APHC010349932019

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3396]**
(Special Original Jurisdiction)

TUESDAY, THE 3rd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 16654/2019

Between:

1. MAVUDI PRASAD RAO,, S/O LATE GURUMURTHY, AGED ABOUT 55 YEARS, OCC. BUSINESS, RESIDENT OF D.NO.4-11, MAIN ROAD, MAKKUVA VILLAGE, MAKKUVA MANDAL, VIZIANAGARAM DISTICTICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL CHIEF SECRETARY, FOREST DEPARTMENT, SECRETARIAT OF A.P., VELAGAPUDI, GUNTUR DISTRICT.
2. THE STATE LEVEL COMMITTE, FOREST DEPARTMENT, REPRESENTED BY ITS PRINCIPAL CHIEF CONSERVATOR OF FORESTS, O/AT ARANYA BHAVAN, K.M.MUNSHI ROAD, MAGARAMPALEM, GUNTUR, GUNTR DISTRICT.
3. THE CHIEF CONSERVATOR OF FORESTS, VISAKHAPATNAM CIRCLE, FOREST DEPARTMENT, VISAKHAPATNAM.
4. DIVISIONAL FOREST OFFFICER, FOREST DEPARTMENT, ANDHRA PRADESH, VIZIANAGARAM DISTRICT, VIZIANAGARAM.
5. FOREST RANGE OFFICER, PARVATIPURAM, VIZIANAGARAM DISTRICT.
6. POTMURU SUNEETHA, W/O LATE SATYAMURTHY, AGED ABOUT 40 YEARS, OCC.SENIOR ASSISTANT, IRRIGATION DEPARTMENT, PARVATHIPURAM R /O SALAVARI LOGILI, CHEPURUPALLI VEEDHI, BOBBILI, VIZIANAGARAM DISTRICT.

...RESPONDENT(S):

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 a writ, order or direction more particularly one in the nature of Mandamus declaring the action of the 2nd and 4th respondents in permitting the 6th respondent to shift/relocate the Sri Srinivasa Saw Mill and Co, Makkuva Village and Mandal, Vizianagaram District to Sy. No. 304/14 of Palagara Village of Balajipeta Mandal, Vizianagaram District vide proceedings of 4th respondent in Rc. No. 1231/2089/S3 dt 07.10.2019 without considering the objections of the petitioner dt. 27.11.2017 and 09.07.2019 as illegal, arbitrary and Violative of Articles 14 and 21 of Constitution of India and opposed to Principals of Natural Justice arid also the provisions of The Andhra Pradesh Wood Based Industries (Establishment And Regulation) Rules, 2018 and consequently set aside the impugned proceedings of the 4th respondent in Rc. No. 1231/2089/S3 dt 07.10.2019

IA NO: 1 OF 2019

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 dispense with the filing of resolution and minutes of 2nd respondent committee held on 27.08.2019 and pass

IA NO: 2 OF 2019

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 pleased to grant stay of operation of the impugned proceedings in Rc No. 1231/2089/S3 dt 07.10.2019 issued by the 4th respondent pending disposal of the above writ petition and pass

IA 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 May be pleased to grant leave to the petitioner to file reply affidavit to the counter filed by the 4th respondent in W.P.No.16654 of 2019 and pass

Counsel for the Petitioner:

1. T V SRI DEVI

Counsel for the Respondent(S):

1. GP FOR FORESTS (AP)
2. AKULA KISHAN

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 16654 OF 2019

ORDER:

The Writ Petition is filed seeking following relief:

> *"to issue a writ order or direction more particularly one in the nature of Mandamus declaring the action of the 2nd and 4th respondents in permitting the 6th respondent to shift/relocate the Sri Srinivasa Saw Mill and Co Makkuva Village and Mandal Vizianagaram District to Sy.No.304/14 of Palagara Village of Balajipeta Mandal, Vizianagaram District, vide proceedings of 4th respondent in Rc.No.1231/2089/S3, dt.07.10.2019 without considering the objections of the petitioner dt.27.11.2017 and 9.07.2019 as illegal arbitrary and Violative of Articles 14 and 21 of Constitution of India and opposed to Principals of Natural Justice and also the provisions of The Andhra Pradesh Wood Based Industries Establishment And Regulation Rules, 2018 and consequently set aside the impugned proceedings of the 4th respondent in Rc.No.1231/2089/S3, dt.07.10.2019"*

2. Heard Smt.T.V.Sri Devi, learned counsel for the petitioner, and learned Assistant Government Pleader for Forest, appearing for the respondents.

3. Learned counsel for the petitioner would submit that the petitioner herein preferred an appeal against the impugned order, which is pending before respondent No.2.

4. Learned Assistant Government Pleader for Forest would submit that the appeal is still pending before respondent No.2. They could not serve notice on the respondents therein. So, the delay occurred in deciding the appeal.

5. In the light of the submissions made as proposed by both the learned counsel on record, the Writ Petition is disposed of. However, respondent No.2 is directed to decide the appeal within four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 03.11.2026
BMS