



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.15842 of 2021

WEB COPY

L.Yoshuva Ajay Raj

... Petitioner

Vs.

1.The District Collector,
Collectorate Buildings,
Madurai District.

2.The District Revenue officer,
Collectorate Building,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing respondents to dispose of the application filed by the petitioner dated 24.08.2018 for issuance of gun license within a time frame.

For Petitioner : Mrs.P.Jeesi Jeeva Priya

For Respondents : Mr.P.Subbaraj
Counsel for the State

ORDER

The petitioner seeks the expeditious disposal of an application dated 24.08.2018 for issuance of a gun licence. The petitioner states that he is involved in the coir factory business of his father and he is also interested in taking part in the sport of shooting. In addition, it is stated that the nature of business carried on by the petitioner and his father is such that there is always threat of theft as well as danger to life.

2. Therefore, the petitioner decided to purchase a rifle and applied for a licence to possess such rifle on 24.08.2018. It is pointed out that such application was considered by the jurisdictional Thasildar who has recommended the grant of licence by proceedings dated 08.03.2019, which also refers to and relies upon the recommendation of the Revenue Inspector. Similarly, the petitioner also relies upon the recommendation of the Village Administrative Officer and the communication from the jurisdictional Inspector of Police to the effect that the petitioner does not have any criminal antecedents. The present writ petition is filed in these facts and circumstances.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice

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on behalf of both the respondents. He submits that the petitioner should indicate the reason for which such gun licence is requested for. Subject to the provision of such explanation, he states that the application would be considered and disposed of on merits.

4. The petitioner has enclosed the application for a gun licence, the proceedings of the Thasildar by which the grant of such licence has been recommended. In addition, the proceedings of the Revenue Inspector, the Village Administrative Officer and the report of the Inspector of Police are enclosed. The proceedings of the Thasildar also advert to the reasons cited by the petitioner for seeking a gun licence. Nevertheless, in view of the submission of learned counsel for the State that such explanation has not been provided, the petitioner is permitted to submit a further explanation in such regard.

5. Accordingly, the petitioner is permitted to submit an explanation to the first respondent with regard to the reason for seeking a gun licence. Such explanation shall be submitted within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the first respondent is directed to consider the petitioner's application and dispose of the same by a reasoned order after taking into consideration the above mentioned explanation as also all other relevant documents in such regard. The petitioner shall also be provided a reasonable opportunity before such decision is taken and such decision shall be taken and communicated within a period of two months from the date of receipt of such explanation from the petitioner.

6. W.P.(MD).No.15842 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 District Collector,
Collectorate Buildings,
Madurai District.

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2.The District Revenue officer,
Collectorate Building,
Madurai District.

+1 CC to M/s.P.JESSI JEEVA PRIYA, Advocate (SR-28466[F] dated
07/09/2021)

+1 CC to M/s.GP (SR-28338[F] dated 07/09/2021)

W.P(MD).No.15842 of 2021
06.09.2021

RD(14.09.2021) 3P 5C