



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 20644 of 2021

P. Gunadevi

.. Petitioner

Versus

The State of Tamil Nadu
Rep. by the Secretary to Government
Home Department (Police-13)
Fort St. George
Chennai - 600 009

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent herein to dispose of the appeal No.53/2016 pending on the file of the respondent by giving sufficient opportunity

For Petitioner : M/s.Chithira Gomthy

For Respondent : Mr.Stalin Abhimanyu
Government Counsel

O R D E R

Mr.Stalin Abhimanyu, learned Government Counsel takes notice for the respondent. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission itself.

2. According to the petitioner, she is a spinster and she owns agricultural land to an extent of 20 acres. As she is living alone and doing agricultural work, she is in dire need for double barrel gun for her safety. Since her father already possessed licence, she is well versed in handling the double barrel gun, without any fault. In the year 2013, the petitioner applied for licence to handle double barrel gun. After enquiry, her application was recommended by the Tahsildar, Sathankulam and the District Forest Officer, Thoothukudi, made a recommendation to grant licence for pistol, instead of double barrel gun. However, based on the objection raised by the District Superintendent of Police, Thoothukudi that there is an every chance for the miscreants attempting to take possession of the weapon illegally, the District Revenue Officer and the



Additional District Magistrate, Thoothukudi, rejected the petitioner's application seeking licence for double barrel gun, by order dated 15.09.2014. Aggrieved by the same, the petitioner preferred an appeal on 13.10.2014 before the Additional Chief Secretary/Commissioner, Revenue Administration cum Disaster Management, Chepauk, Chennai, under Section 18 of the Arms Act. By communication dated 12.09.2019, she was informed that the said appeal was transferred to the respondent herein, as per Rule 105 of the Arms Rules, 2016. Thereafter, no progress was made on the said appeal. Hence, the petitioner sent a representation dated 14.02.2020 to the respondent requesting to advance the hearing. Finding no response on the same, she has come up with this writ petition seeking a mandamus to the respondent to dispose of the appeal bearing No.53/2016 pending on his file, after following the principles of natural justice.

3. Heard both sides and perused the materials placed before this court.

4. Considering the limited relief sought for in this writ petition, this court, without going into the merits of the case, directs the respondent to consider the petitioner's appeal No. 53 of 2016 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above said direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dhk
To

The Secretary to Government
State of Tamil Nadu
Home Department (Police-13)
Fort St. George
Chennai - 600 009

+1cc to M/s.Chitira Gomathy, Advocate, S.R.No.49663

W.P. No. 20644 of 2021

SJ(CO)
CB(18/10/2021)