



WEB COPY

W.P.(MD) No.6287 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD) No.6287 of 2019

and

W.M.P. (MD) Nos.5009 & 5010 of 2019

Raja Rajacholan

... Petitioner

-vs-

1.The Additional Chief Secretary /  
Revenue Administrative Commissioner  
Revenue Administration  
Disaster Management and  
Disaster Risk Reduction Department  
Chepauk, Chennai-5

2.The District Revenue Officer-cum-  
Additional District Executive Magistrate  
Tirunelveli

3.The Inspector of Police  
Cheranmahadevi Police Station  
Tirunelveli District

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the impugned order passed by the first respondent in Mu.Mu.Na.Ka.No.Va.Ni.5(1)/74733/2011 (Me.Mu.No.82/2011), dated 20.06.2015 and its consequential order passed by the second respondent in Pa.Mu/E3/34410/2015, dated 26.08.2016 and to quash the same as far as grant of licence "without ammunition" is concerned and further direct the respondents to grant licence to the petitioner for possessing gun with ammunition.

For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.B.Thanga Aravindh  
Government Advocate (Criminal Side)

### **O R D E R**

This writ petition is filed seeking a writ of certiorarified mandamus to call for the records relating to the impugned order dated 20.06.2015, passed by the first respondent and the consequential order dated 26.08.2016, passed by the second respondent, declining the request of the petitioner to grant licence to possess arm with ammunition and to quash the same.

<https://hcservices.ecourts.gov.in/hcservices/>



2. On perusal of the impugned order dated 20.06.2015, it appears that the grandfather of the petitioner, namely, Cholanudi was in possession of SBBL Rifle along with licence. After his demise, the licence has been transferred in the name of the petitioner herein. When the petitioner sought for licence to possess arms and ammunition, he was permitted to possess arms, but not ammunition by the impugned order citing pendency of the criminal case in Crime No.214 of 2013 and few other cases on the file of Cheranmahadevi Police Station.

3. The contention of the petitioner is that he is a law abiding citizen having huge agricultural lands and for his protection as well as the protection of his properties, he needs a gun with ammunition. Since his grandfather's day they have been given arms licence and till date, there is no bad antecedent. The reference of Crime No.214 of 2013 and few other cases on the file of Cheranmahadevi Police Station, is not pertaining to the petitioner and the said averment is factually incorrect.

4. The learned Government Advocate (Criminal Side)) appearing for the respondent would fairly submit that the observation in the impugned order is incorrect and there is no record to show that the petitioner has any criminal case pending against him or a person of bad antecedents.

5. Recording the above submission of the learned Government Advocate (Criminal Side), this writ petition is allowed the impugned order dated 20.06.2015, passed by the first respondent and the consequential order dated 26.08.2016, passed by the second respondent, are hereby quashed. The second respondent is directed to consider the representation of the petitioner afresh and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order. It is open to the petitioner to submit a fresh application with all necessary documents to the respondents. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

krk



**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 Additional Chief Secretary /  
Revenue Administrative Commissioner,  
Revenue Administration,  
Disaster Management and  
Disaster Risk Reduction Department,  
Chepauk, Chennai-5.
- 2.The District Revenue Officer-cum-  
Additional District Executive Magistrate,  
Tirunelveli.
- 3.The Inspector of Police,  
Cheranmahadevi Police Station,  
Tirunelveli District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.K.R.LAXMAN, Advocate ( SR-39108[F] dated 16/12/2021 )

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**and**

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**15.12.2021**

RK(23/12/2021) 3P 6C