

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTY SIXTH DAY OF APRIL,
TWO THOUSAND AND TWELVE

:PRESENT:

THE HON'BLE SRI JUSTICE G.V. SEETHAPATHY

WPMP.NO: 15666 of 2012

IN

WP.NO: 12493 of 2012

Between:

1. Minor Forest Produce Gatherers Committee, Pullangi Panchayat, Authorized formed by Gram Sabha, Represented by A. Mangi Reddy, S/o. Penta Reddy, R/o. Pullangi Panchayat, Maredimilli Mandal, East Godavari District.
2. A. Mangi Reddy, S/o. Penta Reddy, R/o. Pullangi Panchayat, Maredimilli Mandal, East Godavari District.

Petitioners

(Petitioners in W.P.No.12493 of 2012
on the file of High Court)

AND

1. Government of Andhra Pradesh, rep. by its Principal Secretary, Tribal Welfare Department, Secretariat, Saifabad, Hyderabad.
2. Commissioner of Tribal Welfare, D.S.S. Bhavan, Masab Tank, Hyderabad
3. Integrated Tribal Development Agency (ITDA), Rampachodavaram, East Godavari District.
4. District Manager, Girjan Cooperative Corporation, East Godavari District, Rajamundry.
5. District Forest Officer, Rajamundry, East Godavari District.

Respondents

(Respondents in-do-)

Counsel for the Petitioners:

SRI. K.S. MURTHY

Counsel for the Respondents No. 1 to 3:

G.P. FOR TRIBAL WELFARE

Counsel for the Respondent No. 5:

G.P. FOR FORESTS

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to permit the petitioner tribals of Pullangi Grampanchayat, Maredimilli Mandal, East Godavari District to sell the hill Brooms (Konda Chipura) collected by them in the open market, pending W.P.No.12493 of 2012 on the file of the High Court.

The Court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

"Learned counsel for the petitioners would submit that under the guidelines of the Panchayats (Expansion to the Scheduled Areas) Act, 1996 and also the A.P. Panchayat Raj Act, 1998 petitioners, who are tribals, were entitled to collect the minor forest produce and sell the same and that the officials of the forest department are preventing the tribals from collecting the minor produce and as such the tribals are deprived of their livelihood.

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In the circumstances, respondents are restrained from interfering with the collection of the minor forest produce, namely hill brooms (konda chipuru) by the tribals of Pullangi Panchayat and sell the same until further orders."

Sd/-B.S. CHIRANJEEVI
ASSISTANT REGISTRAR

TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Tribal Welfare Department, Government of Andhra Pradesh, Secretariat, Saifabad, Hyderabad.
2. The Commissioner of Tribal Welfare, D.S.S. Bhavan, Masab Tank, Hyderabad
3. Integrated Tribal Development Agency (ITDA), Rampachodavaram, East Godavari District.
4. The District Manager, Girjan Cooperative Corporation, East Godavari District, Rajamundry.
5. The District Forest Officer, Rajahmundry, East Godavari District. (1 to 5 BY RPAD)
6. Two CCs to G.P. for ~~Social~~ ^{Tribal} Welfare, High Court of A.P., Hyderabad (OUT)
7. Two CCs G.P. for Forests, High Court of A.P., Hyderabad (OUT)
8. One CC to Sri. K.S. Murthy, Advocate (OPUC)
9. One Spare copy

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