

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.32797 of 2011

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader appearing for respondent Nos.1 to 4.

2. The prayer sought in the writ petition is as under:-

“... to issue a Writ or Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in particular the 2nd respondent herein in canceling the petitioner's Arms License bearing No.166/Chandrayanagutta by the 2nd respondent vide his proceedings No.HS-6/Arms/166 Chandrayanagutta/11, dt.15.09.2011, as null and void, illegal, contrary to the provisions of Arms Act, 1962 and violative of principles of natural justice and consequently set-aside the same by directing the respondents to restore the petitioner's Arms License bearing No.166/Chandrayanagutta and pass...”

3. From the perusal of the prayer, it is evident that an alternative remedy is available to the petitioner by way of an appeal under Section 105 of the Arms Rules, 2016.

4. When an alternative remedy is available and when the petitioner is not coming within the three exceptions carved out under Article 226 of the Constitution of India, the writ petition is not maintainable.

5. Accordingly, the writ petition is dismissed. However, liberty is given to the petitioner to pursue the remedy available to him as per law.

Miscellaneous petitions pending, if any, shall stand dismissed.

No order as to costs.

P. KESHA RAO, J

11th November 2019

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