

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 25TH DAY OF NOVEMBER 2015/4TH AGRAHAYANA, 1937

WP(C).No. 35583 of 2015 (W)

PETITIONER(S) :

- 1. PRAKASHAN K., AGED 59,
S/O.KOCHU NANU, P.B.NIVAS, VELITHURUTHU
NEENDAKARA P.O., KOLLAM DISTRICT-691 582.**
- 2. P.MURALEEDHARAN
AGED 59, S/O.PURUSHOTHAMAN,
CHERUPOIKA P.O., PUTHUR VIA.,
KOTTARAKKARA TALUK,
KOLLAM DISTRICT-691 543.**

BY ADV. SRI.A.D.SHAJAN

RESPONDENT(S) :

- 1. DISTRICT COLLECTOR,
KOLLAM-691 001.**
- 2. THE COMMISSIONER OF LAND REVENUE
PUBLIC OFFICE BUILDING, MUSEUM JUNCTION
THIRUVANANTHAPURAM-695 033.**
- 3. THE SUPERINTENDENT OF POLICE
KOLLAM-691 001.**
- 4. THE SUB INSPECTOR OF POLICE
CHAVARA, KOLLAM – 691 582.**
- 5. THE STATE OF KERALA
REP. BY SECRETARY TO GOVERNMENT
HOME (F) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**

R1 TO R5 BY GOVT. PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 35583 of 2015 (W)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT.P1. A TRUE COPY OF THE ORDER NO.KDS 45173/14/M3 DATED 17/8/2015
ISSUED BY THE ADDL. DISTRICT MAGISTRATE, KOLLAM.**

**EXT.P2. A TRUE COPY OF THE ORDER NO.KDS / 20073/15/M3 DATED 16/11/2015
ISSUED BY THE ADDL. DISTRICT MAGISTRATE, KOLLAM.**

**EXT.P3. A TRUE COPY OF THE JUDGMENT DATED 17/3/2015 IN WPC
NO.8113/2015 OF THE HON'BLE HIGH COURT OF KERALA.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.35583 of 2015

Dated this the 25th day of November, 2015

JUDGMENT

Petitioners application for renewal of arms licence has been rejected stating that there is no threat to the life of the petitioners and also on the ground that the petitioners are engaged as Security Guard and they do not require such gun.

2. This Court in several judgments held that the arms licence can be rejected only in accordance with Section 14 of the Arms Act. The grounds referred as above are not referable to Section 14 of the Arms Act.

In view of the above, the impugned order is set aside. There shall be a direction to the first respondent to renew the arms licence to the petitioners within three weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In