

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 12790 OF 2020

Between:

NAINI RAJENDER REDDY, S/o. NAINI NARENDER REDDY, Aged about 54 years, Occ. Business and DCC President Warangal, R/o. H.No.5-11-37/1, Nainnagar, Hanamkonda, Warangal District, T.S.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Dept., Government of Telangana, Secretariat, Hyderabad.
2. The Commissioner of Police, Warangal City Urban, Having Office at Hanamkonda, Warangal, T.S.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No. 1 in not taking action on the appeal of the Petitioner dt.17/03/2020 for renewal of Arms License as illegal, arbitrary and unconstitutional and consequently direct the 1st respondent to consider and dispose of the appeal within 15 days

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st respondent to consider and dispose by passing appropriate orders on the appeal filed by the petitioner for renewal of arms license dt.17/03/2020

Counsel for the Petitioner: SRI M. P. KASHYAP

Counsel for Respondents: GP FOR HOME

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12790 of 2020

ORDER:

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

2. Petitioner was granted non-prohibited bore arms licence in the year 2003 and the same was renewed from time to time. The renewal granted earlier expired on 11.11.2019 and much before the expiry of renewal period, petitioner applied to renew the licence for further period. However, the request of petitioner for renewal of licence was not accepted and the earlier licence was cancelled by the Order dated 03.03.2020 of Commissioner of Police, Warangal. Aggrieved thereby, petitioner filed appeal before the Principal Secretary, Home Department on 17.03.2020, acknowledged by the said office. However, along with the appeal, petitioner did not pay the fee required for processing the appeal and on 17.06.2020 petitioner paid the fee.

3. The limited grievance of the petitioner in the writ petition is that the appellate authority is not disposing of the appeal even though six months have elapsed by now. However, learned Government Pleader submits that the appeal preferred by the petitioner could not have been processed till 17.06.2020 as the appeal fee was not paid by the petitioner and thereafter because of the present pandemic situation, immediately no decision was taken and if reasonable time is granted, the appeal preferred by the petitioner would be considered.

4. Having regard to these submissions, without expressing any opinion on merits, the Writ Petition is disposed of directing the Principal Secretary-1st respondent to consider the appeal preferred by the petitioner on 17.03.2020 and pass orders by assigning reasons in support of the decision, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of copy of this order. Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Home Dept., State of Telangana, Secretariat, Hyderabad.
2. One CC to Sri M P Kashyap Advocate [OPUC]
3. Two CCs to GP for Home, High Court for the State of Telangana (OUT)
4. Two CD Copies

MBC



HIGH COURT

DATED: 10/09/2020



ORDER

WP.No.12790 of 2020

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

(6) VW
15/9/20