



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9618 of 2021

P.K.Thangavel

... Petitioner

Vs.

The State of Tamilnadu
Represented by Principal Secretary to Government,
Home (Police-13) Department,
Fort St-George,
Chennai-600 009.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to take up the petitioner's appeal dated 20.02.2021 on file and dispose the same in accordance with law within the time limit stipulated by this Court.

For Petitioner

: Mr.I.Sam Jegan

For Respondent

: Mr.P.Thillak Kumar,

Standing Counsel for Government

ORDER

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondent.

2.By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3.This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the first respondent to take up the petitioner's appeal dated 20.02.2021 on file and dispose the same.

4.The case of the petitioner is that he owns the lands comprised in S.Nos.657/1, 657/2, 689/8, 525/8 and 507 situated at Vadakavunji Village, Kodaikanal Taluk, Dindigul District, having an extent of 15 acres. He is cultivating coffee in his lands. His lands are situated near the forest and therefore, various wild animals often enters into the village, causes damages to the crops and threats to the life of the public. In order to protect the life of himself and his family members and also the crops, he obtained SPPL Firearm licence in Form 3 bearing No.105/3/KDK in 1986 and he is using double barrel model gun for the past 35 years. His licence was renewed from time to time. He made an application dated 22.12.2020 to the District Collector cum District Magistrate, Dindigul to renew his licence for the period from 01.01.2019 to 31.12.2021. The District Magistrate declined to renew his licence citing the reason that he is aged about 78 years and not capable of



handling the firearm vide proceedings Pa.Mu.No.37790/2018/C3, dated 22.12.2020. Aggrieved over the said proceedings, he filed an appeal on 20.02.2021. Since no action has been taken by the respondent, the present Writ Petition came to be filed.

5.The learned counsel for the petitioner would state that it would suffice if a direction is given to dispose of the appeal filed by the petitioner.

6. The learned standing counsel for the respondent would state that the appeal filed by the petitioner would be considered within a reasonable time.

7.Considering the submissions of the learned counsel for the petitioner as well as the respondent and considering the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his appeal or in this Writ Petition, the respondent is directed to dispose of the appeal filed by the petitioner, dated 20.02.2021 on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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:

The Principal Secretary to Government,
Home (Police-13) Department,
Fort St-George,
Chennai-600 009.

+1 CC to M/s.SPL GP (SR-18940[F] dated 07/06/2021)

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