



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2020

CORAM:

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

W.P. (MD) No.13814 of 2020

WEB COPY

D.Seenivasan

... Petitioner

Vs.

1) The District Collector,
Madurai District,
Madurai.

2) The District Revenue Officer,
The District Collector Office campus,
Madurai District,
Madurai.

3) The Inspector of Police,
Vadipatty Police Station,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to issue a gun license to the petitioner like his father and consider his representation dated 01.09.2020.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.M.Rajarajan,
Additional Government Pleader.

O R D E R

This Writ Petition has been filed for a Mandamus, seeking for a direction to the second respondent to issue Gun license in favour of the petitioner.

2. Heard Mr.S.Sivakumar, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3. It is the case of the petitioner that, his father P.Duraipandi, was having a Gun License issued by the second respondent for the past 40 years. Due to the old age of his father, surrendered the Gun license to the second respondent in the year 2019. Thereafter, the petitioner, who is the son of P.Duraipandi, sought for Gun License for agricultural purposes, since in his lands, there is frequent infiltration of wild animals.



4. It is further contended by the learned counsel appearing for the petitioner that, an application was submitted before the second respondent, seeking for grant of Gun License under Section 13(3) of the Arms Act of 1959. The said application was filed on 01.09.2020 along with supporting documents. It is the grievance of the petitioner that, till date, the respondents have not considered the application of the petitioner, dated 01.09.2020. In such circumstances, this writ petition has been filed.

5. As seen from the typed set of papers filed before this Court, the petitioner's father was possessing a valid Gun license. Since the petitioner's father has reached old age, the petitioner, who is his son, is now seeking for a fresh Gun license from the second respondent. It is also the contention of the petitioner that, till date, the application for Gun License submitted by the petitioner on 01.09.2020 has not been considered by the respondents.

6. In such circumstances, this Court is of the considered view that, no prejudice would be caused to the respondents, if a direction is given to them to consider the application, dated 01.09.2020 submitted by the petitioner, for issuance of fresh Gun License. Accordingly, this Court is inclined to dispose of this writ petition by issuing the following directions:-

" the second respondent is hereby directed to consider the application, dated 01.09.2020 submitted by the petitioner, for issuance of the Gun License and pass appropriate final orders on merits and in accordance with law, within a period of eight(08) weeks from the date of receipt of a copy of this order."

7. With these directions, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

1) The District Collector,
Madurai District,
Madurai.

2) The District Revenue Officer,
The District Collector Office campus,
Madurai District,
Madurai.

3) The Inspector of Police,
Vadipatty Police Station,
Madurai.

+1 CC to Mr.S. SIVAKUMAR, Advocate (SR-19370[F] dated 08/10/2020)

+1 CC to Spl GP (SR-19451[F] dated 08/10/2020)

Order made in
W.P. (MD) No.13814 of 2020
07.10.2020

VB (22.10.2020) 3P 6C