



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2022

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.18251 of 2011

P.Ravikumar

... Petitioner

Vs.

1. The Principal Secretary/
Commissioner of Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chennai - 600 005.

2. The Additional District Magistrate/
District Revenue Officer,
Salem District, Salem.

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the second respondent in Moo.Mu.2789/2008/C4, dated 06.06.2008 in conforming the same by the first respondent in his proceedings RA.5(2)/58795/2008/A.A.No.74/2008, dated 24.11.2010 to quash and consequently, direct the second respondent to grant licence of 0.22 riffle to the petitioner forthwith.

For Petitioner :M/s.N.Anand

For Respondents :M/s.M.Rajendiran
Additional Government Pleader

O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the second respondent in Moo.Mu.2789/2008/C4 dated 06.06.2008 in conforming the same by the first respondent in his proceedings RA.5(2)/58795/2008/A.A.No.74/2008, dated 24.11.2010 to quash and consequently, direct the second respondent to grant licence of 0.22 riffle to the petitioner forthwith.



2. The petitioner applied for a Gun licence on the ground of self protection. He is an owner of Petrol Bunk and running a Sago factory. In the course of his business, he has to carry huge some of money during late night hours. Therefore, to protect himself from culprits, he sought for issuance of Revolver licence from the second respondent.

3. As per law, it should be recommended by the Superintendent of Police of the District. In the instant case, the Superintendent of Police has refused to recommend for issuance of weapon to the petitioner on the ground that he is a short tempered man and that he is already holding Rifle licence (DBBL licence No.158/2002). Therefore, the recommendation was issued only for holding 22 inch Rifle and refused to give Gun licence to the petitioner. The petitioner preferred an appeal to the first respondent, wherein the first respondent considered the report submitted by the Superintendent of Police as well as the Tahsildhar, Salem, and found that the petitioner is already in possession of a Gun for self protection and an additional weapon need not be given.

4. A perusal of the order passed by the second respondent as well as the first respondent, it is noted that the petitioner even though claims himself doing the Sago business and owns lot of properties, has not produced any convincing or acceptable materials for consideration of the second respondent to justify his requirements.

5. In such circumstances, the rejection of the request of the petitioner by the respondents is based on sound reasons and does not warrant any interference. However, it is made clear that if the petitioner still requires licence under the Arms Act, it is open to him to submit it along with all the required proofs to the authorities and apply for the same in accordance with law.

The Writ Petition is disposed of with the above observations. There shall be no order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



asi

To

WEB COPY

1. The Principal Secretary/
Commissioner of Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chennai - 600 005.
2. The Additional District Magistrate/
District Revenue Officer,
Salem District, Salem.

+lcc to Mr.C.Prabakaran, Advocate Sr.18444

W.P.No.18251 of 2011

spd[col]
srg 04/04/2022