

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION NO.3577 OF 2017

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to issue Writ of Mandamus declaring the action of the 1st respondent in not considering the appeal preferred by the petitioner against the proceedings in Memo No.C2/10664/2015, dated 08-06-2016 of the 2nd respondent rejecting grant of Weapon Licence under Arms Act, 1959 as illegal and consequently direct the 1st respondent to grant weapon licence to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. The petitioner states that he applied for non-prohibited firearms licence to the 2nd respondent on 18-11-2015. He further stated that he is a practicing Advocate and owns an extent of Ac.2.17 $\frac{3}{4}$ guntas in Survey No.126/A situated at Nandipahad village, Miryalaguda Mandal, Nalgonda District. In connection with the said property, there was a serious dispute between their family and one Dheeravath Tukaram family. He further stated Cr.No.293 of 2013 is pending on the file of the Rural Police Station, Miryalaguda. In view of threats of the said Dheeravath Tukaram, the petitioner lodged a complaint and when no action was taken, he filed W.P.No.8183 of 2015 challenging the in action of the police and the said writ petition is pending. In view of the threats existing, the petitioner applied for Arms licence. Though the Tahsildar, Miryalaguda, recommended for grant of licence, the police did not recommend for the same. In view of involvement of the petitioner in Cr.Nos.64 of 2011, 31 of 2012 and 162 of 2012, the application of the petitioner was rejected on 08-06-2016 and against the said

rejection, the petitioner preferred an appeal to the 1st respondent on 01-09-2016. When the said appeal was not disposed of, the present writ petition is filed seeking a direction to consider the said appeal.

4. In view of innocuous prayer made in the writ petition, the 1st respondent is hereby directed to consider the appeal preferred by the petitioner on 01-09-2016 against the order of the 2nd respondent, dated 08-06-2016 in Memo No.C2/10664/2015 and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

DATED: 23-02-2017
Hsd

A.RAMALINGESWARA RAO, J

