

HONOURABLE SRI JUSTICE R. KANTHA RAO

W.P.No.7364 of 2015

ORDER

Heard learned counsel appearing for the petitioner and learned Government Pleader for Forests appearing for respondents 1 to 5.

This writ petition is filed seeking to declare the action of respondents 3 to 5 in seizing the petitioner's JCB bearing No.AP 36 AN 1331, Chasis No.1484306L2010 and Engine No.HOOOOO322, under POR No.1486 of 2015, as arbitrary and illegal.

Petitioner is the owner of said JCB and the same was used in agricultural operations. He engaged one Perukala Narsaiah as Driver and he used to attend the works, which are hired. While so, on 2.3.2015, the 5th respondent seized the said vehicle on the allegation that it was used in clearing the forest growth. According to the petitioner, the said vehicle was engaged by one Katla Suresh for cleaning the bushes in his agricultural land situated in Sy.No.493/13, Buddaram Village, Ghanapur Mandal, Warangal District. The petitioner made a representation dated 13.3.2015 before the 2nd respondent for release of the said vehicle and the same was acknowledged, but so far no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that the said land is situated one kilometer away

from the reserve forest land. He further submits that if the JCB is kept idle and exposed to sun and rain, it would be damaged, which will result in huge loss to the petitioner.

Having regard to the aforesaid submission, the 2nd respondent is directed to pass appropriate orders on the representation dated 13.3.2015 made by the petitioner for release of the vehicle, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

R. KANTHA RAO, J

20th March, 2015

rkk