

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

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

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 19356 OF 2026

Between:

Katravath Jayamma, W/o. Katravath Sukya, Aged 33 years, Occ. JCB Owner/ operator, R/o. H.No.5-82, Banay Gan Taanda, Rajapet, Near Shivalayam, Wanaparthy Town and District - 509381.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Forest Department, Secretariat Buildings, Hyderabad.
2. The Chief Conservator, Forest Department, Hyderabad.
3. The District Forest Officer, Forest Department, Wanaparthy District at Wanaparthy.
4. The Forest Range Officer, Wanaparthy, Wanaparthy District.
5. The Deputy Range Officer, Wanaparthy, Wanaparthy District.
6. Smt.Chinthapalli Chennmma, W/o. Buchchanna, Occ. Agriculture, R/o. Rajapet Village, Wanaparthy Mandal and District.
7. Smt. Erra Geeramma, Occ. Agriculture, R/o. Rajapet Village, Wanaparthy Mandal and District.
8. The Tahsildar, Wanaparthy Mandal, Wanaparthy District.

...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 an Order or direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in registering Crime vide POR No.0438 dated 23/05/2026 and seizing the Petitioners JCB Vehicle in Forest Offence punishable under Section 20(1)(c)(ii)(iii) and (vii) R/w. 20(1)(d)(2), 44 and 52 of the Telangana Forest Act, 1967 and not releasing Petitioner's JCB vehicle bearing RC No. TG 32 1572 with Chasis No. BCEHD11BLE 2403740 seized by the Respondent No.5as illegal, arbitrary, against the provisions of law and practice and also against

the provisions of Forest Act 1967 and also against the principles of natural justice and CONSEQUENTLY Quash the proceedings in Crime vide POR No.0438 dated 23/05/2026 registered by the Respondent No. 5 herein for the Offence punishable under Section 20(1)(c)(i)(ii) and (vii) R/w. 20(1)(d)(2), 44 and 52 of the Telangana Forest Act, 1957 which is pending on the file of learned Principal Judicial First Class Magistrate at Wanaparthy.

I.A. 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 to direct the Respondent No. 3 to release the JCB Vehicle bearing RC No. TG 32 1572 with Chasis No. BCEHD11BLE 2403740 seized by the Respondent No.5 in Crime vide POR No.0438 dated 23/05/2026 on the file of Respondent No. 5 and hand over the JCB Vehicle to the safe custody of Petitioner without furnishing of the sureties or on any reasonable conditions for vehicle production whenever it is necessary pending disposal of the proceedings in Crime vide POR No.0438 dated 23/05/2026 on the file of Respondent No. 5 herein.

Counsel for the Petitioner: SRI BHANU MURTHY BALA
Counsel for the Respondent Nos.1 TO 5: AGP FOR FORESTS
Counsel for the Respondent No.8: AGP FOR REVENUE
Counsel for the Respondent Nos.6 & 7: --

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.19356 OF 2026

DATE: 23.06.2026

Between :

Katravath Jayamma

... **Petitioner**

A n d

The State of Telangana and others

... **Respondents**

ORDER

Heard Sri Bhanu Murthy Bala, learned counsel appearing on behalf of the petitioner, learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 5 and the learned Assistant Government Pleader for Revenue appearing on behalf of the respondent No.8.

2. The petitioner approached this Court seeking the prayer as under:

"...to issue an appropriate Writ, Order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in

registering Crime vide POR No.0438 dated 23-05-2026 and seizing the Petitioners JCB Vehicle in Forest Offence punishable under Section 20(1)(c)(ii)(iii) and (vii) R/w. 20(1)(d)(2), 44 and 52 of the Telangana Forest Act, 1967 and not releasing Petitioner's JCB vehicle bearing RC No.TG 32 1572 with Chasis No. BCEHD11BLE 2403740 seized by the Respondent No.5 as illegal, arbitrary, against the provisions of law and practice and also against the provisions of Forest Act 1967 and also against the principles of natural justice and CONSEQUENTLY Quash the proceedings in Crime vide POR No.0438 dated 23-05-2026 registered by the Respondent No.5 herein for the Offence punishable under Section 20(1)(c)(ii)(iii) and (vii) R/w. 20(1)(d)(2), 44 and 52 of the Telangana Forest Act, 1967 which is pending on the file of learned Principal Judicial First Class Magistrate at Wanaparthi and pass.....".

3. The case of the petitioner in brief as per the averments made in the affidavit filed by the petitioner in support of the present Writ Petition is as under:-

3.1 The petitioner is the owner of the vehicle i.e., JCB bearing registration No. TG 32 1572. Respondents No. 6 and 7, who are pattadars of land in Sy. No. 404 of Rajapeta

Village, engaged the petitioner to undertake land clearing and leveling work in their assigned agricultural lands.

3.2 While the work was in progress, the Respondent No. 5 seized the petitioner's JCB vehicle on 22.05.2026 alleging encroachment of forest land and registered a Preliminary Offence Report vide POR No. 0438 dated 23.05.2026 under the Telangana Forest Act, 1967. The petitioner's driver was arrested and produced before the Magistrate.

