



WEB COPY

W.P.No.20859 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20859 of 2021

V.Anandan

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Dharmapuri, Dharmapuri District.
2. The District Superintendent of Police,
Office of the District Superintendent of Police,
Dharmapuri, Dharmapuri District.
3. The District Forest Officer,
Office of the District Forest,
Dharmapuri, Dharmapuri District.
4. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Harur, Dharmapuri District.
5. The Tahsildar,
Office of the Tahsildar,
Harur, Dharmapuri District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the 1st respondent to consider the



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petitioner representation dated 21.08.2021 to grant license for a gun to the petitioner said license under the Arms Act, 1959.

For Petitioner : Mr.C.Venkatesan

For R1, R2, R4 & R5 : Mr.T.Arunkumar,
Additional Government Pleader

For R3 : Mr.S.Rajesh,
Government Advocate

ORDER

The Writ Petition has been filed for directing the 1st respondent to consider the petitioner representation dated 21.08.2021 to grant license for a gun to the petitioner said license under the Arms Act, 1959.

2. The petitioner is working as a Wireman in the Electricity Board. By submitting fraudulent certificates, certain persons had secured employment in the Tamil Nadu Electricity Board. The petitioner submitted an application under the Right to Information Act seeking those particulars. Therefore, one Mr.Sathishkumar threatened the petitioner on 18.08.2021. Then, the said Sathishkumar and Dharuman had attempted to assault the petitioner and the public saved the petitioner on the spot.



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3. Such incident alone cannot be ground to submit a representation and file a Writ Petition to seek gun license under the Arms Act. The threat perspectives are to be assessed by the competent police authorities and the Superintendent of Police for the purpose of forwarding the papers for granting gun license.

4. Mere statement or certain incident alone cannot form a ground to grant gun license, since it would be very difficult for the State to assess the threat perceptions and the intention of the persons for seeking gun license. These issues involved deeper analysis and assessment by the competent authorities. High Court cannot issue any direction to consider the application in a routine manner in such nature of cases. Mere direction will not serve the purpose. In present case, as the petitioner has not made out any ground to grant such direction to dispose of the application.

5. Since the petitioner has not established any right warranting a direction, the present Writ Petition stands dismissed. No costs.

09.02.2024

skr



Index : Yes
Speaking order

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To

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S.M.SUBRAMANIAM, J.

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