

**HIGH COURT OF TRIPURA
AGARTALA**

WP (C) 574 of 2024

Shri Suman Majumder

.....Petitioner(s)

Versus

State of Tripura and others

.....Respondent(s)

For Petitioner(s) : Mr. Subham Majumder, Advocate

For Respondent(s) : Ms. R. Chakraborty, Advocate

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

06.09.2024

Heard.

[2] The present petition has been filed under Article 226 of the Constitution of India by the petitioner seeking the following reliefs:

"(i) *ISSUE RULE* calling upon the respondents and each one of them, to show cause as to why a *Writ of Certiorari* and/or in the nature thereof, shall not be issued for calling for the records, lying with the officials respondents, for rendering substantial and conscionable justice to the petitioner;

(ii) *ISSUE RULE* calling upon the respondents to show cause as to why a *Writ of Mandamus* and/or in the nature thereof, for mandating/directing the respondents to pay the cost of Sculptures of Swami Vivekananda. Netaji Subhash Chandra Bose. Kazi Nazrul Islam and Maharaja Bir Bikram Kishore Manikya, which they have taken from the petitioner after assessing the rates of sculptures through the Society for Promotion of Art (SPA), and in the interim direct the respondents to pay 15.00 Lakhs as sanctioned for the aforesaid Sculptures;

(iii) After hearing the parties, be pleased to make the Rules absolute in terms of Prayer (ii) above"

[3] The case of the petitioner in brief is that the petitioner being a professional Artist used to earn his livelihood by making sculptures and doing artistic job. In the year 2018, the SDM, Sonamura, i.e. respondent no. 5, requested the petitioner to display some fiber glass sculptures in the Book Fair of Sonamura and he displayed five fiber glass sculptures of Swami Vivekananda, Netaji Subhash Chandra Bose, Kazi Nazrul Islam, Maharaja Bir Bikram Kishore Maikya and Rabindra Nath Tagore for the same. On completion of the Book Fair, when the petitioner wanted to bring the sculptures, the respondent no. 5 told him that the Government would utilize these sculptures. During conversation, it was decided that the price of the sculptures would be fixed as per scheduled rate prescribed by the Society for promotion of Art under Higher Education Department. Thereafter, he brought the sculpture of Rabindranath Tagore to his home. But, other 4 (four) sculptures i.e. Swami Vivekananda, Netaji Subhash Chandra Bose, Kazi Nazrul Islam and Maharaja Bir Bikram Kishore Manikya, were handed over to the respondent no. 5 and the said respondent installed the above sculptures for beatification of Sonamura Sub-Division.

[4] Several correspondences were being made for making payment of the sculptures but the respondents did not make the payment. The respondent No.5 vide his letter dated 06.07.2022 also asked the Director, Information & Cultural Affairs (ICA) Department, Government of Tripura i.e. respondent No.3 to make the payment of Rs.15 lakhs to the petitioner as cost of the aforesaid four sculptures but, till date, the same has been unattended. Lastly, the petitioner served Advocate notice dated 25.06.2024 upon all the respondents and

requested them to assess the cost of the sculptures and make the payment of the sculptures to him, but the respondents did not make the payment.

[5] In view of the above, without going into the merits of the case, this writ petition is disposed of directing the concerned respondents to settle the case of the petitioner in the light of the aforesaid Advocate notice dated 25.06.2024 within two months from the date of receipt of the copy of this order in accordance with law.

With the above direction, the present writ petition is disposed of. As a sequel, miscellaneous application(s), pending if any, shall also stand closed.

JUDGE

Sabyasachi. G.

RAJKUMAR
SUHANJIT SINGHA

Digitally signed by RAJKUMAR
SUHANJIT SINGHA
Date: 2024.09.10 12:47:00 +05'30'