

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. 8113 of 2015 (L)

PETITIONER:

**U.K.KURUP AGED 48 YEARS
S/O. BHASKARA KURUP,
EX. NO. 87411518,
UDAYALAM,
EDAVATTOM,
EXHUKONE-VIA
KARUVALIL PO,
KOLLAM 691 505**

BY ADV. SRI.A.D.SHAJAN

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
KOLLAM- 691 001.**
- 2. THE COMMISSIONER OF LAND REVENUE,
PUBLIC OFFICE BUILDING,
MUSEUM JUNCTION,
THIRUVANANTHAPURAM - 695 033.**
- 3. STATE OF KERALA, REP. BY SECRETARY TO GOVERNMENT,
HOME (F) DEPARTMENT,
SECRETARIAT,
THIRUVANANTHAPURAM 695001.**

R1 TO R3 BY (SR) GOVERNMENT PLEADER SRI JOSEPH GEORGE

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

vmr.

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: A TRUE COPY OF THE EMPLOYMENT CERTIFICATE DATED 3.1.2014 OF THE STALWART SECURITY SERVICES INDIA LTD.

EXHIBIT P2: A TRUE COPY OF THE REPRESENTATION DATED 26.11.2014 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT TOGETHER WITH CHALAN AND RECEIPT.

EXHIBIT P3: A TRUE COPY OF THE REPRESENTATION DATED 29.1.2015 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXHIBIT P4: A TRUE COPY OF THE ORDER DATED 20.2.2015 ISSUED BY THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A.TO JUDGE

vmr

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.8113 of 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner is stated as aggrieved of Ext.P4 order passed by the 1st respondent on 20.02.2015, whereby the application for renewal of gun licence held by the petitioner has been rejected absolutely without proper application of mind.

2. The learned counsel for the petitioner submits that, the threat respective of the petitioner has to be considered in the light of all the facts and figures and the manner as specified by this Court as per the decision reported in **(Chandran Nair Vs. Additional District Magistrate) 2015 (1) KLT 41.** However, the 1st respondent has passed a mechanical order vide Ext.P4, simply with reference to some report/information gathered from some corners and that the said order is not liable to be treated as a speaking order.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides and after going through the materials on record, this Court finds that Ext.P4 order is not liable to be turned as a speaking order and this Court finds that the matter requires to be reconsidered.

5. Accordingly, Ext.P4 is set aside and the 1st respondent is directed to reconsider the matter in accordance with law and also in the light of the ruling rendered by this Court as per the decision cited supra, of course after affording an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 1st respondent, for further steps.

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

sp