

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.18129 of 2011

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26.08.2015

Between:

Veesamsetti Seethamma

.. Petitioner

and

The Divisional Forest Officer, Khammam and others

.. Respondents

Counsel for the petitioner: Mr.Mummaneni Srinivasa Rao

Counsel for the respondents: Government Pleader for Forests (TS)

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The Court made the following:

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ORDER:

This writ petition is filed for a *mandamus* to declare the action of the respondents in not releasing tractor bearing No.AP 20Y 1018 to the petitioner as illegal and arbitrary.

Mr.Mummaneni Srinivasa Rao, learned counsel for the petitioner, submitted that by order, dated 30.06.2011, in W.P.M.P.No.21837 of 2011, this Court directed respondent No.1 to release the petitioner's tractor subject to her furnishing bank guarantee for the value of the vehicle as assessed by the said respondent and that in pursuance thereof, the petitioner furnished bank guarantee and respondent No.1 released the tractor to the petitioner. He has further submitted that a criminal case, *vide* C.C.No.192 of 2010 on the file of the Additional Judicial Magistrate of First Class, Kothagudem, filed against the person, who engaged the petitioner's tractor in relation to the alleged forest offence, is still pending.

Inasmuch as the petitioner's tractor has been released in pursuance of the interim direction of this Court, no further adjudication of this writ petition is necessary. However, the release of the tractor shall be subject to the outcome of the pending criminal proceedings. Till such proceedings are pending, the respondents shall not interfere with the petitioner's right of using the tractor. The petitioner shall keep the bank guarantee alive till the disposal of the pending criminal proceedings.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.21837 of 2011 is disposed of and W.V.M.P.No.2774 of 2011 is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

26th August, 2015

GHN

