

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.41456 of 2015

ORDER:

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The grievance of the petitioner was that the District Collector, Ranga Reddy District, the second respondent, was not renewing his arms licence. It is his case that he submitted application for renewal on 07.02.2012, but no action was taken thereupon to renew his licence. He therefore seeks a direction to the authorities to renew his licence for a further period of three years from the date of expiry of the existing licence.

Section 15(3) of the Arms Act, 1959, deals with renewal of an arms licence. It states to the effect that the licensing authority, being the District Collector concerned, shall renew an existing arms licence for the period for which it was originally granted in the normal course. However, in the event, the licensing authority decides in any case that such a licence is not to be renewed, it necessarily has to record reasons therefor in writing. Needless to state, such reasons would also have to be communicated to the affected licensee.

In the light of the afore-stated statutory regime, it is not for this Court to consider the desirability of renewal of the petitioner's licence in the first instance. The licensing authority would necessarily have to apply its mind to the issue in accordance with the rules and take an appropriate decision in the matter. When the petitioner submitted his application as long back as in the year 2012 and his licence was to expire in December, 2012, it is not expected that the licensing authority would keep the matter pending for such a long period of time.

The writ petition is accordingly disposed of directing the District Collector, Ranga Reddy District, to consider the petitioner's application dated 07.02.2012 for renewal of his arms licence in accordance with the rules and upon the report submitted by the Superintendent of Police, Ranga Reddy District, within four weeks from the date of receipt of a copy of this order and take appropriate

action thereon. Needless to state, in the event the District Collector, Ranga Reddy District, chooses to reject the petitioner's request for renewal of his arms licence, he has to record reasons therefor and communicate the same to the petitioner.

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

JUSTICE SANJAY KUMAR

05.02.2016

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