

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF ANDHRA PRADESH

(Special Original Jurisdiction)

PRESENT

THE HON'BLE THE
CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL NO.175 OF 2015

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DATED: 17-03-2015

Between:

Vadlamudi Venkata Subrahmanyam and others

.. Appellants

And

State of Andhra Pradesh rep. by its
Principal Secretary, Environment,
Forests, Science & Technology
Department, Hyderabad and others

.. Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI
SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
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JUDGMENT: (per Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

Records have been produced before us. It appears that there are disputes with regard to facts and it is alleged that seizure of the vehicle itself is bad in law. The learned Trial Judge has refused to entertain the writ petition.

We are of the view that alternative remedy is provided in the A.P. Forest Act, 1967 itself and the Writ Court is not exclusive Court to decide this matter. All questions are kept open.

It shall be open for the writ petitioners/appellants to make a representation in terms of the provisions of law and raise the question of legality and validity of the seizure itself and the authority concerned will decide this question first. If they succeed on this question, the vehicle will be released automatically unconditionally. If they do not so succeed, the other points shall be decided. The entire exercise will be completed within a period of eight weeks from the date of communication of this order.

The writ appeal is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

17-03-2015

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HON’BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON’BLE SRI JUSTICE SANJAY KUMAR

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WRIT APPELLANT NO.175 of 2015

(Judgment of the Division Bench delivered by the
Hon’ble The Chief Justice Sri Kalyan Jyoti Sengupta)

17-03-2015