



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

W.P. (MD)No.526 of 2022

P.Ramasubbu

: Petitioner

Vs.

1.State of Tamilnadu

rep. by its Secretary to Government
Home department
Fort St. George,
Chennai.

2.The Director General of Police

Tamil Nadu
Chennai.

3.The District Collector

Virudhunagar District
Virudhunagar.

4.The Superintendent of Police

Virudhunagar District

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to construct a concrete high rise compound wall around the shooting range which is situated in Survey Nos.146 to 156, Poovani Village, Srivilliputhur Taluk, Virudhunagar District which is adjacent to Madurai Kollam National Highway and ensure the harm free environment by considering the petitioner's representation dated 27.11.2021.

For Petitioner

: Mr.G.R.Sathish

For Respondents

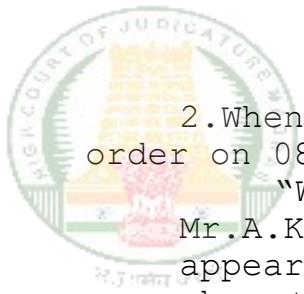
: Mr.A.K.Manikkam

Special Government Pleader

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

This Public Interest litigation has been filed for a direction to the respondents to construct a high rise compound wall around the shooting range, where the police practice firing, in Poovani Village, Srivilliputhur Taluk.



2. When the matter came up for hearing, we passed the following order on 08.06.2022:

"When the matter was taken up for hearing, Mr. A.K. Manickam, learned Special Government Pleader appearing for the respondents produced photographs to show that the targets for firing practice are fixed in the foothills of Western Ghats and they do not face the highway. Therefore, he contended that there is no possibility of any stray bullet passing into the highway and causing injury to any one.

2. The fourth respondent is directed to file an affidavit in this regard, together with photographs and measurements.

3. Call on **29.06.2022.**"

3. Pursuant to the above, the Superintendent of Police, Virudhunagar, has filed a counter affidavit dated 27.06.2022, wherein, he has stated as follows:

"5. The averments contained in the affidavit filed by the writ petitioner are false and baseless. The writ petitioner has not produced any reliable materials to show that the subject matter of the police shooting range is causing endanger to the lives of common people or animals. In fact, the land in survey Nos. 146 to 157/1B, is to an extent of 9.14.0 hectares and the said property is classified as Government poramboke. The four boundaries of the shooting range would run as follows:

North	:	Hills and vacant lands
South	:	Punja lands owned by private party
East	:	Madurai-Kollam NH
West	:	Forest lands and Punja lands

6. I respectfully submit that there are no residential houses located within 1 km., radius from the shooting range and Poovani Village is the closest village to the shooting range which is situated exactly 1 km away in South-East direction from the shooting range. With regard to the averments pertaining to the wildlife sanctuary is concerned, the shooting range is situated on the foot hills of the Western Ghats and no wild animals or other animals passes through the subject matter of the shooting range at any time. It is pertinent to note that shooting happens from South direction towards Northern direction located below the hills.

7. I respectfully submit that the present shooting range is functioning in the present locality from the year 1965 onwards. Virudhunagar District police, 11th



battalion TSP personnel, BSF, NCC and Bank Guards are benefitted by this training centre. Approximately 3000 to 3500 police and security personnel are carrying out their respective training session every year in the above said range. The above training session has been being carried out for the past 57 years by following proper and adequate safety measures to prevent any untoward incidents till date.

8.I respectfully submit that during the firing session, the firing commences after all the security arrangements have been made. During firing session, necessary bandobust arrangements have been made such as hosting red flags, bugle towards any person in the locality on the periphery to prevent any movements of people in the shooting range. Therefore, no possibility of movement of people inside or around the shooting range would happen. It is true that the Madurai - Kollam National Highway runs in North east South west direction is located on the eastern side of the firing range, which runs opposite direction of the target in the training. It is pertinent to note that shooting happens from South direction towards Northern direction located below the hills. Therefore, the firing range will not cause any harm to the road occupants or vehicles in any manner. The apprehension raised by the petitioner is entirely imaginary and therefore, no direction is required to be issued in this regard.

9.I respectfully submit that with regard to the averments pertains to the construction of compound wall is concerned, there is no necessity arise to construct a compound wall in the existing place because, the existing shooting range is situated on the edge of the foot hills of Western Ghats and no such requirement has been arisen. Therefore, the petitioner has failed to show any reliable material as to how it would cause endanger to the lives while carry out shooting within the present location and therefore, no necessity arise to pass any orders by this Hon'ble Court in this regard and this writ petition is liable to be dismissed."

4. Recording the same, this writ petition is closed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)



RR

To

1.The Secretary to Government
Home department
Fort St. George, Chennai.

2.The Director General of Police
Tamil Nadu, Chennai.

3.The District Collector
Virudhunagar District
Virudhunagar.

4.The Superintendent of Police
Virudhunagar District

+1 CC to M/s.SPL.GP (SR-29014[F] dated 30/06/2022)

Order made in
W.P. (MD) No.526 of 2022
29.06.2022

SS/05/07/2022/ 4P 6C