

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No. 8449 of 2015 (E)

PETITIONER :

**K.B.JAGADEESAN,
VENGAMBATTA, KOLAGAPARA P.O., BEENACHI
SULTHANBATHERY, WAYANAD DISTRICT.**

**BY ADVS.SRI.M.PASHOK KUMAR
SRI.P.C.GOPINATH
SMT.BINDU SREEDHAR
SMT.R.S.MANJULA**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR & DISTRICT MAGISTRATE,
KALPATTA, WAYANAD DISTRICT- 673121**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
MANANTHAVADY, WAYANAD DISTRICT - 670 645**

***ADDL. R3 IMPEADED**

***ADDL.R3. THE COMMISSIONER FOR LAND REVENUE
THIRUVANANTHAPURAM.**

***ADDL. R3 IS SUOMOTO IMPEADED AS PER JUDGMENT DATED 18/3/2015.**

R1 TO R3 BY GOVT. PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 8449 of 2015 (E)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT P1 PHOTOCOPY OF THE RELEVANT PAGES OF THE LICENSE SHOWING
THE RENEWAL OF LICENSE UP TO 27-07-2013.**

EXHIBIT P2 PHOTOCOPY OF THE APPLICATION DATED 15-05-2013.

**EXHIBIT P3 PHOTOCOPY OF THE FORM TR 12 CHELAN SHOWING THE
REMITTANCE OF THE FEE.**

**EXHIBIT P4 PHOTOCOPY OF THE ORDER NO. M1- 2013/14637/12 DATED 11-11-2014
ISSUED BY THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS : **NIL**

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 8449 of 2015

Dated this the 18th day of March, 2015

JUDGMENT

The petitioner is aggrieved of Ext.P4 order passed by the 1st respondent on 11.11.2014 whereby application for renewal of gun licence was turned down merely on the basis of report from the Police. The learned counsel for the petitioner submits that perspective of the petitioner has not been correctly taken or understood by the first respondent while passing the impugned order.

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, this Court finds that the renewal application has to be considered taking note of the various aspects involved and shall not be simply rejected in a mechanical manner based on the police report. The various aspects to be considered in this regard have been explained by this Court as per the decision reported in **Chandran Nair C. V. Additional District Magistrate Kasargod & Others** (2015 (1) KLT 41). However, this Court finds that Ext.P4 is an appealable order.

4. In the said circumstance the petitioner is set at liberty to file an appeal before the appellate authority, who is the Commissioner for Land Revenue, Thiruvananthapuram. If any such appeal is filed within 'two weeks' from the date of receipt of a copy of this judgment, the same shall be considered and appropriate orders shall be passed in accordance with law, 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. 'Status quo' shall be maintained till such time. So as to facilitate such exercise, the Commissioner for Land Revenue, Thiruvananthapuram is suo moto impleaded as additional 3rd respondent in the party array and the learned Government Pleader entered appearance for the said respondent as well.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

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