



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

[3311]

Wednesday, the Eighteenth day of March
Two Thousand and Twenty Six

Present

The Honourable Ms. Justice B.S.Bhanumathi

Writ Petition No: 7695 of 2026

Between:

H.Muthu Raju and others

...Petitioners

and

The State of Andhra Pradesh and others

...Respondents

Counsel for the petitioners:

1.K. Raghu Veer

Counsel for the respondents:

1.G.P. for Forests

The Court made the following:

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents Nos.2 and 3 in seizing the petitioners' vehicles i.e., tractor bearing No.AP 40 AB 5635 and Splender motor cycle bearing No.AP 39 GX 5890 without issuing any seizer memo as illegal, arbitrary and consequently direct the respondents Nos.2 and 3 to release the petitioners.

2. The case of the petitioners is, briefly, as follows:

a. The petitioner No.1 is the owner of the tractor bearing No. AP 40 AB 5635 and has been using it to plough the land and for other purposes. Sri Arunagiri approached the petitioner No.1 and engaged his tractor for ploughing the land in Sy.No.1 and 57 of Kangundi Village, Kuppam Mandal, Chittoor District.

b. When the respondents Nos.2 and 3 tried to interfere with the possession of the land of the father of Arunagiri and others, they filed W.P.No.28993 of 2021 before this High Court. This High Court granted interim order of status quo. The order is still subsisting and the writ petition is pending.

c. On 04.02.2026, when the tractor was hired by Arunagiri, it was taken to the field of Sy.No.1 and 57 of Kangudi Village, Kuppam Mandal, Chittoor District, for ploughing the land. The respondent No.3 and his sub-ordinate staff came to the land claiming it to be forest land and obstructed the work and seized the tractor and kept it in open place in office of the respondent No.3. As the tractor is exposed to sun and rain, it is getting damaged.

d. The petitioner No.2 is the owner of the Splender motor cycle bearing No.AP 39 GX 5890. When there was some altercation between

the forest officials and Arunagiri, the petitioner No.1 stopped the motor cycle at that place. Meanwhile, the respondent No.3 seized the motor cycle along with the tractor. It is also kept in open place in the office of the respondent No.3 exposed to sun and rain which damage the vehicle.

e. Since the vehicles were illegally seized, this writ petition is filed.

3. Sri K.G. Krishna Murthy, learned Senior Counsel, representing the learned counsel for the petitioners, submitted that the forest officials are high handedly acting, though the interim order of *status quo* granted in the writ petition is in force. He further submitted that the vehicles were illegally seized and exposed to sun and rain and therefore, there is urgency to release the vehicles.

4. Ms. B. Sravani, learned Assistant Government Pleader for Forests placed on record a copy of written instructions of the District Forest Officer, Chittoor District, vide Rc.No.1125 / 2026 / A5, dated 18.03.2026, stating that the forest officials seized the tractor and motor cycle under cover of a Panchanama and the offence was also reported to the concerned Magistrate and that the petitioners have to approach the appropriate authority under Section 44 (3) of the Andhra Pradesh Forest Act, 1967, but without availing the remedy under law, this writ petition was filed. She further submitted that the subject land in this case is different from the land covered by the writ petition cited by the petitioners.

5. In reply, the learned Senior Counsel appearing for the petitioners submitted that the land is one and the same and that since the approach of the officials of the forest department is high handed and illegal, the writ petition would lie. Alternatively, he submitted that the petitioners may be permitted to file a petition for interim custody of the vehicles before the appropriate authority, but a direction may be given

for early disposal of the petition(s) as the vehicles are likely to get damaged and parts may be stolen, if they are kept in open place.

6. Without going into the merits of the dispute, as it is already held by this Court in W.P.No.21393 of 2016, by order dated 09.09.2025, that the appropriate authority for release of the vehicles in interim custody, is the authorized officer Section 44(3) of the Andhra Pradesh Forest Act, 1967, the writ petition can be disposed of with appropriate directions.

7. Accordingly, the writ petition is disposed of giving liberty to the petitioners to file an application(s) before the authority under Section 44(3) of the Andhra Pradesh Forest Act, 1967 and thereafter, the concerned authority shall dispose of the application(s) without any further delay, not later than one (1) week from the date of receipt of copy of this Order.

Interim orders granted earlier, if any, shall stand vacated.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE B.S. BHANUMATHI

Dated: 18.03.2026

Note: Issue C.C.today

NSM

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