

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.2759 of 2017

ORDER

It is the case of the petitioner that he submitted an application to the 3rd respondent on 3.2.2014 for grant of Arms Licence under the provisions of the Arms Act, 1959. Based on the report of the 4th respondent, the 3rd respondent considered the said application, and accordingly, granted licence on 9.4.2015 stating that the petitioner should purchase the weapon within a period of six months and produce the same before the licencing authority on or before 8.10.2015 and it was valid upto 8.4.2016. Accordingly, the petitioner purchased a gun and produced the same before the District Revenue Officer and Additional District Magistrate on 24.07.2015. Thereafter, he made an application to the 3rd respondent on 7.4.2016 for renewal of the licence. The 3rd respondent passed an order on 10.10.2016 rejecting the application of the petitioner stating as under:

“Sri Shaik Shartat Ali s/o Shaik Shoukath Ali D.No.12-10-11 Prakash Nagar, Narasaraopet, Guntur District, is informed that his application for renewal of his arms license was not recommended by the Superintendent of Police Guntur Rural.”

Challenging the same, the present writ petition is filed.

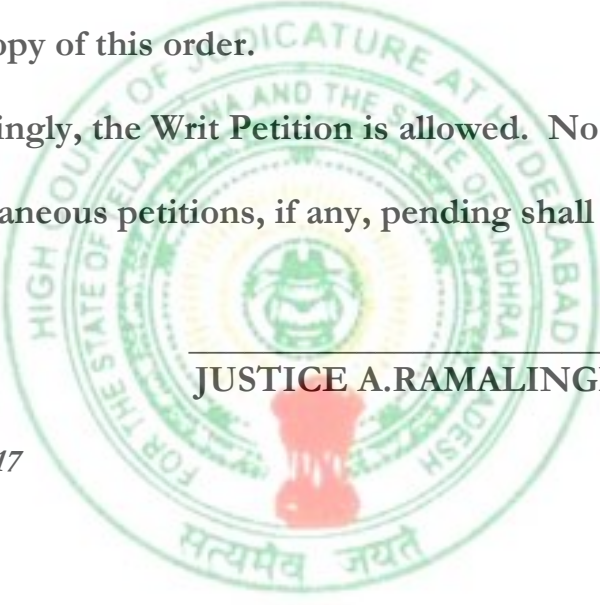
A perusal of the said endorsement made by the 3rd respondent shows that based on the information furnished by the 4th respondent, the 3rd respondent rejected the renewal application of the petitioner without giving him an opportunity. Nothing

could be discerned from the impugned endorsement with regard to the application of mind by the 3rd respondent except relying on the report of the 4th respondent.

In the circumstances, the impugned endorsement dated 10.10.2016 is set aside and the matter is remanded to the 3rd respondent for considering the application of the petitioner for renewal of gun licence granted earlier, in accordance with law, after affording an opportunity to the petitioner and pass appropriate orders within a period of 30 days from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is allowed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE A.RAMALINGESWARA RAO

27th January, 2017
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