



W.P(MD)No.20627 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20627 of 2015

K.K.R.Jeyakodi

... Petitioner

Vs

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Government of Tamil Nadu,
Chepauk,
Chennai – 5.

2.The District Collector /
District Magistrate,
Tuticorin.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned Orders passed by the first respondent dated 06.03.2014 in R.A. 5(1) /15282/2010 conforming the order passed by the second respondent dated 04.02.2010 in Pa.Mu.(C3) 48826/09 and quash the same.

For Petitioner : Mr.H.Arumugam



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For Respondents : Mr.D.Gandhiraj
Special Government Pleader

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ORDER

Heard the learned counsel on either side.

2. The petitioner is a business man. He is also engaged in quarry business. He applied to the second respondent for issuance of gun license. His request was negatived. Aggrieved by the same, he filed an appeal before the first respondent. The appellate authority also confirmed the order passed by the original authority. Challenging the same, the writ petition came to be filed.

3. The learned counsel appearing for the writ petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.

4. The respondents have filed counter affidavit and the learned Special Government Pleader took me through its contents and called upon this Court to sustain the impugned order and dismiss the writ petition.

5. I carefully considered the rival contentions and went through the materials on record.



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6. When the matter was taken up for hearing, the learned counsel appearing for the petitioner produced copy of the FIR in Crime No.245 of 2023 registered on the file of the Thoothukudi South Police Station. It is a murder case. However, from a reading of the same, I am not able to discern any threat to the petitioner's life.

7. The concerned authorities after holding an enquiry came to the conclusion that there is no threat to the petitioner's life or properties. Obtaining gun license is not a matter of right. This Court will have to necessarily defer to execute wisdom in such cases. A learned Judge of this Court vide order dated 08.06.2023 in W.P.(MD)Nos.1293 and 1294 of 2022 (M.Kannan & Another Vs The Additional Chief Secretary & Others) held as follows:-

“6.The second ground for which the petitioners seek gun licence is that they carry huge amount of cash for the various business concern which they have and also because they are both Class-I contractors. There are so many Class-I contractors across the State of Tamil Nadu and if this ground is considered, then every Class-I contractors would start applying for gun licence and this order would be used as a precedent for that. The petitioners, as owners of various companies, would certainly have the personnel necessary to transport cash. At any rate, transportation/payment of more than Rs.20,000/- is prohibited and it is only online transfer,



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which is encouraged in the present days. Therefore, that reason of carrying huge cash cannot withstand the scrutiny of this Court. The petitioners can very well arrange for bank accounts to be opened and transfer cash either through online/internet transfer or through any other mode.”

The respondents have applied their minds. Their approach cannot be said to be perverse. I am not in a position to interfere in the matter.

8. This writ petition stands dismissed. There shall be no order as to costs.

24.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

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G.R.SWAMINATHAN, J.

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