



WP(MD)No.17081 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.17081 of 2023
and
WMP(MD)No.14296 of 2023

R.Alangaram

.. Petitioner

v.

1.The District Collector,
First Floor, Collectorate,
Madurai – 625 020.

2.The Tahsildar,
Vadipatti Taluk Office,
Madurai – 625 218.

3.The Superintendent of Police,
Office of the Commissioner of Police,
Alagar Kovil Road,
Madurai – 625 002.

4.The Commissioner of Revenue Administration,
Department of Revenue Administration and
Disaster Management,
Commissionerate of Revenue Administration,
Ezhilagam, Chepauk, Chennai – 600 005.

.. Respondents



WP(MD)No.17081 of 2023

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order bearing Na.Ka.No.C2/47723/2020 dated 14.12.2021 (certified copy dated 20.06.2023) passed by the first respondent pending on the file of the fourth respondent and quash the same and consequently, directing the first respondent to renew the license of the petitioner's country gun #45/4/VPT-II.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.M.Sarangan,
Additional Government Pleader
for R.1, R.2, R.4

Mr.P.Kottaichamy,
Government Advocate (Crl. Side)
for R.3

ORDER

The petitioner is an Agriculturist and he is having agricultural lands on the outskirts of Vadipatti Taluk. According to the petitioner, his lands are surrounded with Mountains and Forests and there are no other houses, proper roads, lights or shops within a radius of 2 km from his house. That apart, due to the location of the petitioner's house, he is also having a



WP(MD)No.17081 of 2023

danger from the wild animals such as Wild Boars, Wolves and Bears.

Normally, these wild animals enter into the petitioner's agricultural lands and are causing damage to the crop fields and livestock. Therefore, the petitioner and his forefathers have applied for gun license and are in possession of the same.

2.It is the further case of the petitioner that he is in possession of the gun license for the past thirty years and his license expired on 31.12.2020. Therefore, he has submitted an application for renewal of the country gun license before the first respondent on 11.12.2020. The Thasildar considering the requirements has recommended for renewal of license, however, the Superintendent of Police has refused to give sanction that the petitioner is aged about 63 years and that there is no life threat to the petitioner.

3.Learned Counsel for the petitioner submitted that the petitioner is in good health and the petitioner's case for gun license has been considered long back and he has already been provided with a gun license. Based on



WP(MD)No.17081 of 2023

the report of the Superintendent of Police, the District Collector has now
negativated the petitioner's request for renewal.

4.Learned Government Advocate (Crl. Side) has produced the objections of the third respondent and submitted that there is no life threat to the petitioner.

5.Learned Additional Government Pleader submitted that the Thasildar has recommended for renewal of the license, however, based on the objections made by the Superintendent of Police, the District Collector has passed the order impunged.

6.This Court paid it's anxious consideration to the rival submissions.

7.The petitioner is having agricultural lands amidst Mountains and Forests and according to the learned Counsel for the petitioner, it is far away from the village and there is no house or habitations in and around his house and lands for a radius of 2 km.



WP(MD)No.17081 of 2023

WEB COPY

8.The fact remains that the petitioner's case for gun license was considered long back and he was also provided with a gun license. It is not the case of the respondents that the petitioner has involved in any offence with his gun. Now the request for renewal of gun license was rejected only on the ground that the petitioner is aged about 63 years. This cannot be a ground for rejecting the request for renewal.

9.Therefore, this Court is inclined to interfere with the impugned order and accordingly, the order impugned in this writ petition is set aside. The matter is remitted back to the file of the District Collector / first respondent for fresh consideration. The first respondent shall consider the matter afresh and pass appropriate orders, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.



WP(MD)No.17081 of 2023

WEB COPY

Accordingly, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

17.08.2023

To

- 1.The District Collector,
First Floor, Collectorate,
Madurai – 625 020.
- 2.The Tahsildar,
Vadipatti Taluk Office,
Madurai – 625 218.
- 3.The Superintendent of Police,
Office of the Commissioner of Police,
Alagar Kovil Road,
Madurai – 625 002.
- 4.The Commissioner of Revenue Administration,
Department of Revenue Administration and
Disaster Management,
Commissionerate of Revenue Administration,
Ezhilagam, Chepauk, Chennai – 600 005.



WEB COPY



WP(MD)No.17081 of 2023

B.PUGALENDHI, J.

gk

WP(MD)No.17081 of 2023

17.08.2023