

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.4498 of 2016

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 applications for renewal on 14.12.2012 and 30.12.2015 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 rules and take an appropriate decision in the matter. When the petitioner submitted his applications as long back as in the years 2012 and 2015 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 applications dated 14.12.2012 and 30.12.2015 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,
if not already done, 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. In the event the applications had already been rejected, a
copy of such refusal order shall be communicated 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

12th February, 2016

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