



W.P(MD)No.25389 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.25389 of 2023

and

W.M.P(MD)No.21553 of 2023

Rajadurai

..Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

3.The Inspector of Police,
Panakudi Police Station,
Tirunelveli District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the first respondent in Pa.Mu.No.C5/Coltnv/3306/2023 dated 30.08.2023 and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently direct the first respondent to renew the Gun License granted to the petitioner.



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For Petitioner : Mr. P.P.Alwin Balan

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R1 & R2
Mr.S.Prakash
Government Advocate (crl.side) for R3

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceedings issued by the first respondent in Pa.Mu.No.C5/Coltnv/3306/2023, dated 30.08.2023, quash the same as arbitrary, illegal and without any legal basis, and consequently direct the first respondent to renew the Gun Licence granted to the petitioner.

2. The case of the petitioner is that he has been holding a gun licence from the year 1990, granted after due enquiry and satisfaction of his need for personal protection. The petitioner resides in Vadalivilai, a remote village near the Western Ghats, and owns about 120 acres of punja and nanja land, cultivated with coconut and plantain crops, and equipped with six motor pump sets. The petitioner also runs a hotel named Golden Crown at Kavalkinaru, situated about 10 km from his residence on the National Highway, where business activities continue late into the night.



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3. According to the petitioner, considering the nature of his agricultural operations, remote location of his residence, and the need to carry cash for his business, he reasonably apprehends the need for self-protection. His licence was periodically renewed up to the year 2020. However, the first respondent refused to renew the same on the ground that the petitioner, having attained the age of 64 years, was unfit to handle a firearm. The appeal preferred by the petitioner before the Commissioner of Revenue Administration was allowed and remanded for fresh consideration. Upon such remand, the first respondent once again rejected the request through the impugned order dated 30.08.2023, reiterating the earlier findings.

4. A counter affidavit has been filed by the first respondent stating that the petitioner's renewal request was rejected after due enquiry and consideration of reports from the Sub Collector and the Superintendent of Police, Tirunelveli. It is further contended that the petitioner, being of advanced age, is unfit to handle firearms, and that there is no imminent threat to his life warranting the renewal of the licence. Reliance was also placed on the Central Ministry of Home Affairs circular dated 06.04.2010, which provides that arms licences may be granted or renewed only if the person faces grave and imminent threat to life.



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5. This Court, by order dated 27.10.2025, directed the petitioner to appear before the Tirunelveli District Rifle Club on 03.11.2025 at 11.00 a.m. to assess his ability to handle and operate a firearm. The Club was directed to test the petitioner's capability for handling firearms by using a rifle similar to the one mentioned in his licence and submit a report. The third respondent police was also directed to be present during the examination.

6. Pursuant to the said direction, the Tirunelveli District Rifle Club submitted a report dated 03.11.2025, wherein it is stated that the petitioner underwent a practical test using a .177 calibre open sight air rifle, firing two series of 10 shots each. The petitioner successfully placed 17 shots within the scoring area, demonstrating commendable control and proficiency in marksmanship. He also exhibited satisfactory firearm handling skills, following all safety protocols and range discipline. Furthermore, the authorised medical practitioner certified the petitioner as physically and mentally fit to handle firearms safely and responsibly.

7. In view of the above findings, this Court is satisfied that the petitioner is physically and mentally fit to handle and operate a firearm. The rejection of renewal solely on the ground of age, without any material to establish incapacity, cannot be sustained. That apart, the nature of the petitioner's business, the location of his place of business and residence, as



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well as the nature of his work, justify the request for possessing a firearm for personal safety. The impugned order dated 30.08.2023 passed by the first respondent in Pa.Mu.No.C5/Coltnv/3306/2023 is therefore quashed. Accordingly, this writ petition is allowed, and the first respondent is directed to renew the Gun Licence granted to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

06.11.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Tahsildar,
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P.T.ASHA, J.

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