

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38314 of 2016

ORDER

This writ petition is filed seeking to declare the action of the 2nd respondent in rejecting the petitioner's application dated 18.03.2013 for grant of license vide memo No.14(P)/Arms/2013 dated 01.02.2016, as illegal and arbitrary.

2. The petitioner is a registered company engaged in the business of providing security services, private guards and other ancillary services pertaining to security. It made an application on 18.03.2013 to the 3rd respondent-Special Secretary(Home)/IGP, Ministry of Home Affairs, Erstwhile State of Andhra Pradesh for grant of new license to run the business of private security agency under the Private Security Agencies (Regulation) Act, 2005 and the rules made there under. Subsequently, it submitted required Forms and required documents as directed by respondents. It also submitted a reminder to the 3rd respondent to provide the status of the application for grant of license to run a private security agency. While so, the 2nd respondent vide memo dated 01.02.2016 rejected the application of petitioner. Hence, it filed the present writ petition.

3. The main contention raised by learned counsel for petitioner is that the 3rd respondent is the competent authority to consider the application of petitioner and if the same is rejected, the 1st respondent is the appellate authority, but as the impugned order was

passed by 2nd respondent, petitioner could not avail the remedy of appeal before the 1st respondent.

4. Considering the facts and circumstances of the case and in view of the submission of learned counsel for petitioner, the impugned order dated 01.02.2016 passed by the 2nd respondent is hereby suspended and the 3rd respondent is directed to pass an order afresh on merits in accordance with law on the application of petitioner dated 18.03.2013.

5. With the above direction, the Writ Petition is disposed of. No costs. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

19th December, 2016
sj

RAJA ELANGO,J

