

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON**

**TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937**

**WP(C).No.8289 of 2015 (I)**  
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**PETITIONER:**  
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**SUNNY MATHEW,S/O.MATHEW,AGED 70 YEARS,  
KAYYALAKKAKAM,MELUKAVUMATTOM  
KOTTAYAM.**

**BY ADVS.SRI.JACOB SEBASTIAN  
SMT.SHAMSEERA. C.ASHRAF  
SRI.T.U.SUJITH KUMAR  
SMT.ANU JACOB**

**RESPONDENTS:**  
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- 1. THE ADDITIONAL DISTRICT MAGISTRATE,  
KOTTAYAM-686001.**
- 2. THE DISTRICT POLICE CHIEF,  
KOTTAYAM-686001.**

**R1 & R2 BY GOVT. PLEADE SRI.K.C.VINCENT.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**pk**

WP(C).No.8289 of 2015 (I)  
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**APPENDIX**

**PETITIONER'S EXHIBITS:**  
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**EXT.P1:A TRUE COPY OF GUN LICENCE NUMBER 2189/KTM.**

**EXT.P2:A TRUE COPY OF THE RECEIPT DATED JULY 29,2013 ISSUED BY  
MALABAR ARMOURY,PALAKKAD.**

**EXT.P3:A TRUE COPY OF THE ORDER DATED DATED FEBRUARY 10,2015 OF THE  
FIRST RESPONDENT.**

**RESPONDENT'S EXHIBITS:**  
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**NIL**

**//TRUE COPY//**

**P.S. TO JUDGE**

**pk**

**P.R. RAMACHANDRA MENON, J.**

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**W.P.(C) No.8289 of 2015**  
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**Dated this the 7<sup>th</sup> day of April, 2015**

**JUDGMENT**

The petitioner is stated as aggrieved of the rejection of the application for renewal of the gun licence as per Ext.P3 order dated 10.02.2015 passed by the 1<sup>st</sup> respondent.

2. When the matter was came up for consideration on 17.03.2015, the following interim order was passed:

*"The learned counsel for the petitioner submits that the Arm has already been deposited in the Armoury, but the respondents are insisting for surrender of the Arm before the nearest Police Station.*

*The learned Government Pleader is required to get instruction as to whether the impugned order has been passed without affording an opportunity of hearing to the petitioner.*

*'Status quo' as on today shall be maintained till the next date of posting.*

*Post after three weeks."*

3. Today, when the matter is taken up for further consideration, the learned counsel for the petitioner points out that, an opportunity of hearing was given to the petitioner and it

was heard on 27.08.2013. Thereafter the petitioner filed a written statement on 12.09.2013 and the proceedings were finalised accordingly.

4. After considering the sequence of events and the nature of the relief sought for, this Court finds that the petitioner is having an effective alternate remedy by way of Appeal before the Commissioner of Land Revenue in terms of Section 18 of the Arms Act, 1959. The manner in which the matter has to be considered for the purpose of renewal has already been highlighted by this Court as per the law declared in ***Chandran Nair v. Additional District Magistrate [2015 (1) KLT 41]***.

5. In the above circumstances, without prejudice to the rights and liberties of the petitioner to pursue the appellate remedy, the writ petition is disposed of.

Sd/-  
**P.R. RAMACHANDRA MENON,**  
**JUDGE**

sp