

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C).No. 7406 of 2015 (A)

PETITIONER(S):

**M.M. THOMAS, S/O. M.J.MARKOSE,
AGED 66 YEARS, MANTHANATHIL HOUSE,
PERUVA, KOTTAYAM.**

**BY ADVS.SRI.K.C.CHARLES,
SRI.M.POLY MATHAI,
SRI.VIMAL K.CHARLES.**

RESPONDENT(S):

***1. STATE OF KERALA,
REPRESENTED BY THE COMMISSIONER,
LAND REVENUE, OFFICE OF THE LAND REVENUE COMMISSION,
PUBLIC OFFICE BUILDINGS, TRIVANDRUM-695 033.**

*** THE WORDS "STATE OF KERALA, REPRESENTED BY" IS OMITTED AND
"THE COMMISSIONER, LAND REVENUE AS PER ORDER DATED 17/03/2015
IN I.A. NO.3702/2015.**

**2. ADDITIONAL DISTRICT MAGISTRATE COURT,
KOTTAYAM-686 001.**

BY SR. GOVT. PLEADER SRI.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 7406 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1: A TRUE COPY OF THE ORDER OF THE ADDITIONAL
DISTRICT MAGISTRATE COURT, KOTTAYAM DATED 24.04.2012.**

**EXHIBIT P2: A TRUE COPY OF THE APPEAL FILED BY THE PETITIONER
BEFORE THE COMMISSIONER, LAND REVENUE, OFFICE OF
THE LAND REVENUE COMMISSION, PUBLIC OFFICE BUILDINGS,
TRIVANDRUM-695 033.**

**EXHIBIT P3: A TRUE COPY OF THE SAID ORDER DATED 13.07.2012 ISSUED BY
THE COMMISSIONER, LAND REVENUE DEPARTMENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 7406 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner is the holder of the gun licence which was sought to be renewed by filing necessary application before the expiry. After considering the matter, the application for renewal came to be rejected as per Ext.P1 order dated 24.04.2012 passed by the 2nd respondent.

2. The case of the petitioner is that, Ext.P1 is per se wrong and illegal in all respects and there is no proper application of mind. Met with the situation, the petitioner has already moved the 1st respondent by filing Ext.P2 appeal. Even though the petitioner was served with Ext.P3 notice way back in the year 2012 nothing has transpired in the positive and hence the writ petition .

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of directing the 1st respondent to pass final orders on Ext.P2 appeal in accordance with law, also in the light of the

observations made by this Court as to the various aspects to be followed for renewal of gun licence as per the decision reported in **Chandran Nair C. V. Additional District Magistrate Kasargod & Others** (2015 (1) KLT 41) and after affording an opportunity of hearing to the petitioner. The proceedings as above shall be finalized 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 the judgment along with a copy of the writ petition before the 2nd respondent for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE.**