

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 29313 of 2015 (L)

PETITIONER :

**JOSE PAUL,S/O.PAULOSE, AGED 66 YEARS,
HAVING HIS PERMANENT ADDRESS AT PUTHEZATH HOUSE,
DESABHIMANI ROAD, KALOOR, ERNAKULAM,
KOCHI-682 017.**

BY ADV. SRI.VINOD VALLIKAPPAN

RESPONDENT :

**THE DISTRICT COLLECTOR,
OFFICE OF THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD,
ERNAKULAM-682 030.**

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 29313 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. TRUE COPY OF THE LICENSE NO.1320/KNR GRANTED TO THE
 PETITIONER**
- EXT.P2. TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER FOR
 RENEWAL ADDRESSED TO THE RESPONDENT DATED 8/6/2012.**
- EXT.P3. TRUE COPY OF THE ORDER OF THE RESPONDENT REJECTING THE
 APPLICATION FOR RENEWAL DATED 1/11/2014.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.29313/2015

Dated this the 29th Day of September, 2015

J U D G M E N T

The petitioner aggrieved by rejection of renewal of licence has approached this Court.

2. In the impugned order, the reasons stated are as follows:

“6. The District Police Chief was requested to conduct a re-enquiry on the basis of the averments, who has submitted his report after re-enquiry vide ref. cited 4th, in which he ascertained that the applicant is not facing any threat to his life and the licence was not to be renewed further.”

3. This Court in several judgments held that merely because there is no threat to life of the holder of the licence, it cannot be a reason to deny renewal of licence. Rejection of renewal can only be based on the grounds prescribed under Section 14 of the Arms Act. In view of the judgment of this Court in similar situation, Exhibit P3 is liable to be set aside. Accordingly, the same is set aside. There shall be a direction to renew the license within three weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above. No costs.

Sd/-

(A.MUHAMED MUSTAQUE, JUDGE)