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W.P No.29825 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P No.29825 of 2023
and
W.M.P No.29428 of 2023

M.N.Ramalingam

..... Petitioner

Vs

1.The Additional Principal Secretary-cum-
Commissioner of Revenue Administration
Ezhilagam, Chepauk
Chennai-600 005.

2.The District Magistrate-cum-
District Collector
Coimbatore District
Coimbatore.

..... Respondents

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 16.12.2021 passed in Na.Ka. 5870/2020-02 on the file of the 2nd respondent herein and as confirmed by the impugned proceedings dated 16.06.2023 passed in Na.Ka.No.Va Ni 5(2)/U-15-42/2022 on the file of the 1st respondent herein, quash the same and consequently, direct the respondents herein to renew the Arms Licence of the petitioner within a stipulated period.



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For Petitioner : Mr.S.Sriram
For Respondents : Mr.T.M.Rajangam
Government Advocate

ORDER

This writ petition has been filed, challenging the impugned proceedings dated 16.12.2021 and 16.06.2023 passed by the respondents and consequently, direct the respondents herein to renew the Arms Licence of the petitioner within a stipulated period.

2. The case of the petitioner is that the petitioner is a practicing Advocate in the Courts at Coimbatore for the past 55 years and he is living alone in his farmhouse situated at Moongil Mara Thottam, Vellakinaru Post, Coimbatore. His wife passed away and his only daughter is in United States of America. For his personal safety, he obtained gun license in the year 1972. On 22.11.2016, the petitioner made an application for renewal of Arms license to the 2nd respondent. However, the 2nd respondent vide his impugned order dated 16.12.2021 rejected the same with untenable grounds and against which, the petitioner had preferred an appeal before the 1st respondent. The 1st respondent had also erroneously rejected the petitioner's appeal vide his proceedings dated 16.06.2023. Challenging the said concurrent findings, the present writ petition



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3. The learned counsel for the petitioner would submit that the petitioner's renewal application was rejected by the respondents solely on the ground that the petitioner crossed the age of 80 years. Such a ground stated by the 2nd respondent is not acceptable one. Above 70 years is applicable in terms of Rule 25(b) of Arms Rules, 2016. However, 25(b) is only applicable to a person who intends to transfer the license in favour of the nominee of the legal heirs. However, such provision is not applicable to the petitioner. The minimum age limit for persons eligible to obtain a gun license is fixed at 21 years. However, there is no upper age limit available for possessing license. Therefore, the reasons assigned by the respondents is not certainable.

4.No counter affidavit is filed on behalf of the respondents till date.

5. However, the learned counsel for the respondents would submit that Rule 25(b) of Arms Rules, 2016 makes it clear that the licensing authority may grant license to the legal heirs, in any other case, on the licensee attaining the age of seventy years or on holding the fire-arm for twenty-five years, whichever is earlier, to any legal heir nominated by him. It is implied that a person who



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has held a gun license for 25 years and is over the age of 70 is not entitled to a firearm. Therefore, the respondents rightly rejected the renewal of gun license which does not need any interference by this Court.

6. Heard the learned counsel on either side and perused the materials on record.

7. The facts of the present case are not in dispute. Admittedly, the petitioner is a practicing Advocate and he has been in possession of gun license for more than 25 years. He is residing alone in his farmhouse and his only daughter is in United States of America. For his personal safety, the petitioner made an application for renewal of gun license to the 2nd respondent on 22.11.2016. However, the same was rejected by the 2nd respondent, after a lapse of 5 years. Such a delay consumed by the original authority is not acceptable one. Further, the rule which was laid upon by the respondents is not applicable to the present case on hand. It is relevant to extract Rule 25 of Arms Rules 2016, which reads as follows:

25. Grant of licences to legal heirs. - (1) The licensing authority may grant a licence-

(a) after the death of the licensee, to his legal heir; or

(b) in any other case, on the licensee attaining the age of



seventy years or on holding the fire-arm for twenty-five years, whichever is earlier, to any legal heir nominated by him:

Provided that notwithstanding the provisions contained in rule 12 of these rules, the licensing authority may grant a licence to such legal heir if the eligibility conditions under the Act and these rules are fulfilled by the said legal heir and there are no adverse remarks in the [police report:]

[Provided further that while granting arms licence on inheritance or heirloom basis, the limit of two fire-arms shall not be exceeded.]

(2) Where a licensee leaves behind more than one legal heir and the legal heirs decide amongst themselves to retain the arm or arms of the deceased, one of the legal heirs nominated by all other legal heirs may apply for a licence under sub-rule (1) along with the following documents, namely:-

(i) a declaration of no-objection from the remaining legal heirs;

(ii) an indemnity bond executed by the applicant giving full details of the licence and the arm or arms endorsed thereupon; and

(iii) a copy of the death certificate of the deceased licensee

(3) Where the legal heirs decide to dispose of the arm or arms endorsed on the licence of the deceased licensee, they may apply to the licensing authority for grant of a limited period permission to sell the arm or arms, within the time allowed by such authority, to any licensed dealer or to any other person entitled to possess an arm under these rules.



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Explanation. - For the purposes of this rule, "legal heir" [includes father, mother,] husband, wife, son, daughter, son-in-law, daughter-in-law, brother sister and grandchildren of the licensee or the deceased licensee.

8. On perusal of Rule 25 of Arms Rules, 2016, the grant of license to the legal heirs of the licensee is defined as, if the licensee attaining the age of 70 years or on holding the fire-arm for twenty-five years, whichever is earlier, he is entitled to nominate the legal heirs to possess the gun license. Hence, the provisions relied upon by the respondents is not applicable to the present case on hand. Hence, the impugned orders passed by the respondents are liable to be set aside and the same are hereby set aside.

9. The petitioner is at liberty to make a fresh renewal application within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the respondents shall consider the same, as if the petitioner satisfies Rule 10 of the Arms Rules, 2016 and pass appropriate orders, within a period of four weeks, thereafter.

10. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.



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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1.The Addl.Principal Secretary-cum-
Commissioner of Revenue Administration
Ezhilagam, Chepauk
Chennai-600 005.

2.The District Magistrate-cum-
District Collector
Coimbatore District
Coimbatore.

M.DHANDAPANI, J.

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