

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.33924 of 2015

-

ORDER:

The grievance of the petitioner was that the respondent authorities were not renewing his gun license.

Section 15(3) of the Arms Act, 1959 (for brevity 'the Act of 1959') deals with renewal of an arms licence and requires the licensing authority to renew such a licence for the period for which the licence was originally granted, but in the event he decides that such a licence is not renewable in any case, he must record the reasons therefor in writing. This provision also makes it clear that the provisions of Sections 13 and 14 of the Act of 1959 shall apply to the renewal of a licence. Section 13(2) of the Act of 1959 states to the effect that the licensing authority shall call for the report of the Officer in charge of the nearest Police Station while considering the application for renewal.

Sri N.Jayasurya, learned counsel for the petitioner, states that the Inspector of Police, Rajampet Rural, i/c Rajampet (Urban) Police Station, submitted report dated 19.01.2015 to the Superintendent of Police, YSR District, Kadapa, recommending renewal of the petitioner's arms licence. However, it appears that the Superintendent of Police, YSR District, did not recommend such renewal as is evident from the written instructions dated 28.10.2015 furnished by the Collector and District Magistrate, YSR District, Kadapa, to the Office of the learned Government Pleader for Home. The said instructions also reflect that there seem to be contradictions in the

report dated 26.04.2015 submitted to the Collectorate by the Superintendent of Police, YSR District, Kadapa.

In any event, it is not for this Court to enter into this controversy at this point of time as it is for the District Collector, Kadapa, the licensing authority, to apply his mind in accordance with the provisions of the Act of 1959 and take necessary action in the matter.

The Writ Petition is therefore disposed of directing the second respondent to consider the application of the petitioner for renewal of his gun licence and pass appropriate orders thereon in accordance with the provisions of the Act of 1959. This exercise shall be completed expeditiously and in any event, not later than four weeks.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

3rd NOVEMBER, 2015.

kvni