



W.A.No.1295 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.A.No.1295 of 2023

E.Perumal

.. Appellant

Vs.

1. The State of Tamil Nadu
Rep. By its Additional Chief Secretary/
Commissioner of Revenue Administration
Ezhilagam
Chennai 600 005.

2. The District Magistrate and District Collector
Kancheepuram District.

3. The Superintendent of Police
Kancheepuram District.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the
order 08.12.2021 made in W.P.No.26013 of 2021.



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For the Appellant : Mr.N.Muralikumaran
Senior Counsel
For Mr.S.Sathish Rajan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
Assisted by
Mrs.R.Anitha
Special Government Pleader

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.N.Muralikumaran, learned Senior Counsel, assisted by Mr.S.Sathish Rajan, learned counsel for the appellant and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents.

2. The appellant challenges the order passed by learned Single Judge dismissing the writ petition.

3. The appellant has applied for arms license in the year 2013.



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He was issued with arms license. The same was renewed in 2016. The subsequent renewal was denied.

4. According to learned Senior Counsel for the appellant, the cases referred to are prior to the issuance of license to the appellant. The name of the appellant is also removed from the history sheet. The arms security provided to the appellant is also removed now. No reasons exist for refusing the application of renewal of the arms license.

5. Learned State Government Pleader relies upon the order of the learned Single Judge to suggest that no case is made out by the appellant for renewal of the arms license.

6. The criminal cases referred to in the order are much prior to the issuance of license. Only two cases seem to be pending. In other five cases, the appellant was acquitted. The cases pending against him are also prior to the issuance of arms license.



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7. It is submitted that the name of the appellant is removed from the history sheet. Whereas, in the order passed by the authority, it is stated that his name is included in the history sheet.

8. It also appears that the authority considered that arms security men are also provided to the appellant since there is a threat to him, however now they have been removed. This factum was not before the appellate authority for him to consider.

9. In the light of the above, we set aside the order passed by the learned Single Judge and the orders impugned therein. The authority shall re-consider the application of the appellant for renewal of arms license on its own merits and in accordance with law and considering the present position. The said application be decided expeditiously.

10. It is made clear that we have not adverted on the merits



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of the contentions of either party.

11. The writ appeal is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)
25.07.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Additional Chief Secretary/
Commissioner of Revenue Administration
Ezhilagam
Chennai 600 005.
2. The District Magistrate and District Collector
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESEVALU, J.

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