

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

WP(C).NO. 6653 OF 2015 (F)

PETITIONER(S):

**A.R. VIJAYABHASKARAN,
S/O.A.B. RAVEENDRANATHAN, ANAPPARA HOUSE,
NOCHUPPULLY, MUNDUR, PALAKKAD- 678 592.**

**BY ADVS.SRI.A.R.GANGADAS,
SRI.BALAGODA VARMA.**

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR/DISTRICT MAGISTRATE,
COLLECTORATE, CIVIL STATION, PALAKKAD- 678 001.**
- 2. SUB INSPECTOR OF POLICE,
HEMAMBIKA NAGAR, RAILWAY COLONY,
PALAKKAD -678 592.**

BY SR. GOVT. PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).NO. 6653 OF 2015 (F)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1 TRUE COPY OF THE LICENCE NO.859/PGT DATED 02-05-2002
ISSUED BY THE DISTRICT MAGISTRATE/DISTRICT COLLECTOR,
PALAKKAD.**

EXHIBIT P2 TRUE COPY OF THE TREASURY CHALAN DATED 02-11-2012.

**EXHIBIT P3 TRUE COPY OF THE LETTER ISSUED BY THE SECOND RESPONDENT
DATED 11-07-2013.**

**EXHIBIT P4 TRUE COPY OF THE RECEIPT ISSUED BY THE SECOND RESPONDENT
DATED 12/07/2013.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C)No.6653 OF 2015
.....

Dated this the 3rd March, 2015

J U D G M E N T

The petitioner is the holder of gun licence bearing No.859/PGT issued by the first respondent /District Collector . It is in connection with safety and security aspect, that the petitioner had applied for and obtained the licence as aforesaid. Since the period of licence was to expire on 31.12.2012, necessary application for renewal was submitted prior to expiry, as contemplated under the relevant provisions of law. Despite many a request made by the petitioner, the proceedings were not finalised and as per Ext.P3 communication dated 11.7.2013 issued by the second respondent/Sub Inspector, the petitioner was directed to surrender the gun. It was accordingly surrendered before the second respondent/Sub Inspector. Being aggrieved of the callous inaction on the part of the first respondent/District Collector, the petitioner has approached this Court by filing this writ petition.

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, this Court finds that the application preferred by the petitioner way back in 2012 is still

pending without any regard to the alleged threat to life pointed out from his side. The manner in which such application has to be considered has been explained by this Court, as per the decision reported in ***2015(1) KLT 41 (Chandran Nair vs. Addl. District Magistrate).***

4. In the said circumstance, there will be a direction to the first respondent/District Collector to consider and finalise the application submitted by the petitioner in accordance with law, after affording an opportunity of hearing to the petitioner and also in the light of the observations made by this Court in the decision cited supra, which shall be done at the earliest, at any rate, within two months from the date of receipt of a copy of the judgment. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the first respondent/District Collector for further steps.

P.R.RAMACHANDRA MENON
JUDGE

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