

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 22970 of 2014 (U)

PETITIONER(S) :

**J.M.DAVIS, AGED 80 YEARS,
S/O.JOSEPH, MAMPILLY HOUSE, KORATTY EAST P.O.,
THIRUMUDIKKUNNU, THRISSUR.**

**BY SRI.P.VIJAYA BHANU (SENIOR ADVOCATE)
ADVS.SRI.AJEESH K.SASI
SRI.UNNI SEBASTIAN KAPPEN**

RESPONDENT(S) :

- 1. LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT COLLECTOR,
THRISSUR - 680 001.**
- 3. THE DISTRICT COLLECTOR,
ERNAKULAM - 682 030.**
- 4. THE SUPERINTENDENT OF POLICE,
THRISSUR DISTRICT- 680 001.**
- 5. THE TAHSILDAR
MUKUNDAPURAM - 680 101.**

BY SR.GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 22970 of 2014 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE LETTER DATED 20/03/2010 ISSUED BY
THE 3RD RESPONDENT.**

**EXHIBIT P2: TRUE COPY OF THE ORDER DATED 29/03/2011 BY
THE 2ND RESPONDENT.**

EXHIBIT P3: TRUE COPY OF THE CIRCULAR NO. 76689/F1/09 DATED 14/09/2010.

**EXHIBIT P4: TRUE COPY OF THE ORDER DATED 12/06/2014 OF
THE 1ST RESPONDENT DISMISSING THE APPEAL.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.22970 of 2014

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Dated this the 14th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:-

"i) Issue a writ of certiorari or such other writ, order or direction quashing Exhibit P4 order passed by the 1st respondent.

ii) Issue a writ of mandamus or such other writ, order or direction commanding the respondents to renew and re register the gun licence No.497/ALY of the petitioner.

iii) Issue a writ of mandamus or such other writ, order or direction commanding the 4th respondent to conduct a fresh and proper enquiry and file a report before the 2nd respondent.

iv) Issue such other writ, order or direction which this Hon'ble Court may deem fit and proper in the light of the facts and circumstances of the case so as to secure the ends of justice."

2. Heard the Government Pleader as well.

3. In view of the decision in **Chandran Nair v. Additional District Magistrate** (2015(1) KLT 41), holding that a combined reading of Sections 14 and 15 of the Arms Act, 1959 would indicate that once a licence is granted under the Act, the same shall be renewed from time to time, unless there exists a grand for refusal as enumerated under section 14 of the Act, this Court is of the view that the matter requires to be reconsidered. Accordingly, Exts.P2 and P4 orders are set aside. The second respondent is directed to reconsider the application preferred by the petitioner and pass appropriate orders after hearing the petitioner in the light of the verdict passed by this Court in (2015 (1) KLT 41 (cited supra). 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**