



W.P.(MD)No.26954 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.04.2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.26954 of 2025
and W.M.P(MD)No.20932 of 2025

S.Rajendran

.. Petitioner

- Vs. -

- 1.The Additional Chief Secretary/
The Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and Disaster
Management, Ezhilagam,
Chennai-600 005.
- 2.The District Magistrate cum District Collector,
Office of the District Collector,
Virudhunagar District.
- 3.The District Forest Officer,
Madurai District Forest Camp Office,
Race Course Road,
Madurai-625 002.
- 4.The Deputy Director,
Srivilliputhur Megamalai Tiger Reserve,
Srivilliputhur Division,
Virudhunagar District.
- 5.The District Revenue Officer,
Office of the District Revenue Officer,
Collectorate,
Virudhunagar District.



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6.The Forest Ranger,
Usilampatti Forest Range,
Madurai District.

7.The Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order passed by the respondent No.1 in Na.Ka.No.VaNi 5(1)/3744970/2022, dated 16.06.2023, consequently direct the second respondent to renew the petitioner's arm licence bearing Licence No. 1/2015 and pass such further or other order.

For Petitioner : Mr.R.Manibharathi

For Respondents : Mr.P.Thambidurai
Government Advocate for R1 to R6

Mr.K.Gnanasekaran
Government Advocate (Crl. side) for R7

ORDER

The Writ Petition is filed challenging the impugned order dated 16.06.2023 and to consequently direct the second respondent to renew the petitioner's arm licence bearing Licence No.1/2015.



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2. The impugned order is passed rejecting the appeal filed by the petitioner as against the original order dated 26.10.2022 passed by the second respondent, refusing to renew the arm licence of the petitioner. The case of the petitioner is that the petitioner was granted licence under the Arms Act for possessing a Double Barrel Bridge Load (DBBL) Gun bearing No.1609402 vide Licence No.1/2015. The petitioner was using and maintaining the same in a good manner and has been renewing the arm licence periodically. Whiles, in the year 2017, in order to get it repaired, the petitioner approached a licence holder by name Rooban, son of Stanley, a resident of Madurai. On 04.05.2017, the petitioner handed over his gun for repair in dismantled condition. On 05.05.2017, the petitioner came to know that the Forest Ranger, Usilampatti Forest Range, Madurai, the sixth respondent herein, had registered a case in WLOR No.4 of 2017 for the offences under Sections 31(1)(d) and 51 of the Wildlife Protection Act, 1972 as against the four accused persons, namely Ebinesan, Rooban, Kennady and Sulaiman, alleging that they hunted a deer in a patta land.

It is further seen that on 05.05.2017 itself, after collecting a total fine amount of Rs.8,00,000/- (Rupees Eight lakhs only), the case was compounded. Since the gun of the petitioner was also given for repair to the said Rooban, it was seized and included as a material object in Item No.20. It is the case of the petitioner



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that the petitioner is no way connected with the said case. Therefore, the petitioner filed W.P(MD)No.14649 of 2017 and by an order dated 21.08.2017, this Court disposed of the writ petition by recording the fact that an order had been passed on the representation of the petitioner. Once again, the petitioner approached this Court by way of W.P(MD)No.17540 of 2017, challenging the said order dated 18.08.2017. When the said writ petition was pending, by accepting the explanation of the petitioner, the sixth respondent returned the gun to the petitioner on 02.11.2018. Thereafter, the petitioner submitted an application for renewal of arm licence, and the same was also renewed by order dated 31.01.2019. Whiles for further renewal of the arm licence for the period 2021-2025, when the petitioner paid the necessary fee, the renewal was refused and the licence was cancelled by the order dated 26.10.2022. As against which, the petitioner filed an appeal before the first respondent under Section 18(1) r/w 105 of the Arms Act and the same was also dismissed by the impugned order dated 16.06.2023. Against which, the writ petition is filed.

3. The learned counsel for the petitioner, firstly, taking this Court through the reasons mentioned in the original order as well as the appellate order, would submit that the involvement of the gun of the petitioner with reference to the aforementioned WLOR can never be considered inasmuch as after getting the



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return of the gun, already licence has been renewed. After the renewal, there is no any fresh incident. While after considering the very same incident earlier, the petitioner licence is being renewed, suddenly by invoking the very same reason, the licence cannot be discontinued and cancelled. Secondly, the learned counsel would place strong reliance upon the communication dated 02.11.2018 by the Forest Ranger, Usilampatti, whereby it is mentioned that the DBBL gun itself was recovered in a condition where its parts were found in a severed condition and there was no evidence that the arm was used in the offence and on that ground it was returned to the petitioner. Therefore, the learned counsel would submit that the objection report made and the reliance placed upon by the original authority as well as the appellate authority are unfounded and the petitioner's licence is liable to be renewed.

4. The learned counsel for the petitioner would further submit that admittedly, the petitioner was not an accused person. There is no proof that his arm was used in the offence. Thirdly, he only handed it over for the purpose of repair and he has not abused or misused the arm in any manner whatsoever. Subsequently, he is in possession and is very well maintaining the said arm and for all the above reasons, the learned counsel would pray that the writ petition is liable to be allowed.



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5. Per contra, the learned Government Advocate would submit that it is true that there was a finding of the Forest Ranger while returning the gun. But, however, the authorities have found that once the arm is permitted to be used in a criminal case, the licence cannot be renewed.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. Upon hearing the learned counsel on either side by way of an interim direction, this Court directed the production of the file relating to the WLOR. Upon perusal thereof, it can be seen that in the receipt, totally twenty articles were recovered from the scene of crime, and it is clearly mentioned as DBBL gun, one number. As a matter of fact, there were four air guns, which were recovered and one was in a damaged/severed condition, which is noted in the receipt itself. In the normal course, if the petitioner's gun was in a severed parts condition, the same would also have been mentioned in the said receipt. Further upon perusal of the records, in the confession statement made by the accused No.3, Kennady, he has categorically accepted that he only used the gun and shot



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the deer. The co-accused, Rooban, also categorically stated that Kennady only shot the deer. In the recovery mahazer, it is very categorically mentioned that the DBBL gun is recovered from the said Kennady, namely, A3 in the case. Therefore, it is crystal clear that the firearm was very much used for the offence and Kennady shot the deer only by using the DBBL gun. The finding given by the Forest Ranger, stating that the DBBL gun was recovered only in a dismantled condition and that there is no evidence of using the same is totally against the records mentioned in the WLOR case. Therefore, I am unable to accept the submissions made based on the said communication of the Forest Ranger while handing over the gun to the petitioner.

8. It may be that in the earlier year, the licence was renewed. But, however, if a person being entrusted with a firearm along with the licence gives it to persons, who are accused in hunting endangered species and prohibited wild animals, the licence cannot be continued. A mistake can only be corrected and cannot be perpetrated. Therefore, merely because an earlier renewal is made, the same cannot be a bar for the authorities to pass a correct order based on correct factual positions.

9. In view of the above, I find no error whatsoever in refusing the licence



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and cancelling the same. Accordingly, finding no merits, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

16.04.2026

NCC : No
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- 6.The Forest Ranger,

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