

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

[3206]

THURSDAY, THE TWENTY FIRST DAY OF MAY,
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 9001 OF 2020



Between:

N Srinivas, S/o Tataiah Age 45 Address R/o. Nallajerla village and Mandal, West Godavari District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. By its principle Secretary (Forest Department), Secretariat, Velagapudi, Amaravathi, Guntur District
2. The Managing Director Andhra Pradesh, Forest Development Corporation Ltd Vijayawada
3. The Regional Manager, Andhra Pradesh Forest Development Corporation Ltd., Rajahmundry
4. The Divisional Manager, Andhra Pradesh Forest Development Corporation Ltd., Divisional Office, besides TTD Kalyanamandapam, Eluru, West Godavari District

...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 a writ, order or a direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 4th Respondent in cancellation of petitioner tender vide proceedings in Ref.No. 1.9.08/CUS/81 p padu/2020, dated 07.05.2020 for collection of the cashew usufruct from 1981 CP Pullalapadu (146-13Hectors), forfeiting his tender amount in favour of APFDC Ltd., and proceeding further for recovery of loss of amount to the corporation inspite of covid-19 lockdown as illegal, irregular, arbitrary, violative of the Covid-19 lockdown guidelines and also the orders passed by the Hon'ble High Court in taken-up Writ in W.P.No. 8130 of 2020 Dt 26.03.2020 and also offends Articles 14, 19 (1)(g), and 21 of the Constitution of India and consequently allow the petitioner to collect the Cashew Usufruct from 1981 CP Pullalapadu (146-13Hectors) for the next season i.e., from the November 2020 to July 2021 by duly set aside the tender cancellation order Ref.No. 1.9.08/CUS/81 p padu/2020, dated 07.05.2020 or direct the respondents to return the earnest amount of Rs.6,00,000/- with interest paid by the petitioner pursuant to the auction proceeding;

IA NO: 1 OF 2020

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 4th Respondent not to take coercive steps including recovery of loss amount as per the tender notifications Ref. 1375/2019/CS/981 Dt: 30.11.2019 by duly suspending the cancellation order in proceedings Ref.No. 1.9.08/CUS/81 p padu/2020, dt. 07.05.2020, pending disposal of WP 9001 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Mangena Sree Rama Rao Advocate for the Petitioner, GP for Forests for the Respondents and the Court made the following.

ORDER:

Sri M.Sri Rama Rao, the learned counsel for petitioner submits that in a similar matter relating to chipurugudem for a similar contract, this court had granted protection by order dated 15.05.2020 in WP.No.8587 of 2020.

VENKAIAH
ANT REGISTRAR
SA RAO,
ISTRAR

SI
A:

In the circumstances, the respondents shall not take any coercive steps against the petitioner for a period of six (06) weeks.

Post the writ petition along with W.P.No.8587 of 2020.

SD/- M. SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The principle Secretary (Forest Department), Secretariat, State of Andhra Pradesh, Velagapudi, Amaravathi, Guntur District
2. The Managing Director Andhra Pradesh, Forest Development Corporation Ltd Vijayawada
3. The Regional Manager, Andhra Pradesh Forest Development Corporation Ltd., Rajahmundry
4. The Divisional Manager, Andhra Pradesh Forest Development Corporation Ltd., Divisional Office, besides TTD Kalyanamandapam, Eluru, West Godavari District(1 TO 4 by RPAD)
5. One CC to SRI. MANGENA SREE RAMA RAO Advocate [OPUC]
6. Two CCs to GP FOR FORESTS ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

snd

www.ecourtsindia.com

HIGH COURT

www.ecourtsindia.com

RRRJ

www.ecourtsindia.com

DATED:21/05/2020

www.ecourtsindia.com

NOTE:POST THE WRIT PETITION ALONG WITH W.P.NO.8587 OF 2020

www.ecourtsindia.com

ORDER

www.ecourtsindia.com

WP.No.9001 of 2020

www.ecourtsindia.com

DIRECTION

