

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 27448 of 2015 (E)

PETITIONER(S):

**SHAHUL HAMMEED V,
MUTHALAMTHODU KALAM, KUTTIPPALLOM,
PALAKKAD.**

**BY ADVS.SRI.AUGUSTINE JOSEPH
SRI.K.S.ROCKEY
SRI.TONY AUGUSTINE
SRI.GEORGE RENOY**

RESPONDENT(S):

- 1. LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM-695001.**
- 2. THE DISTRICT COLLECTOR, PALAKKAD-678001.**
- 3. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
HOME DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 A TRUE COPY OF THE APPLICATION DATED 20/11/09 SUBMITTED BY
THE PETITIONER FOR THE RENEWAL OF HIS ARMS LICENSE.**
- EXT.P2 A TRUE COPY OF THE CIRCULAR DATED 14/9/10 FROM THE R3**
- EXT.P3 A TRUE COPY OF THE ORDER DATED 11/7/11 FROM THE R2 TO THE
PETITIONER**
- EXT.P4 A TRUE COPY OF THE COMMON JUDGMENT IN WPC.21209/11
DTD.12/4/13**
- EXT.P5 A TRUE COPY OF THE JUDGMENT IN WPC.9952/11 DTD.19/12/14.**
- EXT.P6 A TRUE COPY OF THE ORDER DATD 3/8/15 FROM THE R1**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J.

.....
W.P.(C) No. 27448 of 2015 (E)

.....
Dated this the 11th day of September, 2015

JUDGMENT

The petitioner has approached this Court, challenging Ext.P6 order passed by the 1st respondent/Land Revenue Commissioner under the Arms Act, 1959.

2. The learned counsel for the petitioner submits that, admittedly there was a delay of about four years in filing the appeal against Ext.P3 order rejecting the renewal of arms licence. Aggrieved by the same, the petitioner approached this Court by filing W.P.(C) No.21209 of 2011 dated 12.04.2013, which was disposed of, with a direction to the petitioner to prefer an appeal before the appellate authority within a period 30 days. It is seen from the impugned order that, the petitioner has preferred the appeal after two years of direction of this Hon'ble Court. The appeal has been rejected by the 1st respondent stating that the appeal was not filed within the time limit.
3. Heard the learned Government Pleader for the respondents as well.
4. Considering the fact that the appeal has been rejected on account of delay in filing the same, I do not find any reason to interfere with

the order, leaving it open to the petitioner to make a fresh application before the 2nd respondent for issuance of Arms licence. If the petitioner submits any such application, the 2nd respondent shall consider the same in accordance with law. Needful shall be done within a period of three months from the date of receipt of the application from the petitioner.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

AMV/14/09/