

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

PIL No. 24 of 2022

LM Thanmi Shimray

Petitioner

Vs.

State of Manipur; & Ors.

Respondents

BEFORE

HON'BLE THE CHIEF JUSTICE MR. KEMPAIAH SOMASHEKAR

HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

(ORDER)

(K. SOMASHEKAR, C.J.)

30.05.2025

Learned counsel for the petitioner, namely, Mr. Zinranso Shatsang is present before the Court physically, learned counsel for the State, namely, Mr. I. Amri is also present before the Court physically and learned senior counsel for the Manipur Legislative Assembly, namely, Mr. Kh. Tarunkumar is also present before the Court physically.

The writ petition has been initiated keeping in view Article 226 of the Constitution of India as in the nature of public interest litigation for issuance of writ in the nature of certiorari and thereby quashing the impugned Sl. No. 2 of the Notification dated 29.04.2022 issued by respondent No. 1 so as to uphold the provision of the Article 164 and 371C of the Constitution of India and in the order dated 20.06.1972 issued by the then President of India V.V. Giri, in exercise of the powers conferred under Article 371C of the Constitution of India. These are all the contentions that have been taken in this writ petition as initiated by the petitioner relying to the notification dated 29.04.2022 issued by the competent authority who is in the rank of the respondent No. 1.

Learned counsel for the petitioner, namely, Mr. Zinranso Shatsang who is representing learned counsel, namely, Ms. H. Bisheshwori, seeks for short accommodation on the premise that the counsel on record is required to address the issue and also proceed further in terms of the argument.

But the learned senior counsel for the Manipur Legislative Assembly, namely, Mr. Kh. Tarunkumar facilitated the High Court of Manipur (Public Interest Litigation) Rules, 2019 whereby the learned senior counsel places reliance on Rule 10. Instruction for filing Public Interest Litigation, which reads as thus:

10. Instruction for filing Public Interest Litigation:

(i) A writ petition intended to be a public interest litigation shall contain:

- (a) An inscription immediately below the number of the writ petition in the title, namely "In the Matter of a Public Interest Litigation".*
- (b) A specific averment, in para 1 of the writ petition, to the effect that the writ petitioner has no personal interest in the litigation and that the petition is not guided by self-gain or for gain of any other person/institution/body and that there is no motive other than of public interest litigation in filing the writ petition.*
- (c) A specific averment, in para 2 of the writ petition, as to the source of knowledge of the facts alleged in the writ petition and the further inquiries/investigation made to determine the veracity of the same.*
- (d) A specific averment, in para 3 of the writ petition, specifying the class of persons for whose benefit the petition has been filed and as to how such persons are incapable of accessing the Court themselves.*
- (e) A specific averment, in para 4 of the writ petition, of the persons/bodies/institutions that are likely to be affected by the order(s), sought in the writ petition and which/who shall be impleaded as respondents and a further averment that to the knowledge of the petitioner, no other persons/bodies/institutions are likely to be affected by the orders sought in the writ petition.*

- (f) *A specific averment, in para 5 of the writ petition, of the background of the petitioner with qualifications so far as it may be material to show the competence of the petitioner to espouse the cause. If the petitioner is an organisation, the names and address of its office bearers and the nature of its activities shall also be stated. An averment shall also be made that the petitioner has the means to pay the cost, if any, imposed by the Court and on the undertaking to the Court in that respect.*
- (g) *In para 6 of the writ petition, details of the representation(s) made to the authorities concerned for remedial actions and replies, if any, received thereto shall be set out precisely.*
- (h) *If the petitioner has previously filed interest litigation or preferred Letter Petitions, the details thereof would be set out in a tabular form giving the number of the writ petition, the status and outcome thereof.*
- (i) *Pleadings in brief into paragraphs setting forth the cause which has given rise to the filing of the writ petition shall be pleaded followed by the grounds in support of the prayer, followed by the prayer clause in the last paragraph giving the precise prayer which the petitioner wants to be granted by the Court.*

Provided that if the petitioner is unable to provide information for any of the matters provided above, there shall be a specific averment as to the reason why the said information is not being provided.

- (j) *Averments made in the petition shall be supported by an affidavit, verified, by solemn affirmation, by the petitioner, disclosing the statements which are true to his knowledge or true to his knowledge derived from information disclosing the source of information and true to his knowledge derived from record.*
- (ii) *Every Public Interest Litigation shall be accompanied by an affidavit as per Proforma 'A' annexed to these rules.*

On these premises only, learned senior counsel for the Manipur Legislative Assembly, namely, Mr. Kh. Tarunkumar submits that this public interest litigation in the nature is not maintainable. These are the contentions raised by the

learned senior counsel for the Manipur Legislative Assembly keeping in view the Rule 10 of the High Court of Manipur (Public Interest Litigation) Rules, 2019 and keeping in view the impugned notification dated 29.04.2022.

Whereas, this writ petition in the nature of public interest litigation relates to Sl. No. 2 in the impugned Notification dated 29.04.2022, namely Shri Letpao Haokip, Minister, Manipur, who has already demitted from the portfolio of the Minister, and therefore, this writ petition even though in the nature of public interest litigation has become infructuous.

Consequently, PIL No. 24 of 2022 is hereby disposed of as infructuous.

Sandeep

JUDGE

CHIEF JUSTICE