

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 10841 of 2013 (E)

PETITIONER :

**P.V.SAMSON, AGED 61 YEARS, S/O.VARGHESE,
PADATH HOUSE, VALIYAPARAMBU BAZAR,
KUNNAMKULAM, THRISSUR -680 503**

**BY ADVS.SRI.SUSHANTH.J.
SRI.AJI V.DEV**

RESPONDENT(S):

- 1. LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM -695 001**
- 2. DISTRICT COLLECTOR,
THRISSUR -680 003**
- 3. SUPERINTENDENT OF POLICE (RURAL),
THRISSUR- 680 003**
- 4. TAHSILDAR,
KUNNAMKULAM, THRISSUR -680 503**

BY GOVERNMENT PLEADER SRI.NOUSHAD THOTTATHIL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 25-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

APPENDIX

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EXHIBIT P1 TRUE COPY OF THE ORDER NO.LR(A) 2 34436 DATED 17-11-2012 OF THE IST RESPONDENT

**EXHIBIT P2 TRUE COPY OF THE ORDER NO.KDS/C6-57338/06 DATED 28-04-2008
ISSUED BY THE ADDITIONAL DISTRICT MAGISTRATE, THRISSUR**

EXHIBIT P3 TRUE COPY OF THE ORDER NO.LRA 5-26650/08 DATED 27-02-2010

EXHIBIT P4 TRUE COPY OF THE ORDER DATED 29-06-2011 ISSUED BY THE DISTRICT MAGISTRATE, THRISSUR.

/TRUE COPY/

P.S.TO JUDGE

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A.V.RAMAKRISHNA PILLAI, J

WPC No.10841 of 2013

Dated this the 25th day of March, 2015

JUDGMENT

Ext.P4, by which the District Magistrate has cancelled the license granted to Gun No.25056 and Rifle No.1009910 belonging to the petitioner, is under challenge.

2. The petitioner is a member of the National Rifle Association of India which, according to the petitioner, is recognised by the Government. The petitioner was holding license 842/TPY for holding DBBL No.25056 and Rifle No.1009910. Though he had submitted an application for renewal of both these arms, the District Magistrate by Ext.P2 order renewed the license of the gun No.25056 up to 31.12.2009 and cancelled the license given to Rifle No.1009910. Against Ext.P2, he preferred an appeal before the first respondent and the first respondent

remanded the matter for fresh consideration to the District Magistrate. The petitioner alleges that when he submitted an application for renewal of license on 12.12.2006, the Circle Inspector of Police Kunnamkulam had reported that they have no objection in renewing the license of the petitioner under the Arms Act as stated in ExtP3. However, by Ext.P4 order, the licenses already granted were cancelled.

3. The learned Senior Government Pleader, on instructions, submitted that subsequent to the remand, the petitioner was summoned and he was asked to produce the documents in support of his claim that he is the member of the National Rifles Association so as to give license in respect of the arms made mention of in the writ petition. It is submitted that the petitioner failed to produce the documents in support of his claim. Therefore, there was no option but to reject the application and the District Magistrate cancelled the license.

In the light of the above, this Court is of the view that the petitioner is not entitled to succeed in this writ petition. Therefore, this writ petition fails and accordingly dismissed.

Sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

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true copy

P.S.TO JUDGE