



WEB COPY

WP No. 43280 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 43280 of 2025
& WMP.Nos.48463 & 48464 of 2025**

Kolanjinathan
S/o Kanthasamy 2/206, South Street,
Cholankudikadu Post, Senthurai Taluk,
Ariyalur District

Petitioner(s)

Vs

1. The Additional Chief Secretary
Commissioner of Revenue
Administration, Chepauk, Chennai – 5.

2.The District Collector
Ariyalur District, Ariyalur.

3.The District Revenue Officer /
Additional District Magistrate,
Ariyalur, Ariyalur District.

4.The Superintendent of Police
Ariyalur District, Ariyalur

Respondent(s)



PRAYER

This Writ Petition has been filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Mu.Mu.C3/ 6125 / 2020 dated 12.08.2021 and the 1st Respondent in Se. Mu. Order. No. Va. Ni. 5 (2) / 3075 / 2025 dated 19.08.2025, quash the same, and consequently direct the respondents to renew the Arms SBML No 4678 Licence bearing No.100/1 (ARI).

For Petitioner(s): Mr.R.S.Selvam

For Respondent(s): Mr.M.Rajendiran,
Additional Government Pleader
for RR1 to 3
Mr.S.Balaji,
Government Advocate (Crl. Side)
for R4

ORDER

This Writ Petition is filed to call for the records of the 3rd respondent in Mu.Mu.C3/ 6125 / 2020 dated 12.08.2021 and the 1st Respondent in Se. Mu. Order. No. Va. Ni. 5 (2) / 3075 / 2025 dated 19.08.2025, quash the same, and consequently direct the respondents to renew the Arms SBML No 4678 Licence bearing No.100/1 (ARI).

2.The case of the petitioner is that the petitioner is an agriculturist by



occupation and that he was granted smooth-bore muzzle-loading (SBML) firearm bearing Licence No.100/1(ARI) in the year 2001 for protecting his crops and cattle from wild animals and birds, which he has been regularly renewing. The last renewal was made on 08.01.2018, which was valid up to 31.12.2020. The petitioner applied for renewal of licence on 16.12.2020, well before the expiry of the licence, and attended the enquiry conducted by the respondents. However, the third respondent vide order dated 12.08.2021 rejected the application of the petitioner on the ground that the petitioner had attained an advanced age and that the licence would no longer be useful to him. Aggrieved by the same, the petitioner preferred an appeal before the first respondent along with the medical fitness certificate and also the proof of continued need of the firearm solely to safeguard his agricultural property. However, the first respondent vide the order dated 19.08.2025 rejected the appeal based on a vague allegation that the firearm might have been used for hunting. Challenging the same, the present Writ Petition is filed.

3.The learned counsel for the petitioner would submit that the first



respondent has arbitrarily passed the impugned order dated 19.08.2025 as if the petitioner used the fire arms for hunting, however, there is no proof to substantiate the same and without proof, passing the impugned order, rejecting the request of petitioner is not sustainable. Hence, sought for allowing the present Writ Petition.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 fairly submitted that the impugned order has been passed without providing any opportunity to the petitioner, that too without submitting the proof to call for explanation.

5.Heard the learned counsel on both sides and perused the materials available on record.

6.On a perusal of the order passed by the third respondent dated 12.08.2021, it is seen that the third respondent has refused the request of the petitioner on the ground that the petitioner is aged 65 years. Further, it is seen



that aggrieved by the order passed by the third respondent, the petitioner preferred an appeal before the first respondent. However, the first respondent rejected the petitioner's appeal on a different ground, as if the first respondent obtained a report from the law enforcing agency that the petitioner might have used fire arm for hunting. However, no criminal case was registered as against the petitioner either by the forest officials or by the local police. Even then, the first respondent rejected the representation of the petitioner on the ground that the petitioner might have used the fire arm for hunting.

7. Further, the first respondent has to decide the issue only on the basis of the order passed by the third respondent and not on new facts. If new facts are available, the first respondent has to issue a notice to the petitioner and call for explanation. However, without doing so, the first respondent mechanically drew a new ground as if the police officials submitted a report and without submitting the report, the respondent rejected the request of the petitioner, which is not sustainable. Hence, this Court sets aside the impugned order dated 19.08.2025 passed by the first respondent and remands the matter back to the first



respondent for fresh consideration of the matter. The first respondent is now directed to consider the matter afresh and to pass appropriate orders, in accordance with law, after providing an opportunity of hearing to the petitioner, within a period of four (4) weeks from the date of receipt of a copy of this order.

8.The Writ Petition is allowed on the above terms. No costs.

Consequently, the connected miscellaneous petitions are closed.

14-11-2025

Tsg

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

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