



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL
PRADESH)

Case No. : WP(C)/117/2022

C. Devi
D/o Riachi (L)
R/o Tipa Dairy - II, Tipa, Siaha District, Mizoram.

VERSUS

The State of Mizoram and 15 Ors.
Aizawl.

2:The Secretary to the GOM
Home Department
Aizawl
Mizoram.

3:The Deputy Commissioner
Siaha District
Siaha
Mizoram.

4:The Superintendent of Police
Siaha District
Siaha
Mizoram.

5:The Officer in Charge
Tuipang Police Station
Siaha District
Mizoram.

6:The Mara Thyutila Py
Sub-Hqrs
Tipa
r/b the President

7:The Mrar Thyutila Py
Sub-Headquarters
Tipa

r/b the General Secretary

8:The Village council/Court
Tipa Dairy-II
r/b the President

9:The Village Council/Court
Tipa (D) I
r/b the President

10:The Village Council/Court
Tipa V-I
r/b the President

11:The Village Council/Court
Tipa V-II
r/b the President

12:The Village Council/Court
Tipa V-III
r/b the President

13:The Branch Tipa Bazar
Mara Thyutlia Py
r/b the President

14:The Mara Thyutlia Py
Tipa Vaihpi
r/b the President

15:The Mara Thyutlia Py Branch
Tipa Dairy
r/b the President

16:The Mara Macha Py
Headquarters
r/b the Presiden

Advocate for the Petitioner : Mr. J H Ramneihmawia

Advocate for the Respondent :

**BEFORE
HONOURABLE MRS. JUSTICE MARLI VANKUNG
ORDER**

Date : 02.02.2023

Heard Mr. J.H. Ramneihmawia, learned counsel for the petitioner along with Mrs. H. Lalmalsawmi, learned Government Advocate.

It is seen that in terms of this Court's Order dated 03.11.2022, the respondent No. 4, Superintendent of Police have submitted the report on the steps taken by them with regards to the eviction of the petitioner from her residence for an alleged possession and selling of contraband substances from her residence, while she is the rightful owner of her house within her LSC No. PS/8/140/2016. The report submitted by the respondent No. 4, Superintendent of Police, Siaha District, Siaha dated 25th January, 2023 mentions that:-

"1. All possible steps had been taken by respondents No. 3, 4 & 5 to provide safety and security to the petitioner. Foot patrolling party had been sent out day and night for the purpose. The meeting was held at office chamber of SDO(C) Tipa attended by respondents No. 6-16 warning them to not take law into their hands. They were clearly informed that force will be used to disperse them and case will be registered against them if they involve themselves in illegal deprivation of the right of the petitioner. The respondent No. 1-5 are very much successful in preventing any illegal incident and that house and property of the petitioner are still standing well protected.

2. The petitioner was known as habitual alcohol/liquor seller since a long time back. The people of Tuipang strongly suspected that she turned her business (Selling alcohol/liquor) to selling contraband item like Heroin since two/three years back. However, no contraband item was seized by the Police till date and no case was registered by the Police against her or her associates till date."

The learned counsel for the petitioner also mentions that the petitioner will also be moving back to her residence since the respondent No. 4 has also informed the respondent Nos. 6 to 16 not to evict her from her place and has restrained them from taking any illegal action against the petitioner.

In view of the above submissions, this Court find it fit to dispose the Writ Petition No. 117/2022 and with the direction that the respondent No. 4 will ensure that the petitioner is not unlawfully evicted from her residence and any steps, which needs to be taken against the petitioner for any alleged unlawful activities will be taken as per law.

WP(C) No. 117/2022 accordingly stands disposed.

JUDGE

Comparing Assistant