

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 30194 of 2015 (Y)

PETITIONER :

**ANILKUMAR, AGED 27 YEARS,
S/O. KRISHNANKUTTY, BLARATHVELI,
KALAVOOR.P.O., ALAPPUZHA, PIN-688522.**

**BY ADVS.SRI.P.SREEKUMAR
SRI.B.S.SIVAJI**

RESPONDENTS :

- 1. ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA, ALAPPUZHA DISTRICT.**
- 2. THE SUB INSPECTOR OF POLICE,
MANNANCHERRY POLICE STATION,
MANNANCHERRY.P.O., ALAPPUZHA DISTRICT.**

BY GOVERNMENT PLEADER SRI. E.M. ABDUL KHADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE APPLICATION DATED 20/02/2015.

P1(A): TRUE COPY OF THE GOVERNMENT TREASURY CHALAN DATED 20/02/2015

P2: TRUE COPY OF THE HEARING NOTE DATED 27/5/2015 SUBMITTED BEFORE THE 1ST RESPONDENT WITH OUT ANNEXURES.

P3: TRUE COPY OF THE INTERIM STAY ORDER I CRL.M.A.NO.3153/2015 IN CRL.M.C.2457/2015.

P4: TRUE COPY OF THE PROCEEDINGS NO. KDIS-29121/2012/N4 DATED 03/04/2014.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.30194/2015

Dated this the 6th Day of October, 2015

J U D G M E N T

The petitioner applied for renewal of explosive license. This was not considered on account of pendency of a criminal case, C.C.No.231/2014, against him before the Judicial First Class Magistrate Court-I, Alappuzha.

2. The petitioner's case is that the proceedings in C.C.No.231/2014 have been stayed by the High Court invoking power under Section 482 of the Criminal Procedure Code.

3. This Court is of the view that since the petitioner has not been convicted so far, notwithstanding any criminal case, the application of the petitioner for renewal of license shall be considered without any delay. Needful shall be done within one month from the date of receipt of a copy of this judgment. If the petitioner continuing business, no coercive steps shall be taken against the petitioner till a decision is taken on the application of the petitioner for renewal.

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

Sd/-

(A.MUHAMED MUSTAQUE, JUDGE)

ms