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W.P.No.1285 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1285 of 2023

And

W.M.P.No.1318 of 2023

K.Ganeshamoorthy

... Petitioner

Vs.

1 The Principal Secretary,
Home Department,
Secretariat,
Chennai – 600 009.

2 The Additional Chief Secretary/
The Commissioner of Revenue Administration
The Commissionerate of Revenue Administration
and Disaster Management,
Chepauk,
Chennai – 600 005.

3 The District Collector cum District Magistrate,
Dharmapuri District,
Dharmapuri.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent dated 17.11.2022, passed in his proceeding Na.Ka.No.VaNi 5(4)/18782/2021 which confirms the order of the third



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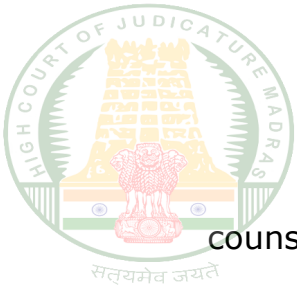
respondent dated 31.08.2018, passed in his proceeding Na.Ka.No.C4/19785/2013 and to quash the both and consequently direct the respondents to grant License to the petitioner under the Arms Act for having a Pistol or Revolver.

For Petitioner : Mr.S.Mayilnathan
For Respondents : Mr.AM.Ayyadurai
Government Advocate

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records of the second respondent dated 17.11.2022, passed in his proceeding Na.Ka.No.VaNi 5(4)/18782/2021 which confirms the order of the third respondent dated 31.08.2018, passed in his proceeding Na.Ka.No.C4/ 19785/2013 and to quash the both and consequently direct the respondents to grant License to the petitioner under the Arms Act for having a Pistol or Revolver.

2.The learned counsel appearing for the petitioner submitted that the petitioner is an agriculturist and own agricultural lands in different places in Dharmapuri and Salem District and is residing with his family members in the midst of agricultural lands and there is no house or residents to an extent of 5 km. from his house. The learned



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counsel further submitted that the petitioner also own agricultural land in K.N.Pudur Village situated in the foothills of Servarayan Hills, Omalur Taluk, Salem District and there is wildlife movements in his fields. The petitioner has been permitted to use SBBL gun from the year 2012 for self protection by proper licence. The petitioner's grandmother namely Lakshmi was residing in the farm house and was looking after the said farm and she was murdered by unknown persons on 23.08.2013 for which, a case has been registered by the Deevattipatty Police Station in Crime No.404/2013 and no persons have been arrested by the Police.

3.The learned counsel appearing for the petitioner further submitted that since there is danger to the petitioner's life and carrying SBBL Gun with him always is convenient for him, the petitioner applied for arms licence on 06.09.2013 to the third respondent to possess either Revolver or Pistol, however, the third respondent conducted enquiry and rejected the petitioner's request and aggrieved by the same, the petitioner preferred appeal before the second respondent and the second respondent confirmed the order of the third respondent.



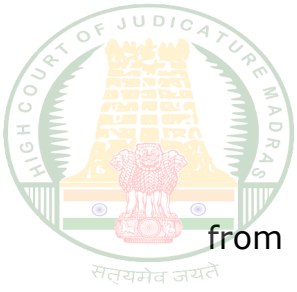
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4.The learned counsel appearing for the petitioner further submitted that the SBBL gun is bigger in size and the petitioner is unable to carry such a big gun, thereby, he made application for arms licence to possess either Revolver or Pistol for personal safety and the same was rejected.

5.The learned Government Advocate submitted that in the report submitted by the District Forest Officer, it is stated that there was never arose a necessity for the usage of gun by the petitioner and further submitted that till date, the petitioner has not made any application for crop compensation to the Revenue Department and further submitted that the convenience of an individual cannot be prioritised over the welfare of the people at large and further submitted that the petitioner is in possession of gun licence to protect himself and his properties from the year 2012.

6.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

7.Admittedly, the petitioner possess licence for using SBBL gun



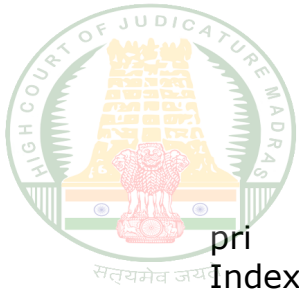
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from the year 2012 and within a year, he made application for arms licence to possess either Revolver or Pistol, however, single man possessing two guns is impermissible one. Though the Act provide licence for two guns there must be immediate threat to life, however, in the present case, the District Forest Officer after enquiry has submitted a report stating that there was never arose a necessity for the usage of gun by the petitioner. Hence, there is no threat for the petitioner's life and hence, the petitioner possessing two guns is not sustainable one.

8.However, the grievance of the petitioner is that the petitioner is not able to carry SBBL gun. Hence, this Court without interfering with the orders impugned, observes that, if the petitioner surrenders the earlier licence for possessing SBBL gun, the petitioner is entitled to make fresh application for arms licence for possessing either Revolver or Pistol.

9.This writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

17.09.2025



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Index: Yes/ No

Speaking Order: Yes/ No NCC: Yes/ No

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M.DHANDAPANI,J.

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To

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Chennai – 600 009.
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The Commissionerate of Revenue Administration
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