APHC010283642026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3396]**
(Special Original Jurisdiction)

TUESDAY,THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 14739/2026

Between:

1. M/S SURYA MINERALS, SY. NO. 559/18, CHANDRAMAKULAPALLI VILLAGE PUNGANUR MANDAL, CHITTOOR DISTRICT, REP. BY ITS PROPRIETOR GUTTA LEELA W/Q GUTTA HAH KRISHNA, AGED ABOUT 49 YEARS

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, ENVIRONMENT, FOREST, SCIENCE AND TECHNOLOGY, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUN(UR DISTRICT -522238
2. THE PRINCIPLE CHIEF CONSERVATOR OF FORESTS AND HEAD OF FOREST FORCES ARANYA BHAVAN, P.V.S. LAND MARK, NEAR API 1C TOWERS, MANGALAGIRI GUNTUR DISTRICT-522503
3. THE CONSERVATOR OF FORESTS ANANTHAPUR CIRCLE, ANANTHAPUR -515001
4. THE FOREST RANGE OFFICER, PUNGANUR, CHITTOOR DISTRICT -517247
5. THE FOREST BEAT OFFICER, CHANDRAMAKULAPALLI BEAT, PUNGANUR MANDAL, CHITTOOR DISTRICT -517326

...RESPONDENT(S):

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 tomay be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the 4th and 5th respondents in seizing and detaining the Vehicle Bolero Neo - N10 Model - bearing No. AP39LM0405 of the petitioner under OR No. 93/2025-26 dated 25-01-2026 without following the procedure is illegal, arbitrary and violative of Article 19 and 21 of Constitution of India and consequently direct the respondents to release the vehicle Bolero Neo - N10 Model - bearing No. AP39LM0405 forthwith, and pass such

IA NO: 1 OF 2026

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 may be pleased to direct the 5th respondent to grant interim custody of vehicle Bolero Neo - N10 Model - bearing No. AP39LM0405 to the petitioner, pending disposal of the above writ petition and pass such

Counsel for the Petitioner:

1. KAVITHA GOTTIPATI

Counsel for the Respondent(S):

1. GP FOR FORESTS

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer:

> *"....to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the 4th and 5th respondents in seizing and detaining the Vehicle Bolero Neo - N10 Model - bearing No. AP39LM0405 of the petitioner under OR No. 93/2025-26 dated 25-01-2026 without following the procedure is illegal, arbitrary and violative of Article 19 and 21 of Constitution of India and consequently direct the respondents to release the vehicle Bolero Neo - N10 Model - bearing No. AP39LM0405 forthwith, and pass such.."*

2. Heard Ms. Kavitha Gottipati, learned counsel for the petitioner, and Ms. Baliboyina Sravani, learned Assistant Government Pleader for Forest appearing for the respondents.

3. Learned Assistant Government Pleader for Forest for respondents, submits that the process for release of the subject vehicle is already under way. She further submitted that the Divisional Forest Officer has addressed a letter to the Sub-Registrar seeking information regarding the value of the property for the purpose of processing the release of the vehicle.

4. A perusal of the material on record, it is noticed that the Divisional Forest Officer, who is the competent authority dealing with the release of the vehicle, has not been arrayed as a party respondent in the writ petition. Since the presence of the Divisional Forest Officer is necessary for effective adjudication of the matter, this Court suo motu impleads the Divisional Forest Officer as Respondent No.6. The Registry is directed to carry out the necessary amendments.

5. Learned Assistant Government Pleader further submits that the writ petition may be disposed of by fixing a reasonable time for completion of the said process.

6. Learned counsel for the petitioner submits that the vehicle has been under seizure since January, 2026, and therefore requests to fix a time limit of one week for passing appropriate orders regarding its release.

7. Having regard to the submissions made by both sides and considering the fact that the process for release of the vehicle is already in progress, this Court deems it appropriate to dispose of the writ petition by directing the Respondent No.6 – Divisional Forest Officer to secure the information regarding the value of the property from the concerned authority within a couple of days and thereafter take an appropriate decision regarding release of the petitioner's vehicle, bearing Registration No. AP39LM0405, by imposing

such conditions as may be deemed necessary and appropriate, on or before 23.06.2026.

8. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 16.06.2026.
Note:
Issue CC by today
b/o
KKV

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 14739/2026

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