

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No.7684 of 2015 (I)

PETITIONER:

**A.S.BRIJESH,S/O.A.P.SREEDHARAN,
ANAPPARA HOUSE,NOCHUPPULLY,
MUNDUR,PALAKKAD-678 592.**

BY ADV.SRI.A.R.GANGADAS

RESPONDENTS:

- 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 GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.7684 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE CONSENT LETTER DTD.31.1.2011 ISSUED BY
SRI.A.P.SUNDARAN.**

**EXT.P2:TRUE COPY OF THE APPLICATION DTD.31.1.2011 SUBMITTED BY THE
PETITIONER BEFORE THE DISTRICT MAGISTRATE,PALAKKAD.**

EXT.P3:TRUE COPY OF THE REMINDER DTD.16.6.2011.

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 7684 of 2015

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Dated, this the 11th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- "i) Issue a writ of mandamus or any other appropriate writ order or direction to the first respondent to issue the gun licence to possess SBBL Gun No. 35892 forthwith.
- ii) Issue such other further orders deemed fit and proper in the circumstances of the case.
- Iii) Award the cost of the petitioners in this proceedings.

2. The case of the petitioner is that the paternal uncle of the petitioner by name Sri. A. P. Sundaran (Sundaran Adhikari) is the holder of gun license bearing No. L.26/H.V. , which has been obtained for security purpose, mainly in connection with the agricultural operation. It is stated that the petitioner has obtained consent from the licensee to transfer the licence to the name of the petitioner, he being a close relative. The petitioner has submitted Ext. P2 application before the first respondent for issuance of licence in the name of the petitioner, which is pending consideration before the first

respondent. The learned counsel for the petitioner submits that the only prayer now pressed before this Court is to cause Ext.P2 to be considered by the first respondent within a reasonable time.

2. Heard the learned Government Pleader aw well.

3. Considering the limited extent of relief sought for, this Court does not find it necessary to adjudicate the matter on merits. The manner in which application for issuance of arms licence has to considered has been explained by this Court in the decision reported in **2015 (1) KLT 41 [Chadran Nair Vs. Addl. District Magistrate]**. The Writ Petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext. P2 in accordance with law and also in the light of the decision cited supra, after affording an opportunity of hearing, as expeditiously as possible, 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 copy of the writ petition before the first respondent for further steps.

Sd/

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

kmd