

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 38034 of 2015 (D)

PETITIONER(S) :

**K.A.MATHEW,
S/O.ABRAHAM, KOLADIYIL HOUSE, RIPON,
VYTHIRI TALUK, WAYANAD DISTRICT.**

**BY ADVS.SRI.M.C.JOHN
SRI.ACHAMMA KURIEN**

RESPONDENT(S) :

- 1. THE COMMISSIONER (LAND REVENUE) DEPARTMENT,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM, PIN- 695 001.**
- 2. THE DISTRICT COLLECTOR (DISTRICT MAGISTRATE)
COLLECTORATE, WAYANAD, PIN- 673 121.**
- 3. THE ADDITIONAL DISTRICT MAGISTRATE (A.D.M)
KALPETTA, WAYANAD, PIN- 673 122.**
- 4. THE DISTRICT SUPERINTENDENT OF POLICE,
WAYANAD, PIN- 673 121.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE RELEVANT PAGES OF THE ARMS LICENCE
NO.1588/VYT. DATED 03.05.1995 ISSUED BY
THE 3RD RESPONDENT.**

**EXHIBIT P2: TRUE COPY OF THE PROCEEDINGS NO.M1-333/96
DATED 29.06.1996 OF THE 3RD RESPONDENT.**

**EXHIBIT P3: TRUE COPY OF LETTER NO.M1-2011/23428/12 DATED NIL ISSUED
BY THE 2ND RESPONDENT TO PETITIONER.**

**EXHIBIT P4: TRUE COPY OF THE NOTICE NO.M1-2011/23428/12 DATED NIL
ISSUED TO THE PETITIONER.**

**EXHIBIT P5: TRUE COPY OF THE CIRCULAR NO.76689/F1/09/HOME
DATED 14.09.2010 ISSUED BY THE GOVERNMENT OF KERALA.**

EXHIBIT P6: TRUE COPY OF THE DECISION REPORTED IN 2015(1)KLT 41.

EXHIBIT P7: TRUE COPY OF THE DECISION REPORTED IN 2015(3)KLT 780.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

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W.P(C)Nos.38034 of 2015

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Dated this the 15th day of December, 2015

JUDGMENT

Petitioner is a holder of Arms licence and applied for renewal of licence. The application is pending before the Additional District Magistrate (ADM), evidenced by Ext.P3.

2. Petitioner submits that the application has not been considered on account of Ext.P5 Circular issued by the Government.

3. This Court is of the view that application for Arms licence has to be considered only in terms of the statutory provisions and not based on the Circular issued by the Government. Therefore, after adverting to the judgment of this Court produced as Exts.P6 and P7, appropriate decision shall be taken on Ext.P3 within a period of one month from the date of receipt of a copy of this judgment, after hearing the petitioner.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE,
JUDGE