



**IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH**  
**DATED THIS THE 31<sup>ST</sup> DAY OF MAY, 2024**  
**BEFORE**  
**THE HON'BLE MR JUSTICE SACHIN SHANKAR MAGADUM**  
**WRIT PETITION NO. 102035 OF 2024 (GM-RES)**

**BETWEEN:**

SHRI RAJENDRA S/O. MALAGOUD PATIL,  
AGE: 62 YEARS,  
OCC: AGRICULTURE AND CHAIRMAN SANGAM SUGARS,  
R/O. 141, HARAGAPURGAD,  
TQ: HUKKERI, DIST: BELAGAVI,  
PIN – 590001.

...PETITIONER

(BY SRI. NITIN R. BOLABANDI, ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA,  
REPRESENTED BY ITS CHIEF SECRETARY TO  
GOVERNMENT OF KARNATAKA, VIDHANA SOUDHA,  
BANGALORE-560 001.
2. DEPUTY COMMISSIONER  
AND DISTRICT MAGISTRATE,  
BELAGAVI – 590001.
3. THE CHIEF ELECTORAL OFFICER  
FOR THE STATE OF KARNATAKA,  
SHESHADRI ROAD,  
BANGALORE - 560001.
4. ELECTION COMMISSION OF INDIA,  
NIRVACHAN SADAN, ASHOKA ROAD,  
NEW DELHI-100001, REP. BY CEO.

...RESPONDENTS

(BY SRI. V.S. KALASURMATH, HCGP FOR R1-R3;  
SRI. MRUTHUNJAYA S. HALLIKERI, ADV. FOR R4)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI QUASHING THE IMPUGNED ORDER DATED 16/3/2024 VIDE NO. DC/MP/ELN/ARMS/CR-01/2023-24 ANNEXURE-B PASSED BY THE RESPONDENT NO.2 IN SO FAR AS THE PETITIONER IS CONCERNED; ISSUE A WRIT OF MANDAMUS OR DIRECTION TO THE RESPONDENTS TO ALLOW THE PETITIONER TO SUBMIT A REPRESENTATION/APPLICATION FOR TO SEEK EXEMPTION TO DEPOSIT THE FIRE ARM BEFORE THE SCREENING COMMITTEE CONSTITUTED.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

The caption petition is filed assailing the action of 2nd respondent-Deputy Commissioner, Belagavi, calling upon the licensed firearms holders to deposit the arms in ensuing elections scheduled on 06.6.2024. Pursuant to the order passed by 2<sup>nd</sup> respondent, the petitioner was compelled to deposit the firearms on account of ensuing Lok Sabha elections.

**2.** This court has exhaustively dealt with the issue relating to role of screening committee and Deputy Commissioner, issuing blanket orders calling upon the license holders to deposit firearms contrary to the guidelines issued by the Election Commission of India. Certain guidelines were



issued by this Court in the reported judgment rendered in batch of petitions bearing W.P No.9932/2024 and others.

**3.** In the light of the judgment rendered by this court, the impugned order passed by the 2<sup>nd</sup> respondent, calling upon the petitioner to deposit firearms, is not sustainable.

**4.** For the foregoing reasons, this Court proceeds to pass the following:

**ORDER**

1. Writ Petition is ***allowed.***
2. The 2<sup>nd</sup> respondent is hereby directed to forthwith release the firearms to the petitioner.
3. This exercise shall be completed within a period of two weeks from the date of receipt of certified copy of this order.

**Sd/-**  
**JUDGE**