

**HIGH COURT OF TRIPURA
AGARTALA
WP(C) No. 299 of 2025**

Sri Anirban De

.....Petitioner(s)

Versus

The State of Tripura & Ors.

.....Respondent(s)

For Petitioner(s)	:	Mr. D. Paul, Advocate.
For Respondent(s)	:	Mr. K. De, Addl. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

ORDER

16.06.2025

Heard learned counsel for the respective parties.

[2] This present petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

"i. Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or appropriate orders/directions shall not be issued directing the Respondents to grant permission for diversion of the entire land measuring 0.15 acres pertaining to Present Plot No. 2777/4028 of Khatian No. 1256 under Mouja - Kumarghat, in favour of the Petitioner;

ii. Make the Rule absolute;

iii. Call for the relevant records pertaining to the instant Writ Petition from the concerned authorities;

iv. Pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice, equity, and good conscience."

[3] It is the case of the petitioner that he is the owner in respect of 0.15 acres of land and according to the respondents, the petitioner has violated the laws and without following the due procedure he has filled the said land and made it diversion and, thus, the respondent has issued show cause notice on 27.12.2021 to which the petitioner has responded by a letter dated 30.12.2021 and an order has been passed asking the petitioner to deposit a sum of Rs. 30,000/- towards the penalty for the said violation. Following the same, the petitioner has deposited the said amount on

20.01.2022 and communicated the same to the respondent. But to his surprise, on 24.01.2022 the respondent has issued an order restricting the same to 0.04 acres but not 0.15 acres.

[4] Mr. K. De, learned Addl. G.A. appearing for the respondents-State pointed out the communication dated 24.01.2022 of the respondent wherein it has been seen that the diversion will be allowed for 0.15 acres on depositing of Rs. 30,000/- is silent and it appears that the amount of Rs. 30,000/- which is collected probably attracts only 0.04 acres.

[5] After perusal of the record, it is seen that the petitioner herein submitted several representations dated 16.02.2022, 07.07.2023, 21.08.2023 and lastly on 14.11.2023 explaining the fact and according to the petitioner the respondent has committed a mistake and therefore, the petitioner is before this Court since the respondent has not replied to the petitioner although .

[6] Without expressing any opinion on the merits of the case, this present writ petition is disposed of directing the concerned respondents to examine the records and also the land and, in the event, if the petitioner is entitled for diversion of the land as indicated in the records by the respondents, the concerned respondents shall consider the matter in light of the representations as stated above in accordance with law and pass necessary order communicating the same to the petitioner. This exercise shall be completed within 3 months from the date of receipt of the copy of this order.

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

JUDGE

Paritosh

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