IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 38437 OF 2026

Between:

1. Bhukya Bhikya, s/o. Dhupya, Aged about 48 Years, occ. Agriculture, R/o. 6-1-1, D.B. Thanda, Dubbak Village and Mandal, Nizamabad District.
2. Bhukya Suman, s/o. Bhukya Parasuram, Aged about 28 Years, occ. Agriculture, R/o. 6-92/2C, D.B. Thanda, Dubbak Village and Mandal, Nizamabad District.

...PETITIONERS

AND

1. State of Telangana,, Rep. by its Principal Secretary, Forest Department, Secretariat, Hyderabad.
2. The Forest Divisional Officer,, Nizamabad, Nizamabad District.
3. The Forest Range Officer,, Indalwai Range, Nizamabad Division, Nizamabad District.
4. The Forest Beat Officer,, Dubbak, Dubbak Section, Indalwai Range, Nizamabad

...RESPONDENTS

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 an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No. 3 and 4 in registering the forest crime No. FRO, Dubbaka, No. 27/OR/I and D/ 2026-27, Dated 03.08.2026 by seizing the John Deere Tractors bearing Nos. TS01EH3397 and TS21T6955 of the petitioners, as illegal, null, void, arbitrary.

I.A. 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 to direct the 3rd and 4th Respondents to release John Deere Tractors bearing Nos. TS01EH3397 and TS21T6955 of the petitioners, pending disposal of the writ petition.

Counsel for the Petitioner(s): SRI K. DURGA PRASAD

Counsel for the Respondents: AGP FOR FORESTS

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.38437 of 2026

(CNR No. HBHC010773712026)

DATE: 17.11.2026

Between:

Bhukya Bhikya and another

..Petitioners

AND

The State of Telangana
Rep. by its Principal Secretary,
Forest Department, Secretariat, Hyderabad
and 3 others.

..Respondents

ORDER

Heard Sri K.Durga Prasad, learned counsel appearing on behalf of the petitioners and learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 4.

2. The petitioners approached the Court seeking prayer as under:

> "...to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents Nos.3 and 4 in

registering the forest crime No. FRO, Dubbaka, No. 27/0R/I & D/2026-27, Dated 03.08.2026 by seizing the John Deere Tractors bearing Nos.TS01EH3397 and TS21T6955 of the petitioners, as illegal, null, void, arbitrary and to pass...".

3. <u>The case of the petitioners in brief, as per the averments made in the affidavit filed by the petitioners in support of the present Writ Petition is as under:-</u>

The case of the petitioners is that, the respondents seized and detained the vehicles of the petitioners viz., John Deere Tractors bearing Registration Nos. TS01EH3397 and TS21T6955, pursuant to the registration of Forest Crime No.27/OR/IND/2026-27, dated 03.08.2026, by the Forest Range Officer, Dubbaka, Indalwai Range, Nizamabad District. The alleged forest offence relates to trespass and attempted encroachment into the Reserved Forest land in Compartment No.382, Dappalli Section, Dubbaka Beat, allegedly involving 0.70 hectares of forest land and damage to two cartloads of brushwood valued at Rs.814/-. Aggrieved by the same, the petitioners had approached this Court by filing the present writ petition.

PERUSED THE RECORD:-

DISCUSSION AND CONCLUSION:-

4. Learned counsel appearing on behalf of the petitioners submits that the subject issue involved in the present writ petition is squarely covered by the order of this Court dated 05.11.2026 passed in W.P. No.37407 of 2026, and hence, the petitioners in the present writ petition are also entitled for the same relief as extended to the petitioner in W.P. No.37407 of 2026.

5. Learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 4, does not dispute the submissions made by the learned counsel appearing on behalf of the petitioners and places reliance upon the written instructions dated 16.11.2026 received from the Forest Range Officer, Indalwai and mainly puts-forth the following submissions:

(i) The Forest Beat Officer, Dubbaka had submitted the case before the Hon'ble V Additional Judicial First Class Magistrate Court, Nizamabad.

(ii) The seized vehicles had been produced before the Authorized Officer/Forest Div sional Officer, Nizamabad as per the provisions under Section 44 of the Telangana Forest Act, 1967.

(iii) Vehicle is presently in the custody of Forest Beat Officer, Dubbaka

Based on the aforesaid submissions, the learned Assistant Government Pleader for Forests, appearing on behalf of respondents submits that appropriate orders may be passed.

6. Taking into consideration:

(a) The aforesaid facts and circumstances of the case,

(b) The submissions of the learned counsel appearing on behalf of the petitioners and learned Assistant Government Pleader for Forests appearing on behalf of the respondent Nos.1 to 4.

(c) The discussion and conclusion as arrived at paragraph Nos. 4 to 6 of this order,

The writ petition is disposed of, directing respondent Nos.2, 3 and 4 to release the vehicles of the petitioners i.e. John Deere Tractors bearing Nos. TS01EH3397 and TS21T6955, seized by respondent Nos.3 and 4, in connection with Forest Crime No.FRO, Dubbaka No.27/OR/IND/2026-27, Dated 03.08.2026 of Nizamabad District, in favour of the petitioners subject to condition of petitioners furnishing bank guarantee by way of Fixed Deposit for a sum of Rs.50,000/- (Rupees fifty Thousand only) with two sureties for a likesum each to the satisfaction of the concerned respondent under whose custody the vehicles are lying i.e. the 4th respondent herein. The petitioners are directed not to alienate or alter physical features of the subject vehicles, and are further directed to produce the vehicles as and when required by the authorities concerned, till the proceedings initiated against the petitioners by the respondents stand concluded. No order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

SD/- G. ESWAR

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Forest Department, Secretariat, State of Telangana,, Hyderabad.
2. The Forest Divisional Officer,, Nizamabad, Nizamabad District.
3. The Forest Range Officer,, Indalwai Range, Nizamabad Division, Nizamabad District.
4. The Forest Beat Officer,, Dubbak, Dubbak Section, Indalwai Range, Nizamabad
5. One CC to SRI K. DURGA PRASAD, Advocate [OPUC]
6. Two CCs to GP FOR FORESTS, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

AGK

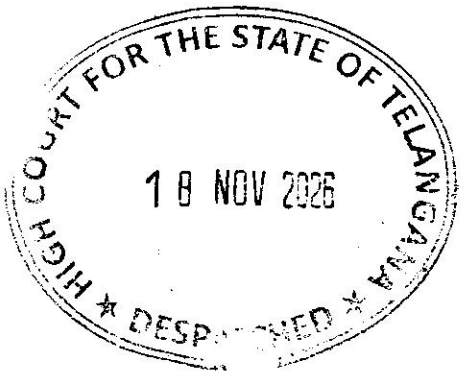
AGK

OBR

HIGH COURT

SN, J

DATED: 17/11/2026



ORDER

WP.No.38437 of 2026

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10
OBA
19-11-26.