



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.04.2021

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.8726 of 2021
(Heard through VC)

S.Periyasamy

.. Petitioner

-vs-

The Additional Chief Secretary,
Home Department (POL-XIII),
Secretariat,
Chennai - 600 009.

.. Respondent

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondent herein to dispose of the petitioner's appeal dated 15.10.2020 within a stipulated time frame.

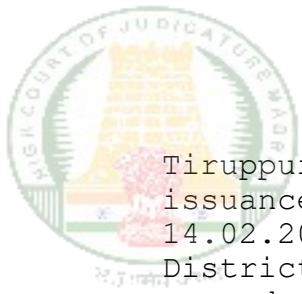
For Petitioner	:	Mr.D.R.Arun Kumar
For Respondent	:	Mr.V.Shanmugasundar Special Government Pleader

O R D E R

With the consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The writ petition has been filed seeking a direction to the respondent herein to dispose of the petitioner's appeal dated 15.10.2020.

3. The case of the petitioner is that he is the absolute owner of 15 acres of agricultural land at Kunnathur Village. He also runs two hydraulics industries at Kunnathur and another branch at Coimbatore. The annual turnover of the petitioner comes around ten crores. During the course of his business he used to keep more than ten lakhs as cash. Hence, he had applied for Pistol license for his self-defense on 20.03.2017 before the District Magistrate-cum-District Collector, Tiruppur under the Arms Act. Pursuant to his application, the Sub Collector,



Tiruppur has conducted field inspection and recommended for issuance of Pistol license vide its proceedings dated 14.02.2019. However, his application was rejected by the District Magistrate-cum- District Collector, Tiruppur, on the ground that there is no life threat or danger to the petitioner and his belongings on the basis of the report of Superintendent of Police, Tiruppur dated 28.01.2020. Aggrieved against the said order, the petitioner has preferred an appeal dated 15.10.2020 before the respondent herein. Though several requests have been made to dispose of the appeal, the respondent did not pass any order till date. Hence, the petitioner is before this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

5. It is stated that now the Appellate Authority is the Commissioner of Revenue Administration. If that is so, let the appeal papers be transferred to the Commissioner of Revenue Administration, within a period of four weeks from the date of receipt of a copy of this order. Once the appeal papers are received, the Commissioner of Revenue Administration is directed to consider the appeal preferred by the petitioner dated 15.10.2020, enquire into the same and pass appropriate orders on merits and in accordance with law, after issuing notice to the petitioner and any other person interested in this regard and by affording them an opportunity of personal hearing or virtual hearing or otherwise, considering their written objections and after verifying the relevant documents, within a period of eight weeks thereafter.

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

Sd/-
Assistant Registrar (CS-VII)

// True Copy//

Sub Assistant Registrar

rsi



To

1.The Additional Chief Secretary,
Home Department (POL-XIII),
Secretariat,
Chennai - 600 009.

2.The Commissioner of
Revenue Administration,
Tiruppur.

+1cc to Mr.V.Anandhamurthy, Advocate, S.R.No.22223

W.P.No.8726 of 2021

BR(CO)
SU(13/08/2021)