

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34903 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the first respondent in issuing the proceedings in Rc.No.C2/2911/2016, dated 02.07.2016 cancelling the gun licence bearing No.61/III/Chennur of the petitioner without following due process of law or issuing show cause notice as bad in law and violative of principles of natural justice and consequently, to set aside the impugned proceedings.

Heard and perused the material.

Learned counsel for the petitioner submits that petitioner was granted Arms Licence in the year 2014 and in pursuance thereof, the petitioner purchased a Gun and that the Arms Licence was valid upto 25.08.2017. However, the first respondent has cancelled the Arms Licence by way of impugned order without giving any reasons for such cancellation.

On perusing the impugned order, this Court is of the view whenever any authority passes any order, the said order shall disclose the reasons for taking such decision. However, the impugned order does not disclose any grounds, on which the petitioner's Arms Licence was cancelled and as such, the same is bereft of any reasons. Hence, the impugned order, dated 02.07.2016, passed by the first respondent cancelling the Arms Licence of the petitioner is hereby set aside. It is made clear that the first respondent is at liberty to issue notice to the petitioner for cancellation of the Arms Licence and on such notice, the petitioner is directed to give reply to the same. The first respondent shall consider the reply of the petitioner and pass any order stating the reasons for taking such decision.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

01.11.2016
pln

