

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

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI**

**FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937**

**WP(C).No. 24801 of 2014 (A)**  
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**PETITIONER(S):**  
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**P. BABU, AGED 45 YEARS,  
S/O.PRABHAKARAN. K., MOHANA BHAVANAM,  
KARUMTHOTTUVA, KUNNATHUR, KOLLAM.**

**BY ADV. SRI.SYAM J SAM.**

**RESPONDENT(S):**  
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- 1. THE LAND REVENUE COMMISSIONER,  
KERALA, OFFICE OF THE LAND REVENUE COMMISSIONER,  
GOVT. SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE DISTRICT COLLECTOR,  
COLLECTORATE, KOLLAM-691 001.**
- 3. THE REVENUE DIVISIONAL OFFICER (RDO),  
COLLECTORATE, KOLLAM-691 001.**

**BY GOVT. PLEADER SRI.NOUSHAD THOTTATHIL.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 25/03/2015, THE COURT ON 10/04/2015 DELIVERED THE  
FOLLOWING:**

**rs.**

**APPENDIX**

**PETITIONER'S EXHIBITS:-**

- EXT.P-1: THE TRUE COPY OF THE FORM-3 LICENSE FOR THE ACQUISITION OF ARMS ISSUED BY DISTRICT MAGISTRATE, SRINAGAR.
- EXT.P-2: TRUE COPY OF THE INTIMATION/NOC REGARDING ARMS POSSESSION GIVEN BY DISTRICT MAGISTRATE SRINAGAR TO DISTRICT MAGISTRATE, KOLLAM, KERALA.
- EXT.P-3: TRUE COPY OF THE LETTER DATED 20.08.2014 ISSUED BY SRINAGAR, THOMAS COOK INDIA PVT. LTD.
- EXT.P-4: THE TRUE COPY OF THE ORDER PASSED BY RDO, KOLLAM.
- EXT.P-5: THE TRUE COPY OF THE ORDER PASSED BY LAND REVENUE COMMISSIONER, KERALA.

**RESPONDENT'S EXHIBITS:-** NIL.

**//TRUE COPY//**

**PA. TO JUDGE**

**rs.**

**A.V. RAMAKRISHNA PILLAI, J.**

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**W.P.(C) No. 24801 of 2014**  
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**Dated this the 10<sup>th</sup> day of April, 2015**

**J U D G M E N T**

Ext.P4, by which the 3<sup>rd</sup> respondent has rejected the petitioner's application for reregistration of his arms licence, is under challenge.

2. The petitioner, who is an ex-serviceman, was holding an arms licence for using S/DBBL 12 Bore Gun issued by the District Magistrate, Srinagar. According to the petitioner, as he is an ex-serviceman with licence to possess arms, he got a job as security guard in Kerala. He submitted an application for reregistration of his arms licence before the 3<sup>rd</sup> respondent. The 3<sup>rd</sup> respondent, as per Ext.P4, rejected the application and directed the petitioner to hand over his gun stating the reason that as there is no harm to the life of the petitioner, the licence could not be granted. According to the petitioner, Ext.P4 is issued without appreciating the correct fact. An appeal was preferred against Ext.P4, which also was dismissed as per Ext.P5.

3. The respondents have taken the stand that the

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policy of the Government is not to issue licence to individuals, but, only to institutions, which employs security personnel. It is also contended that there is no provision for reregistration. The petitioner, who is an ex-serviceman, is holding an arms licence issued by the District Magistrate, Srinagar District. As there cannot be any reregistration, the only option of the petitioner is to approach the authorized authority with a proper application for arms licence. If the authorities are satisfied that the petitioner is having any imminent threat to his life or property, licence can be issued to the petitioner.

Therefore, the writ petition is disposed of permitting the petitioner to approach the authorities concerned with a proper application for arms licence within a period of one month from today. In the event of filing such an application, the same shall be processed; and after completing the formalities, formal orders shall be issued within a period of two months thereafter.

Sd/-  
**A.V. RAMAKRISHNA PILLAI**  
**JUDGE**

bka/-