to the 1st respondent to consider the request of the petitioner and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other interested parties, if any. Such exercise shall be done by the 1st respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The District Collector
Erode District Collectorate
Erode-9.

2.The Revenue Divisional Officer
Erode, Erode District.

+1 CC to Mr.C.D.Sugumar, Advocate sr 35119.

+1 CC to The Govt. Pleader sr 35348.

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AK(CO)
SP(13/05/2019)