



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.94 of 2018

M.Somasundaram

.. Petitioner

Vs.

1.The Senior Superintendent of Police,
Mari Amman Koil Street,
Karaikal - 609 602.
Puducherry State.

2.The District Superintendent of Police – North,
Thirunallar,
Karaikal – 609 602.

3.The Director of Police,
Puducherry – 605 001.

4.The District Collector cum District Magistrate,
Office of the District Collector,
Karaikal – 609 602.

5.S.P.S.Nathan @ Amudheswaranathan

... Respondents

R5 – impleaded as per order dated
20.04.2018 by SMSJ in W.M.P.No.1987 of 2018
in W.P.No.94 of 2018.



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the official respondents to consider the petitioner's representation dated 04.10.2017 and cancel the licence given to the 5th respondent in Form – III having No.101/TNR/2012 bearing the No.13178/SDM/B2/2012.

For Petitioner	.. Mr.V.S.Senthil Kumar
For R1 to R4	.. Mr.A.Tamilvanan, Addl. Govt. Pleader
For R5	.. Mr.R.Kamaraj

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction to the 1st to 4th respondents to consider the representation dated 04.10.2017 and cancel the license issued to the 5th respondent who has been subsequently impleaded to hold a gun in License No.13178/SDM/B2/2012.

2.The petitioner and the impleaded 5th respondent are relatives. Naturally, there will be a competition among them as to their holdings. The petitioner is deeply aggrieved by the grant of licence to possess a gun by the 5th respondent. The petitioner has raised various allegations against the 5th respondent stating that he has threatening everybody including the



petitioner by holding the gun. The allegations against the 5th respondent are strongly disputed by the learned counsel for the 5th respondent, who stated that the said allegations are borne out of malafide and jealousy that the 5th respondent has a gun licence.

3. These are issues which are not under the purview of this Court and a direction is given to the 1st to 4th respondents to examine the renewal application and examine the grant of gun licence issued to the 5th respondent and obtain necessary report from the jurisdictional police station and from the jurisdictional Tahsildar and thereafter, take a considered decision. Before taking any such decision, they may also give an opportunity to the petitioner and the 5th respondent of being heard. The 4th respondent is under an obligation to dispose of that particular representation on or before 31.03.2023.

4. Stating as above, this Writ Petition stands disposed of. No costs.

05.01.2023

Index: Yes/No
Internet: Yes/No
smv



To

WEB COPY

1. The Senior Superintendent of Police,
Mari Amman Koil Street,
Karaikal - 609 602.
Puducherry State.
2. The District Superintendent of Police – North,
Thirunallar,
Karaikal – 609 602.
3. The Director of Police,
Puducherry – 605 001.
4. The District Collector cum District Magistrate,
Office of the District Collector,
Karaikal – 609 602.



WEB COPY



5

C.V.KARTHIKEYAN,J.

smv

W.P.No.94 of 2018

05.01.2023