

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.33629 of 2018

ORDER:-

Heard learned Counsel for the petitioner and the learned Government Pleader for Home for the respondents.

The alleged inaction on the part of the 2nd respondent/District Collector in not disposing of the renewal application, dated 25.04.2018, for gun license said to have been submitted by the petitioner herein is under challenge in the present Writ Petition.

According to the petitioner, he submitted a renewal application on 25.04.2018 to the 2nd respondent/competent authority requesting for renewal of the gun license bearing No.214/Sircilla/2008. It is evident from the material available on record that on the said application, the District Collector/2nd respondent herein called for a report from the 3rd respondent/the Superintendent of Police. Subsequently vide letter No.C2/834/2018, dated 19.05.2018, the District Collector once again requested the 3rd respondent to submit enquiry report for renewal of gun license pertaining to the petitioner herein. In that background, it is the grievance of the petitioner herein that though considerable length of time has lapsed, no action has been taken on the application of the petitioner herein for renewal of gun license and in view of the same, the petitioner herein is sustaining irreparable loss and hardship and the said action on the part of respondent-authorities is patent violation of Article 14 of the Constitution of India besides being opposed to the Arms Act and the Rules framed thereunder.

Having acknowledged the renewal application, there is no justification on the part of the respondent-authorities in keeping the same pending and in the considered opinion of this Court, the said action cannot be sustained in the eye of law.

Having heard the learned Counsel for the petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the respondents No.2 and 3 to complete the enquiry and to consider the application of the petitioner herein for renewal of the gun license and pass appropriate Orders/take appropriate action, strictly in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

Date:03.12.2018
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A.V.Sesha Sai, J

