

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

WRIT PETITION NO.31370 OF 2012

Between:

K. Venkatesh Goud

.. Petitioner

and

Government of Andhra Pradesh rep. by
Its Secretary to Government, Home
Department and another

.. Respondents

DATE OF JUDGMENT PRONOUNCEMENT : 17th AUGUST,
2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

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| 1. | Whether Reporters of Local newspapers
may be allowed to see the judgment? | Yes/No |
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| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals | Yes/No |
| 3. | Whether Their Lordship wish to see the fair copy of the judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION NO.31370 OF 2012

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ORDER

This writ petition was filed assailing G.O.Rt.No.817, Home (Arms) Department, dated 26.05.2009 and the consequential proceedings dated 17.05.2011 issued by the Commissioner of Police, Cyberabad, Hyderabad. The petitioner seeks a further direction to the respondents to restore his arms licence.

The petitioner's arms licence was cancelled by the Commissioner of Police-cum-Additional District Magistrate, Cyberabad, Hyderabad, under proceedings dated 19.02.2008. Aggrieved thereby, he filed an appeal to the Government, which was rejected under the impugned G.O. Perusal of the record reflects that the Commissioner of Police found sufficient grounds made out for canceling the petitioner's arms licence. Section 17(3) of the Arms Act, 1959, authorizes the licensing authority to revoke a licence if any of the conditions stipulated thereunder are established. Such revocation may be effected if the licensing authority finds any of the conditions of the licence had been contravened or deems it necessary to do so for the security of public peace or for public safety.

The finding of the Commissioner of Police-cum-Additional District Magistrate, Cyberabad, Hyderabad, was that the petitioner, in a state of intoxication, allowed his relation to fire two rounds from his weapon to

threaten an orchestra troop. He also failed to account for 25 rounds of ammunition. These acts were found to endanger public life and the licensing authority accordingly cancelled the petitioner's arms licence. The Government, being the appellate authority, found no reason to interfere with the order and further found that the petitioner was involved in a criminal case. No doubt, the petitioner seems to have been acquitted in the said case thereafter, but the basic grounds on which the licensing authority cancelled the petitioner's arms licence remain intact. This Court therefore finds no reason to interfere in the matter.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

17th AUGUST, 2015
PGS