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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 2508 of 2023
and WMP No. 2605 of 2023**

A.Ramesh

Petitioner(s)

Vs

1. The Additional Chief Secretary-cum-Commissioner of Revenue
Administration
Government of Tamil Nadu,
Chepauk, Chennai-600 005.

2.The District Collector-cum-District Executive Magistrate
Dharmapuri District, Dharmapuri.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent dated 14.12.2022 in Proceedings namely Na.Ka.No.VaNi 5(4)/36429/2021 in conforming the order passed by the 2nd respondent dated 11.08.2021 in Proceedings Namely Na.Ka.No.17563/2017/C4 and to consequently direct the 2nd respondent to



renew the petitioner's gun license bearing SBBL License No. PRP 44-I forthwith.

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For Petitioner(s): Mr.C.Prabakaran

For Respondent(s): Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned proceedings of the 1st respondent dated 14.12.2022, confirming the order passed by the 2nd respondent through proceedings dated 11.08.2021 and for a consequential direction to the 2nd respondent to renew the petitioner's gun license bearing SBBL License No.PR.P 44-1.

2.The case of the petitioner is that he has a property along with agricultural land which is very adjacent to the forest and therefore, there was always a threat from wild animals both to the persons who are residing as well as to the crops. Therefore, the petitioner had applied for gun license and he was issued with gun license on 20.07.1992. This license was renewed from time to time. Ultimately, the petitioner submitted an application on 08.01.2018, seeking



for renewal. On receipt of the application, the 2nd respondent has rejected the renewal and the 1st respondent has confirmed the order passed by the 2nd respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

3.The 2nd respondent has filed a counter and has justified the non-renewal of the gun license issued to the petitioner and has sought for the dismissal of the writ petition.

4.Heard Mr.C.Prabakaran, learned counsel appearing on behalf of the petitioner and Mr.E.Vijay Anand, learned Additional Government Pleader appearing on behalf of the respondents.

5.The 2nd respondent while refusing to renew the gun license has stated that during the entire period when the gun license was issued there was absolutely no untoward incident. That apart, even though the petitioner has alleged housebreaks, there was no material to sustain the same. The 2nd



respondent while rejecting the renewal has relied upon Section 14(1)(b)(i)(3) of the Arms Act, 1959. The 2nd respondent has relied upon Section 14(3) of the Arms Act, 1959.

6.The 1st respondent while dealing with the appeal has reiterated the same reason and has rejected the appeal.

7.The 2nd respondent in the counter affidavit filed before this Court has taken a very curious ground that the gun license has been issued to the petitioner for the last twenty nine years and the petitioner never had an occasion to use his gun either to protect him or his family members from third party.

8.Both the 1st and 2nd respondents lost sight of the crucial fact that Section 14 of the Act only deals with grant of license. It is Section 15 of the Act which deals with renewal of license. While renewing the license, the 1st and 2nd respondents cannot strictly apply the reasons provided under Section 14, since those reasons will apply when a person seeks for license for the first time.



The 1st and 2nd respondents ought to have considered Section 15 of the Act

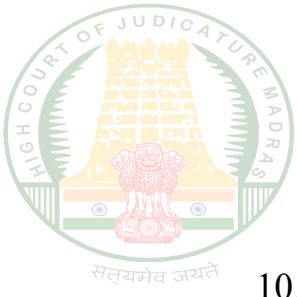
which deals with renewal of license. Section 15(3) states that while dealing with

the renewal of license, the provisions of Section 13 and 14 will have relevance.

That does not mean that the authority will deal with the renewal application as

if he is dealing with an application for fresh license.

9. The reasoning that has been assigned by the 2nd respondent and which was conformed by the 1st respondent is also unsustainable. The 2nd respondent has stated that the petitioner never had an occasion to use the gun for the last twenty nine years and he has also become old and there are no materials to show that any housebreaking had taken place or there was any destruction of crops by wild animals and therefore, the 2nd respondent has denied the renewal of the gun license. Those, reasons that have been stated by the 2nd respondent are perverse and is completely irrelevant for the purpose of dealing with the application submitted by the petitioner for renewal of gun license. The order passed by the 2nd respondent and which was confirmed by the 1st respondent suffers from patent illegality and it warrants the interference of this Court.



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10.In the light of the above discussion, the impugned proceedings of the 2nd respondent dated 11.08.2021 and which was confirmed by the 1st respondent dated 14.12.2022, are hereby quashed and there shall be a direction to the 2nd respondent to deal with the application submitted by the petitioner and grant the renewal of gun license by passing appropriate orders, within a period of six weeks from the date of receipt of copy of this order.

11.In the result, this writ petition stands allowed with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

25-06-2025

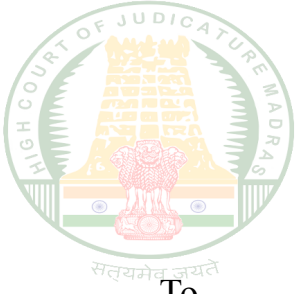
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To
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Dharmapuri District, Dharmapuri.



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N.ANAND VENKATESH J.

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