3.3 There was no clear demarcation between forest land and assigned government land, and petitioner had in-fact acted bonafidely. The continued detention of the vehicle had caused severe hardship to the petitioner. Aggrieved by the same, the petitioner approached this Court by filing the present writ petition.

DISCUSSION AND CONCLUSION:

4. **Learned counsel appearing on behalf of the petitioner mainly puts forth the following submissions:**

4.1 The petitioner's driver was arrested and produced before the learned Judicial First Class Magistrate Court, Wanaparthy in connection with a forest offence vide POR No. 0438 dated 23.05.2026 under the Telangana Forest Act, 1967.

4.2 The detention and arrest of the petitioner's driver, as well as the seizure of the JCB vehicle, are contrary to the procedure prescribed under the Telangana Forest Act.

4.3 The alleged forest offences against the petitioner's driver are baseless and unsupported by any valid material.

4.4 Neither the petitioner nor petitioner's driver has committed any forest offence as alleged by the respondent authorities.

4.5 The seizure of the petitioner's JCB vehicle is illegal and in violation of the statutory procedure contemplated under the Telangana Forest Act, 1967.

Based on the aforesaid submissions, learned counsel appearing on behalf of the petitioner

contends that the petitioner is entitled for the relief as prayed for in the present writ petition.

5. Learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 5 placing reliance on the written instructions dated 22.06.2026 of the Forest Range Officer, Wanaparthy Range, Wanaparthy District, mainly puts forth the following submissions:

5.1 The forest land was cleared and levelled with the help of a JCB vehicle for conversion into agricultural land.

5.2 The said act allegedly resulted in the destruction of valuable forest vegetation and degradation of reserve forest land by illegally entering into the forest reserve area.

5.3 The natural forest growth was cleared over an extent of $0.40 + 0.10 = 0.50$ hectares.

5.4 A Preliminary Offence Report dated 22.05.2026 was registered for the offences punishable under Sections 20(1)(c)(ii), (iii), and (vii) read with Section 20(1)(d)(2), as

well as Sections 44 and 52 of the Telangana Forest Act, 1967.

5.5 The driver, Sri J. Praveen, S/o Ramulu, was arrested and produced before the learned Judicial First Class Magistrate, Wanaparthi, along with the remand report, panchanama, and Forms A, B, C, and F as prescribed under the Telangana Forest Act and Rules.

5.6 The petitioner's remedy is to approach the competent lower Court for appropriate relief regarding the release of the seized property.

5.7 The Magistrate is required to conduct proceedings against the accused and take necessary action for the disposal of the seized property in accordance to law, as per Section 44 of the Telangana Forest Act, 1967.

Based on the aforesaid submissions, learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 5 contends that the petitioner may be directed to approach the

competent authority by filing appropriate application seeking release of the subject JCB vehicle.

6. Taking into consideration:

(a) The aforesaid facts and circumstances of the case,

(b) The submissions made by the learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 5,

(c) The copy of the written instructions brought on record by the learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 5 dated 22.06.2026 of the Forest Range Officer, Wanaparthy District,

(d) The fact that the subject JCB vehicle of the petitioner herein had been produced before the learned Judicial Magistrate of First Class, Wanaparthy,

(d) The discussion and conclusion as arrived at paragraph Nos.4 and 5 of the present order,

The Writ Petition is disposed of, directing the petitioner to file an appropriate application before the concerned Judicial First Class Magistrate Court, Wanaparthi, seeking release of the subject JCB vehicle bearing registration No. TG 32 1572 within a period of one(1) week from the date of receipt of a copy of this order.

Upon receipt of such application, the concerned Judicial First Class Magistrate, Wanaparthi, shall pass appropriate orders regarding the release of the subject seized property, in accordance to law, as per Section 44 of the Telangana State Forest Act, 1967, within a period of one (1) week thereafter. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR



SECTION OFFICER

To

1. The Principal Secretary, Forest Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Chief Conservator, Forest Department, Hyderabad.
3. The District Forest Officer, Forest Department, Wanaparthi District at Wanaparthi.
4. The Forest Range Officer, Wanaparthi, Wanaparthi District.
5. The Deputy Range Officer, Wanaparthi, Wanaparthi District.
6. The Tahsildar, Wanaparthi Mandal, Wanaparthi District.

7. One CC to SRI BHANU MURTHY BALA, Advocate [OPUC]
8. Two CCs to GP FOR FORESTS, High Court for the State of Telangana, at Hyderabad. [OUT]
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
10. Two CD Copies

PSK.

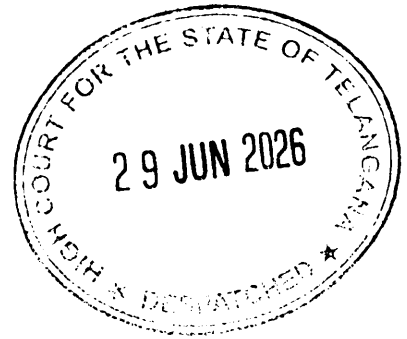


HIGH COURT

CC TODAY

DATED: 23/06/2026

**ORDER
WP.No.19356 of 2026**



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

(14) MT
29/6/26