



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No.18883 of 2026

and

WMP No.20174 of 2026

P.Raja
S/o.Ponnudurai,
Residing at No.3/273,
Vaadiveli,
Nagakudaiyur Post,
Vedaranyam Taluk,
Nagapattinam District.

..Petitioner(s)

Vs

1. The Additional Chief Secretary
Revenue Administration and Disaster
Management, Commissionerate,
Chepauk, Chennai - 600 005.
2. The District Collector,
Nagapattinam District.
3. The District Revenue Officer/Additional,
District Executive Magistrate,
Nagapattinam District,
Nagapattinam.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus calling for the records pertaining to the proceedings of the 1st respondent dated 17.2.2026 in reference no.N.K.No.VN 5(4)/24847/2021 dismissing the petitioner's appeal and confirming the order of the 2nd respondent dated 22.8.2024 in Na.Ka.No.13773/2023/C4 and quash the same and direct the 1st respondent to issue arms licence to the petitioner.



WEB COPY



For Petitioner(s):

Mr.J.Chandran Sunder Sashikumar
for Mrs.V.Mythili

For Respondent(s):

Mr.M.Guruprasad
Counsel for Government Side

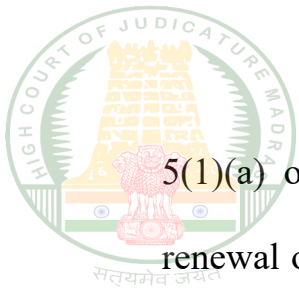
ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed challenging the impugned order dated 17.02.2026 whereby petitioner's appeal filed before the 1st respondent against the order of the 2nd respondent dated 22.08.2024, stood rejected on the premise that petitioner had earlier preferred an appeal in respect of renewal of Arms license.

3. Brief facts:

i) Petitioner is engaged in the business of Prawn culture. With a view to ensure his personal safety and that of his family, petitioner had applied for arms license before the respondents. Same was considered and petitioner was granted license in VDM 02/2011 for revolver under the provision of the Arms Act, 1959, by the 2nd respondent. The said license was periodically renewed in compliance with the relevant rules. While so, a criminal case was registered against the petitioner in Cr.No.83/2019 under Sections 3(2)(a), 3(2)(b), 4(1),



5(1)(a) of I.T.P Act by Velankani Police. Thereafter, petitioner applied for renewal of licence in the year 2021, which was rejected by the 2nd respondent.

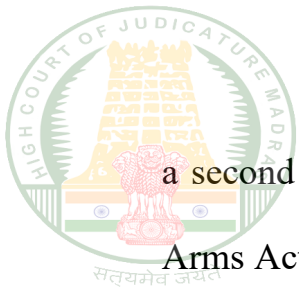
On 30.06.2021, the 3rd respondent directed the petitioner to surrender the revolver, on the premise that there was a criminal case pending against the petitioner.

ii) Aggrieved by the order of the 2nd respondent rejecting the renewal of license, petitioner preferred an appeal before the 1st respondent. During the pendency of the said appeal before the 1st respondent, petitioner was acquitted by the Trial Court vide order dated 10.11.2021 after trial in C.C.No.1/2020 by the Additional Mahila Court at Nagapattinam.

iii) Taking into account the subsequent development, the 1st respondent vide order dated 15.11.2023 directed the 2nd respondent herein to reconsider the application after receiving the necessary reports from the Revenue Officers and after conducting proper enquiry within a period of 30 days.

iv) Pursuant thereto, the 2nd respondent passed an order on 22.08.2024 stating that though the pending criminal case in C.C.No.1 of 2020 ended in acquittal on 10.11.2021, however a discreet enquiry revealed that there was no need to renew petitioner's arms licence as the petitioner does not have any business/ rivalry and there was no threat to petitioner's life.

v) Challenging the above, petitioner preferred an appeal before the 1st respondent. The 1st respondent rejected the appeal on the technical ground that



a second appeal would not lie on the same subject as per Section 18(7) of the Arms Act, 1959.

WEB COPY

4. Learned counsel for petitioner would submit that the 1st respondent ought to have seen that the order of the 1st respondent dated 22.08.2024 gives rise to a fresh cause of action and thus it was inappropriate for the 1st respondent to have rejected treating the petitioner's appeal as a second appeal.

5. Learned counsel for respondents would reiterate that the order of the 1st respondent was in fact in accordance with Rule 18(7) of the Arms Act, 1959.

6. Having heard both sides, this Court finds merit in the submission of the learned counsel for petitioner inasmuch as the order dated 22.08.2024 of the 2nd respondent which was the subject matter of challenge before the 1st respondent gives rise to a fresh course of action. Thus, appeal ought to have been entertained and disposed of on merits invoking Section 18(7) of the Arms Act, 1959, is erroneous. In this regard, it may be relevant to refer to Section 18(7) of the Arms Act, 1959, which reads as under:

"18. Appeals.

(1) Any person aggrieved by an order of the licensing authority refusing to grant a licence or varying the conditions of a licence or by an order of the licensing authority or the authority to whom the licensing authority is subordinate, suspending or revoking a licence may prefer an appeal against that order to such



WEB COPY

authority (hereinafter referred to as the appellate authority) and within such period as may be prescribed:

Provided that no appeal shall lie against any order made by, or under the direction of, the Government.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(3) The period prescribed for an appeal shall be computed in accordance with the provisions of the [Indian Limitation Act, 1908 (9 of 1908) with respect to the computation of periods of limitation thereunder.

(4) Every appeal under this section shall be made by a petition in writing and shall be accompanied by a brief statement of the reasons for the order appealed against where such statement has been furnished to the appellant and by such fee as may be prescribed.

(5) In disposing of an appeal the appellate authority shall follow such procedure as may be prescribed:

Provided that no appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.

(6) The order appealed against shall, unless the appellate authority conditionally or unconditionally directs otherwise, be in force pending the disposal of the appeal against such order.

(7) Every order of the appellate authority confirming, modifying or reversing the order appealed against shall be final."

(Emphasis supplied)

6.1. On a reading of the above extract, it appears that the 1st respondent has proceeded on a gross misconception as to the scope of Section 18(7) of the Arms Act, 1959, inasmuch as the impugned order is one which has been passed



pursuant to the initial order of remand made by the 1st respondent. The present order passed by the 2nd respondent dated 22.08.2024 gives rise to a fresh cause of action and thus any attempt to invoke Section 18(7) of the Arms Act, 1959, is wholly misplaced.

7. In that view of the matter, the 1st respondent is directed to take on record the appeal filed by the petitioner, consider and dispose of the same by passing appropriate orders on merits and in accordance with law after affording a reasonable opportunity of hearing to petitioner and other interested parties.

8. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

02-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MKA



WEB COPY

To:

1. The Additional Chief Secretary
Revenue Administration and Disaster Management,
Commissionerate,
Chepauk, Chennai - 600 005.
2. The District Collector
Nagapattinam District.
3. The District Revenue Officer/Additional District
Executive Magistrate
Nagapattinam District,
Nagapattinam.



WEB COPY

WP No.18883 of 2



MOHAMMED SHAFFIQ J.

MKA

WP No. 18883 of 2026

02-06-2026