

HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.5736 of 2020

ORDER:

This Writ Petition filed seeking writ of mandamus declaring the action of respondents in issuing impugned order in Offence Case in Proc.No.119/CKJ/OR/2018-19/S3 dated 17.05.2019 (POR No.1603/108 dated 13.02.2019) of fourth respondent and consequential rejection order issued by third respondent in Rc.No.1363/2019/M3 dated 02.01.2020 in confiscating the petitioner's tractor with trolley bearing No.TS 04 EU 1461 as arbitrary, illegal and against the principles of natural justice and violative of Section 44(2-B)(a)(b)(c) of Telangana Forest Act, 1967 and set aside the same and consequently direct the respondents to release the petitioner's tractor with trolley bearing No.TS 04 EU 1461 along with the material seized.

2. When the matter is taken up for hearing, learned counsel for the petitioner as well as learned Government Pleader for Forest submit that pursuant to the interim order granted by this Court in I.A.No.1 of 2020 dated 18.03.2020, the vehicle of the petitioner is already released subject to conditions mentioned therein. He further submits that now proceedings POR No.1603

of 108, dated 13.02.2019 is pending before respondent No.4. The petitioner is granted liberty to prosecute the proceedings POR Case No.1603 of 108, dated 13.02.2019, pending before respondent No.4 and the release of vehicle is subject to outcome of the said proceedings.

3. Accordingly, the writ petition is disposed of. There shall be no orders as to costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J. SREENIVAS RAO

27th February, 2023
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