



WP No. 19827 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 19827 of 2025

P.Krishnan
S/o. Palanivel Gounder,
Pala Kadu, Molayanur Post,
Pappireddipatti Taluk,
Dharmapuri District.

Petitioner(s)

Vs

1. State of Tamilnadu Rep. By
Additional Chief Secretary / Commissioner
of Revenue Administration, Chepauk,
Chennai-600 005.

2.The District Collector /District Magistrate
Collectorate, Dharmapuri District.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the entire records relating to Na.Ka.No.Va.Ni.5(4)/2586176/2022 dated 12.02.2025 passed by the 1st



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respondent confirming to refuse renewal of Arms License erroneously passed by the 2nd respondent in Na.Ka.No.19782/2013/C4 dated 29.01.2022 on the file of the 2nd respondent, quash the same and consequently direct the 2nd respondent to renew the petitioner's License for Pistol under License No.PRP 39/2012 for a further period as per law.

For Petitioner(s): M/s.D.Shivakumaran
S. Mayilnathan
G. Satheesh
S.P. Nirmala Parameswari

For Respondent: Mr.T.M.Rajangam (for R1 & R2)
Government Advocate

ORDER

This writ petition has been filed challenging the order passed by the 1st respondent dated 12.02.2025 confirming the order passed by the 2nd respondent through proceedings dated 29.01.2022 and for a consequential direction to the 2nd respondent to renew the petitioner's license for pistol under License No.PRP 39/2012.

2. On consent given by either side, the main writ petition itself is taken up for final hearing considering the limited relief that is going to be granted in this writ petition.



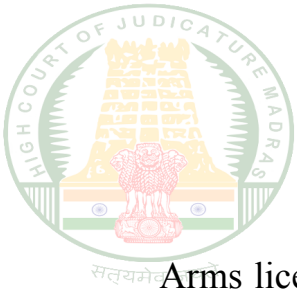
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3. Heard Mr.D.Shivakumaran, learned counsel for the petitioner and Mr.T.M.Rajangam, learned Government Advocate for respondents 1 and 2.

4. The petitioner was having Arms licences for possession of two weapons viz., (i) SBBL (Single Barrel Breech Loading Fire Arm) for self protection and for protecting crops and (ii) Pistol for self protection. The petitioner submitted an application for renewal of the licence commencing from 01.01.2014. After receipt of the application, a report was called for from the Superintendent of Police, Dharmapuri, who submitted the report on 04.06.2015. Ultimately, the 2nd respondent called the petitioner for an enquiry during the year 2022 and the 2nd respondent passed the impugned order dated 29.01.2022 refusing to renew the Arms licences for the pistol. Aggrieved by the order passed by the 2nd respondent, the petitioner filed an appeal before the 1st respondent and the 1st respondent also confirmed the order passed by the 2nd respondent. Aggrieved by the same, the present writ petition has been filed before this Court.

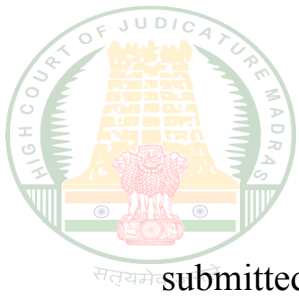
5. In the instant case, it is not necessary to go into the various reasons assigned in the order passed by the respondents 1 and 2, refusing to renew the



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Arms licences sought for by the petitioner for pistol. This is in view of the fact that the application that was submitted in the year 2013 was decided by the 2nd respondent in the year 2022 and the order passed by the 2nd respondent was confirmed by the 1st respondent in the year 2025. This completely goes against the time limits that has been prescribed under Rule 16 of the Arms Rules, 2016 r/w Schedule V. Admittedly, in this case, the petitioner was given a license for the Pistol and it was due for renewal from 01.01.2014. Hence, the application was submitted on 10.09.2023. Once such application is submitted for renewal, the Arms Rules provides for strict time lines for police verification and for grant or refusal to renew the licence. Rule 16 of the Arms Rules, 2016, makes it clear that licensing authority while granting or renewing a licence shall ensure that the time frame fixed under Schedule V is followed. Schedule V r/w Rule 16 provides for the nature of service and the prescribed time period within which it has to be completed. Insofar as the renewal of licence is concerned, the police verification report must be obtained within 30 days from the date of receipt of the application. Thereafter within 30 days, the authority must take a decision to either grant or refuse to renew the license. This time frame has been fixed considering the fact that a person wants to possess Arms and more particularly, he has been granted licence earlier and he is seeking for a renewal. Therefore, there may be contingencies which may compel a person to possess such Arms for personal protection and for protection of the property. If an application

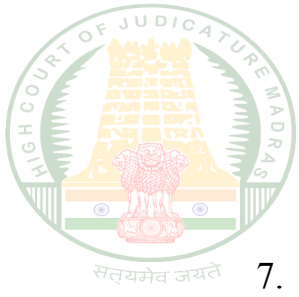


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submitted for renewal in the year 2013 is going to be decided after nearly nine years in the year 2022, the whole purpose of applying for renewal of licence is defeated. This is more so since the 2nd respondent while passing the order has taken into consideration a report that was given in the year 2015. It is quite apparent that both the 2nd respondent as well as the appellate authority have dealt with the application in a mechanical fashion and rejected the same.

6. In the light of the above discussion, it will be more appropriate if the petitioner is permitted to submit a fresh application seeking for the renewal of the licence for the pistol. On such application being made, it shall be dealt with in line with the time schedule prescribed under the Arms Rules 2016 r/w Schedule V by getting the necessary report and by considering the grounds raised by the petitioner seeking for renewal. The 2nd respondent before whom the application is submitted should not be influenced by the earlier order passed and the application must be considered afresh on its own merits and in accordance with the Arms Act and Rules thereunder. The order shall be passed on the renewal application by the 2nd respondent within the time frame fixed under Rule 16 r/w Schedule V of the Arms Rules, 2016.



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7. This writ petition is disposed of in the above terms. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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Additional Chief Secretary / Commissioner of Revenue Administration,
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N.ANAND VENKATESH J.

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