



Serial No. 23
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 389 of 2025

Date of Decision: 22.10.2025

Shri Fozlu Rahman,
S/o Shri Samsul Hoque,
R/o Village Patharkata,
P.O. Paham, P.S. Tikrikilla,
West Garo Hills District, Meghalaya

... Petitioner(s)

Versus

1. The Election Commission of India,
New Delhi, Nirvachan Sadan, Ashoka Road,
New Delhi-110001.
2. The State of Meghalaya represented by
The Chief Secretary to the Government of Meghalaya, Shillong
3. The Chief Electoral Officer, Room No. 409,
Additional Secretariat, Shillong, Meghalaya
4. The Deputy Commissioner (Election), Tura
West Garo Hills, Meghalaya
5. The Sub-Divisional Officer (Election),
Dadengre Civil Sub-Division, West Garo Hills, Meghalaya

... Respondent(s)

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. S.K. Hassan, Adv.

For the Respondent(s) : Mr. Philemon Nongbri, Adv. (For R 1&3-5)
Mr. A.H. Kharwanlang, Add. Sr. GA (For R 2)



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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
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JUDGMENT AND ORDER (ORAL)

1. The petitioner is before this Court with a prayer for directions to issue to the respondent authorities to furnish and supply an extract certified photocopies of the electoral roll of the petitioner for the years 2011, 2016 and 2021, for his Father namely; Samsul Hoque for the years 1981, 1986, 1991, 1996, 2001 and 2006, and for his Grandfather Nachu Sheikh (since deceased) for the years 1966, 1971 and 1976. The directions are sought in view of the fact that the same are necessary for production before the learned Foreigners Tribunal at Kamrup, to show that the petitioner and his predecessors are Indian citizens.

2. Mr. S.K. Hassan, learned counsel for the petitioner submits that on the same not being supplied to him in spite of applications being made before the Deputy Commissioner (Election), West Garo Hills, Tura on 19.05.2025 and 20.08.2025, the writ petitioner has been compelled to approach this Court. He therefore, prays that appropriate orders be passed in this regard.



3. Mr. Philemon Nongbri, learned counsel for the respondents Nos. 1, 3 to 5, has submitted that the non-supply of certified copies of the electoral roll is that the records prior to years 2004, are not available with the said respondents. He further submits that the respondents are however ready to assist the writ petitioner in supplying any records that are available with the authorities. In this connection, the learned counsel has also placed before this Court an extract of the Manual on Electoral Rolls with regard to supply of certified copy of electoral roll, wherein it has been provided that an applicant can only apply for a certified copy of an entry pertaining to oneself in a roll. He submits that the writ petitioner in the instant case, perhaps due to the requirement before the Tribunal, has made an application for certified copies not only for his electoral roll, but also of his Father and the deceased Grandfather.

4. On hearing the learned counsel for the parties and on examination of the materials as placed, it is seen that the proceedings which are pending before the Foreigners Tribunal at Kamrup being F.T. Case No. 2952 of 2011, are not disputed, and as such the prayer of the writ petitioner is justified to the extent that the certified copies are necessary to establish that they are the Indian citizens.

5. In this context, though the Manual on Electoral Rolls allows an applicant to apply for certified copy of an entry pertaining only to



himself, however in the facts and circumstances of the case, this Court deems it fit to direct the authorities to supply extract certified copies of the electoral rolls pertaining to his father namely; Samsul Hoque, and grandfather Nachu Sheikh (since deceased). As it has been expressed by the learned counsel for the respondents No. 1, 3 to 5, that the records are available only from 2004, it is further directed that whatever records if available, even prior to 2004, be supplied accordingly.

6. It is expected that same be complied with as expeditiously as possible, on an application being preferred by the writ petitioner along with requisite fees.

7. As ordered above, the matter stands closed and is accordingly disposed of.

JUDGE

Meghalaya
22.10.2025
"V. Lyndem-PS"