



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.03.2021

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THE HONOURABLE MR.JUSTICE **V. PARTHIBAN**

W.P. (MD)No.1875 of 2020
and
W.M.P. (MD)No.1577 of 2020

S.Dinesh : Petitioner

Vs.

- 1.The Additional Chief Secretary to Government,
Home (Pol.XIII) Department,
Secretariat, Chennai-600 009.
- 2.The Special Commissioner,
(The Commissioner of Revenue Administration),
Kamarajar Salai, Chepauk, Chennai - 600 005.
- 3.The Additional District Magistrate- cum
The District Revenue Officer,
Pudukottai. : Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the proceedings of the first respondent made in G.O.(D)No.1497, dated 29.11.2019 and quash the same and consequently, to direct the respondents to grant licence to the petitioner for possessing the DBBL Gun for Sporting purposes.

For Petitioner :Mr.S.Manickam

For Respondents :Mr.C.Ramesh

Special Government Pleader

ORDER

The petitioner claims himself to be the aspiring shooter and participated in various shooting competitions both in State as well as National levels. According to him that the competition, in which he has participated, is recognised by National Rifle Association and also by the State Government. He claims to have attained the minimum qualifying score prescribed by the National Rifle Association.

2.In order to obtain gun licence, the petitioner had enrolled himself as a member of Rifle Club in 29.06.2016 and applied for licence on 20.07.2016. However, his application was not considered by the licensing authority for quite some time and thereafter, the



first respondent has issued an order on 29.11.2019 rejecting the request of the petitioner on the ground that the petitioner has not been in practice for two years continuously in the Riffle Club in terms of Rule 12(b) of the Arms Rules.

3. When the matter is taken up for hearing today, it transpired that the petitioner after the date of his original application in 2016, has acquired more than two years of experience being a member of the Riffle Club and therefore, today he is entitled to be considered in terms of Rule 12(3)(b) of the Arms Rules. The said fact was also stated in the counter affidavit filed on behalf of the fourth respondent.

4. At this, the learned Counsel for the petitioner would submit that the petitioner has submitted a fresh application on 12.03.2021 and he would request this Court that the same may be directed to be considered in view of the passage of time by which the petitioner has acquired the prescribed qualification. The learned Special Government Pleader would submit that the third respondent may be directed to consider the petitioner's application within a time stipulated by this Court and in such event, the same would be duly complied with.

5. In view of the above submissions of the both Counsel, the Writ Petition is disposed of with the directions as under:

i) The third respondent is directed to consider the application submitted by the petitioner on 12.03.2021 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. It is also open to the third respondent to insist production of any supporting documents to his satisfaction before he takes a final decision in this matter.

ii) The third respondent is also directed to communicate a copy of the order to be passed thereupon to the petitioner forthwith.

No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

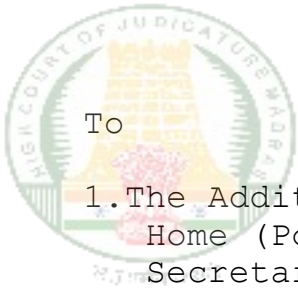
Assistant Registrar (AS)

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/ /2021

Sub Assistant Registrar (CS)

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To

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

2.The Special Commissioner,
(The Commissioner of Revenue Administration),
Kamarajar Salai, Chepauk, Chennai - 600 005.

3.The Additional District Magistrate- cum
the District Revenue Officer,
Pudukottai.

+1 CC to M/s.SPL GP (SR-14066[F] dated 29/03/2021)

+1 CC to M/s.R.ARAVIND RAJ, Advocate (SR-14519[F] dated
30/03/2021)

W.P. (MD)No.1875 of 2020
26.03.2021

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