



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 33921 OF 2024 (GM-POLICE)

BETWEEN:

SRI NAGARAJ
S/O LATE VENKATAPPA
AGED ABOUT 68 YEARS,
NO 102, AURORA IVY
KATTIGENAHALLI BAGALUR MAIN ROAD,
BENGALURU - 560064

...PETITIONER

(BY SRI. G R MOHAN., ADVOCATE)

AND:

1. STATE OF KARNATAKA
HOME DEPARTMENT,
VIDHANA SOUDHA,
BENGALURU - 560001
2. THE LICENSING AUTHORITY
ASSISTANCE COMMISSIONER OF POLICE,
ADMINISTRATION
BANGALORE CITY
BANGALORE - 560 001

...RESPONDENTS

(BY SRI.VIKAS ROJIPURA,A GA FOR R1 AND R2)

THIS WRIT PETITIOJN IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
DIRECT THE R-2 i.e. LICENSING AUTHORITY TO RENEW AND
ISSUE FRESH LICENSE IN FAVOR OF THE PETITIONER IN
RESPECT OF ARMS LICENSE BEARING NO. YICK



NO.33/SHASTRA-7RAL/2023 NO. 03/R AND P/1997 VIDE ANNEXURE-C DTD. 13.06.23.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

This writ petition is filed seeking writ in the nature of mandamus directing respondent No.2 i.e., Licensing Authority, to renew and issue fresh License in favour of the petitioner in respect of Arms License bearing No.03/R&P/1997 vide Annexure - C dated 13.06.2023.

2. Learned Additional Government Advocate, drawing the attention of this Court to the records, submits that the Licensing Authority, upon due consideration, has cancelled the petitioner's licence on the ground that the petitioner has violated the conditions subject to which the licence was granted. Referring specifically to the order produced at Annexure-E, he would contend that the said order is one passed in exercise of powers under Section 17 of the Arms Act, 1959 (for short 'Act, 1959') and therefore, an



efficacious and statutory remedy of appeal is available to the petitioner under Section 18 of the said 'Act, 1959'. It is his submission that without assailing the said order before the competent Appellate Authority, the petitioner has directly invoked the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, which is impermissible in law. Hence, he contends that the writ petition is not maintainable.

3. Having given anxious consideration to the rival submissions and on perusal of Sections 17 and 18 of the 'Act, 1959', this Court is of the considered view that the impugned order at Annexure-E is in the nature of revocation/cancellation of licence passed by the competent authority in exercise of statutory powers under Section 17 of the 'Act, 1959'. The statute itself provides a complete mechanism by way of an appeal under Section 18 of the 'Act, 1959' to challenge such an order. When a specific and efficacious alternative remedy is provided under the statute, this Court would ordinarily refrain from



entertaining a writ petition, unless exceptional circumstances are made out.

4. In the case on hand, no exceptional grounds are made out to bypass the statutory remedy. Once the licence stands cancelled by an order passed under Section 17 of the 'Act, 1959', the petitioner cannot seek a writ of mandamus directing renewal or continuation of licence, as no subsisting legal right survives in favour of the petitioner. Correspondingly, there is no enforceable legal duty cast upon respondent No.2 to consider renewal of licence. In that view of the matter, this Court is of the opinion that the writ petition is not maintainable in the light of the efficacious alternative remedy available under Section 18 of the 'Act, 1959'.

5. However, liberty is reserved to the petitioner to avail the statutory remedy of appeal under Section 18 of the Arms Act, 1959, challenging the order at Annexure-E, in accordance with law.



6. If such an appeal is filed within a period of four (4) weeks from the date of receipt of a certified copy of this order, the Appellate Authority shall consider the same on merits, without raising objection as to limitation, by extending the benefit of Section 14 of the Limitation Act, 1963, for the period during which the petitioner was bona fide prosecuting the present writ proceedings before this Court.

With the above observations and liberty, the writ petition stands ***disposed off***.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE