

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.33707 of 2016

ORDER:

This writ petition is filed for a writ of *mandamus* declaring the action of the 1st respondent in not receiving the representation of the petitioner, dated 24.03.2016, and not considering the same as Appeal under Section 18 of the Arms Act, 1959, in accordance with Rule V of the A.P. Arms Rules, 1962, as illegal and arbitrary.

Heard and perused the material available on record.

This Court passed an order in W.P.No.25586 of 2005 on 23.07.2008, the operative portion of which reads as follows:

“In view of the effective alternative remedy of appeal is available to the petitioner, the Writ Petition is dismissed, permitting the petitioner to file an appeal against the impugned order within 10 days from the date of receipt of a copy of this order, and on filing such appeal, the appellate authority shall entertain the appeal and consider the same and pass appropriate orders thereon, in accordance with law. No order as to costs.”

Admittedly, in the said order, this Court directed the petitioner to prefer an appeal against the order of cancellation of licence under Section 18 of the Arms Act, 1959.

Learned counsel for the petitioner informed that due to ill-health of the petitioner and due to unavoidable circumstances, he could not be able to prefer an appeal as per the direction of this Court within a period of ten (10) days.

Considering the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, the 1st respondent is directed to receive the representation of the petitioner, dated 24.03.2016, which is permissible as per the Rules

and if it is within the time limit and directed to dispose of the same, in accordance with law.

Accordingly, the Writ Petition is disposed of. No costs.
Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 17th October, 2016

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