

W.P(MD)No.31005 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2025

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CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.31005 of 2024
and
WMP(MD)No.26044 of 2024**

S.Sappani @ Sekar

... Petitioner

VS.

1. The Home Secretary,
Secretariat, Chennai,
Tamil Nadu.

2. The State of Tamil Nadu,
The Inspector General of Police,
South Zone, Madurai District.

3. The Superintendent of Police,
Tenkasi, Tenkasi District.

4. The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.

5. The Inspector of Police,
Courtallam Police Station,
Tenkasi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent



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Nos.1 and 2 to take appropriate action against the respondents Nos.3 to 5 for orally prohibiting the Blacksmith from manufacturing and selling iron products like, scythe, knife, Crowbar and Shovel and other for Agriculture and domestic purpose and consequently direct the respondents Nos.3 to 5 not to interfere the business of the Blacksmith situated in the Tenkasi District.

For Petitioner : Mr.J.Jeyakumaran
For Respondents : Mr.A.Albert James
Government Advocate (Crl.Side)

ORDER

(Order of the Court was made by **S.SRIMATHY, J.**)

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondent Nos.1 and 2 to take appropriate action against the respondents Nos.3 to 5 for orally prohibiting the Blacksmith from manufacturing and selling iron products like, scythe, knife, Crowbar and Shovel and other for agricultural and domestic purposes and consequently direct the respondents Nos.3 to 5 not to interfere with the business of the Blacksmith situated in the Tenkasi District.



2. Though the petitioner raised many grounds in support of his prayer, the core issue is the petitioner cannot be barred from selling the iron products.

3. The Superintendent of Police, Tenkasi District, 4th respondent on behalf of other respondents also, has filed a detailed counter affidavit taking a specific stand of law and problem in permitting such sale of sharp edged weapons in the open areas of the tourist place. In the counter affidavit, the respondents have also set out certain guidelines so as to prevent unwanted incidents because of selling of such sharp edged weapons in open areas in the tourist place. It is pertinent to extract below the relevant passage of the counter affidavit:

"3) It is submitted that if they are allowed to sell the highly sharp edged weapons produced by them in Courtallam areas, there is a lot of scope for the creation of Law and order problems since most of the people who visit Courtallam are in a habit of taking drinks and being elated. Some time they used to create problem under inebriated mood and if such articles for domestic uses, agricultural uses and weapons are available in the public gathering place, it would have a chance for reporting of more cases of bodily offences which would cause inconvenience to the general public. Thereby the public peace and tranquility



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would be disturbed especially for the womenfolk and children. Under these circumstances, the following steps are much required to prevent such unwanted incidents especially during the Courtallam season time to be commenced from June and to prevail till September every year.

(i) They shall not sell those knives and other weapons having blade length more than 9 inches and blade width more than 2 inches are envisaged in The Arms Rules. 2016.

(ii) They may be directed to sell such weapons and any other articles that are permitted only at the shops not on the streets openly.

(iii) They may be directed to get license for such shops from the competent authority.

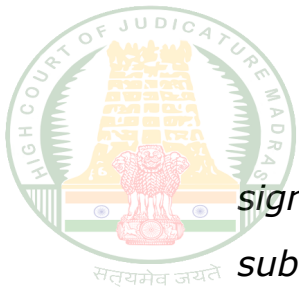
(iv) The licenses may be issued for specific location taking into account of the security scenario in consultation with the Police.

(v) Those shops selling such articles be situated away from the places of public gathering may be 5-7 kilometers away.

(vi) Such shops to be allowed to function only during the day between 09.00 hrs and 17.00 hrs.

(vii) They should offer at the shop which may be temporary or permanent, the list of articles available are entered in the register maintained by them including the size of the weapons and the details of the purchaser etc.

(viii) Where purchasers purchase such articles in bulk, purpose of use should be clearly indicated on the cash memos and clear ID proof also to be collected with



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signature. The details of selling of such articles must be submitted to the local Police Station on every day basis."

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4. Upon perusal of the abovesaid averments, we are of the view that the abovesaid measures are very much required for permitting sale of such iron products in Courtallam. Therefore, we accede to the above measures proposed by the respondents set out in the counter.

5. Hence, the respondents are directed to pass orders permitting the sellers like petitioner to carry on their business activities strictly subject to the abovesaid conditions.

6. With the above direction, the Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

[J.N.B, J.] [S.S.Y, J.]
29.04.2025

Index : Yes / No
Neutral Citation : Yes / No
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J.NISHA BANU, J.
AND
S.SRIMATHY, J.
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To

1. The Home Secretary,
Secretariat, Chennai,
Tamil Nadu.
2. The State of Tamil Nadu,
The Inspector General of Police,
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Tenkasi, Tenkasi District.
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ORDER MADE IN
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DATED : 29.04.2025