

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No. 6241 of 2015 (E)

PETITIONER :

**SUKUMARAN T.G., AGED 67 YEARS,
S/O.LATE T.M.GOVINDAN, RESIDING IN H.NO.52,
THOPPIL HOUSE, MUSEUM CORSS LANE, 6TH STREET,
CHEMBUKKAVU, THRISSUR - 682 020.**

**BY ADVS.SRI.SAJI KURIACHAN
SRI.M.R.NANDAKUMAR**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
THRISSUR - 680 001.**
- 2. THE COMMISSIONER OF LAND REVENUE,
THIRUVANANTHAPURAM - 695 033.**
- 3. STATE OF KERALA,
REPRESENTED BY SECRETARY, HOME DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**

R1 TO R3 BY SR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 6241 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: A TRUE COPY OF THE SAID ORDER NO.C5-75373/11/K.DIS DATED
 28.02.2013.**
- EXT.P2: A TRUE COPY OF THE SAID ORDER NO.LR.A2/14421/2013 DATED
 25.04.2014.**
- EXT.P3: A TRUE COPY OF THE SAID ORDER NO.C5-29194/13/K.DIS. DATED
 24.11.2014.**
- EXT.P4: A TRUE COPY OF THE SAID CIRCULAR BEARING NO.V-11016/16/2009
 ARMS ISSUED BY THE CENTRAL GOVERNMENT.**
- EXT.P5: A TRUE COPY OF THE JUDGMENT DATED 9.12.2014.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.6241 of 2015

Dated this the 27th day of February, 2015.

JUDGMENT

Petitioner is possessing an 'Arm Licence' bearing No.1088/TCR, which has been obtained after satisfying all the requirements. The petitioner made an application for renewal of the said licence well within time and after getting a report from the authority of the police, it was turned down as per Ext.P1 order dated 28.2.2013. On challenging the same, the matter was considered by the appellate authority/the second respondent herein, who set aside the impugned order and remanded the matter to the first respondent as per Ext.P2 order dated 25.4.2014. Pursuant to the remand, the matter was considered again by the first respondent, who passed almost similar order like Ext.P1, vide Ext.P3; which made the petitioner to approach this Court by filing the writ petition.

2. The learned counsel for the petitioner points out that there is absolutely no application of mind on the part of

the first respondent while passing Ext.P3 order. Similar issue as involved in this case, has already been considered and decided by this Court as per the decision reported in **Chandran Nair v. Additional District Magistrate [2015(1) KLT 41]**.

In the above circumstance, this Court finds that the matter requires to be reconsidered with regard to the threat perspective of the petitioner as explained by this Court in the decision cited *supra* and a decision has to be taken accordingly. Ext.P3 will stand set aside and the first respondent is directed to reconsider the matter afresh, after affording an opportunity of hearing to the petitioner and pass appropriate orders, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment .

The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the concerned respondent for further steps. The writ petition is disposed of as above.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.