

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.38163 of 2014

ORDER

Heard learned counsel appearing for the petitioner and learned Government Pleader for Home appearing for the respondents.

This writ petition is filed seeking to declare the Memo dated 15.10.2014 issued by the 1st respondent rejecting the application of the petitioner dated 22.12.2012 for renewal of his Arms Licence, as arbitrary and illegal.

The petitioner states that he is a permanent resident of Hyderabad and is doing real estate business. In connection with the said business, he moves in and around the State. He was granted arms licence on 30.04.2003 and it was renewed from time to time upto 31.1.2013. The arms licence initially issued in respect of erstwhile State of Andhra Pradesh was extended to the States of Maharashtra, Tamilnadu and Karnataka *vide* proceedings dated 16.5.2012. While so, he submitted an application on 22.12.2012 seeking renewal of the licence by paying necessary fee. When the licence was not renewed, the petitioner filed W.P.No.25694 of 2014 and during pendency of the said writ petition, the 1st respondent passed an order on

15.10.2014 rejecting the request for renewal beyond 31.1.2013.

The said order is under challenge in the present writ petition.

A perusal of the impugned order shows that based on the reports of the Inspector of Police, Sanathnagar P.S, A.C.P and D.C.P, Balanagar, the Commissioner of Police has not recommended for renewal of arms licence to the petitioner.

Learned counsel appearing for the petitioner submits that without hearing or giving an opportunity to the petitioner, the impugned order was passed. He further submits that copy of the report of the Commissioner of Police dated 14.5.2014 was also not furnished to the petitioner.

In the circumstances, without going into the merits of the case, the impugned order dated 15.10.2014, is set aside. Since the period of renewal is over, the petitioner is directed to submit a fresh representation to the 1st respondent spelling out the reasons for grant of renewal of licence. On filing such representation, the 1st respondent shall consider the same, in accordance with law, after giving due opportunity to the petitioner and pass appropriate orders thereon within three months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

28th March, 2017
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