

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.25173 OF 2018

O R D E R

The 2nd respondent – Collector Guntur, vide LDis.No.436/2016/C2 dated 23.02.2018, informed the petitioner that his request for renewal of arms licence cannot be considered as the 3rd respondent - Superintendent of Police, Guntur Rural, has not recommended for renewal. Aggrieved by the same, present writ petition is filed.

Learned counsel for the petitioner produced copy of the proceedings dated 02.08.2018, whereunder the 3rd respondent, submitted his recommendations to the 2nd respondent, with regard to refusal of renewal of arms licence to the petitioner. He submits that only on the ground that new capital was established in Thullur area and that there is hike in the properties in and around the said area, 3rd respondent recommended that there would not be any safety to keep the arms at the hands of the petitioner. Learned counsel contends that Section 14 of the Arms Act, 1959 provides for refusal of arms licence and only in the light of grounds envisaged in the said section, arms licence can be refused, but not on the perception of respondents. He further contends that the recommendations of the 3rd respondent – Superintendent of Police, and the impugned endorsement of the 2nd respondent – District Collector, oblivious of grounds mentioned under Section 14 of the Act, are without any application of mind and, therefore, sought to set aside the same.

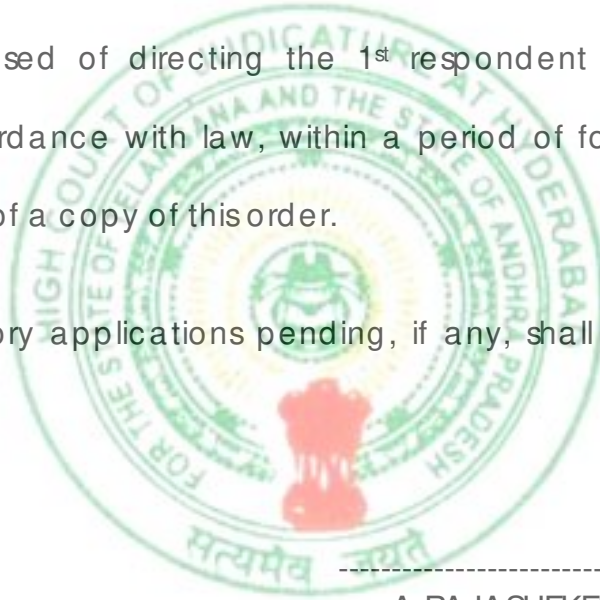
Learned Assistant Government Pleader submits that as the 2nd respondent, on enquiry, found that it is not safe to keep the arms at the hands of the petitioner, owing to hike of land in the capital region,

recommended for refusal of renewal of arms licence. This finding, may not be interfered with by this court. He submits that as per the material papers filed along with the writ petition, petitioner is stated to have filed appeal before the 1st respondent and hence the present writ petition for the same relief, may not be entertained. Therefore, he sought to dismiss the writ petition.

Prima facie ground taken for not renewing the licence of petitioner is absurd and it is not one of the grounds envisaged under the Act for not renewing the licence.

As the petitioner is stated to have filed appeal on 16.03.2018, writ petition is disposed of directing the 1st respondent to dispose of the appeal in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

Interlocutory applications pending, if any, shall stand closed. No costs.



A.RAJASHEKER REDDY,J

DATE:03—08—2018

AVS