HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.2000 of 2011

ORDER:

1. The petitioner is doing toddy business in Mahabubnagar District. He was attacked by some persons having criminal background and he was also getting threatening calls from them. He submitted an application to the respondents for grant of arms license. He was granted arms license on 31.12.2003 and it was renewed up to 31.12.2006. He submitted an application to the 1st respondent in the month of December 2006 for renewal of arms license beyond 31.12.2006 and the Inspector of Police, Mahabubnagar Rural Police Station submitted a favourable report to the 2nd respondent on 27.01.2007. However, the 1st respondent by order dated 30.07.2007 rejected the request of the petitioner for renewal of arms license and further the license was cancelled on the ground that the 2nd respondent submitted a report on 17.07.2007 stating that the petitioner was a complainant in Crime No.10 of 1997 on the file of Mahabubnagar Rural Police Station. Challenging the same, the petitioner filed W.P.No.20853 of 2007 and the same was disposed of by this Court on 07.12.2007 by setting aside the order of the 1st respondent dated 30.07.2007 and remitting the matter for his fresh consideration. Even after remand of the matter and after submission of several representations, the 1st respondent again passed an order on 20.05.2010 cancelling the arms license on the ground that the 2nd respondent did not recommend for renewal of the arms license. Challenging the same, the present writ petition was filed by the petitioner.

2. It is an admitted case of the parties that a provision for appeal exists against the impugned order and the petitioner has not availed the same.

3. In the circumstances, this Court is not inclined to go into the merits of the case at this stage. However, gives liberty to the petitioner to submit an appeal to the competent authority within a period of thirty days

from the date of receipt of a copy of this order and the appellate authority shall consider the appeal uninfluenced by the observations made by the 1st respondent in his impugned order dated 20.05.2010 and pass appropriate orders thereon in accordance with law within a period of three months thereafter.

4. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

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A.RAMALINGESWARA RAO, J

21-03-2016
Gsn