

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

W.P. (Crl.) No. 9 of 2026

1. Smt. Jimit alias Kimi alias Yee Myint aged about 39 years W/o (L) Chawmia alias Zaw Min Oo alias Zaw Min Oo resident of Mangswa Khutan village, P.S. Monywa, Mangswa District, Sagaing Division, Myanmar.
2. Smt. Mimue alias Sangtei aged about 21 years D/o Jimit alias Kimi Yee Myint (Mother) and (L) Chawmia alias Zaw Min Oo resident of Mangswa Khutan village, P.S. Monywa, Mangswa District, Sagaing Division, Myanmar.
3. Baby Somia Thah alias Saw Myat Htet's 14 years D/o Jimit alias Kimi alias Yee Myint (Mother) and (L) Chawmia alias Zaw Min Oo resident of Mangswa Khutan village, P. S. Monywa, Mangswa District, Sagaing Division, Myanmar.

.....Petitioners

Vs.

1. State of Manipur represented by Additional Secretary (Home), Government of Manipur, 2nd Floor, North Block, Room No: 127, Manipur Secretariat Complex, Mantripukhri, P.O. & P.S. Heingang, Imphal East District, Manipur-795002.
2. The Union of India represented by Under Secretary (Myanmar), Government of India, Ministry of External Affairs (BM Division), Room No. 28, South Block, New Delhi-110011.
3. The State of Manipur represented by Commissioner (Home), Government of Manipur, 2nd Floor, Room No.78, South Block, Manipur Secretariat Complex, Mantripukhri, PO & PS Heingang, Imphal East District, Manipur-795002.

4. The Directorate General of Police, Government of Manipur, Manipur Police Head Quarter, Mantripukhri, PO & PS Heingang, Imphal East District, Manipur-795002.
5. The Superintendent of Prison, Women Foreigners Detention Centre, Manipur Central Jail, Imphal.
6. The Officer-in-Charge, Moreh Police Station at Moreh, PO & PS Moreh, Tengenoupal District, Manipur-795131.

.....Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE AHANTHEM BIMOL SINGH

For Petitioners	::	Mr. Tungrei Ngakang, Advocate
For Respondents	::	Mr. Chittaranjan, Addl.AG for respondent Nos. 1,3,4,5 & 6 and Mr. Kh. Samarjit, DSGI instructed by Mr. N. Nongdamba for respondent No.2
Date of Hearing	::	27.04.2026
Date of Judgment & Order	::	27.04.2026

JUDGMENT AND ORDER
(ORAL)

(M. Sundar, CJ)

[1] Captioned 'Writ Petition' ('WP' for the sake of convenience and brevity) pertains to deportation/repatriation of the 3(three) writ petitioners who according to the learned counsel for writ petitioners are citizens of Myanmar.

[2] Mr. Tungrei Ngakang, learned counsel on record for the 3(three) writ petitioners is before this Court (physical Court). Learned counsel submits that writ petitioner No.3 who is daughter of writ petitioner No.1 is a minor and therefore, writ petitioner No.3 is represented by her mother i.e., writ petitioner No.1.

[3] Learned counsel for writ petitioner submits that the 3(three) writ petitioners along with 22(twenty two) others were arrested on 05.10.2021 by 20 Assam Rifles in Indian Territory and handed over to Moreh Police Station and 'First Information Report' ('FIR' for the sake of convenience and brevity) was registered inter-alia alleging offences under Sections 468/471 of Indian Penal Code (IPC) {45 of 1860}, section 51(b) of the Disaster Management Act, 2005 (53 of 2005) and section 14 of the Foreigners Act, 1946 (31 of 1946). It is further submitted that petitioner No.1 applied for bail in the Court of jurisdictional 'Judicial Magistrate First Class' ('JMFC' for the sake of convenience and brevity) i.e., JMFC Moreh, bail was granted and on compliance of bail conditions release order was also issued on 02.03.2024.

[4] Learned counsel for writ petitioners submits that in and vide communication dated 24.11.2025 bearing reference No. B-2/17/2004-MCJ, respondent No.5 (The Superintendent of Prison, Women Foreigners Detention Centre, Manipur Central Jail, Imphal) has sent a communication to the Director General of Police (Prisons), Government of Manipur, Imphal inter-alia giving a list of Myanmar Nationals who are now under detention at Women Foreigners Detention Centre at Manipur Central Jail, Imphal. Learned counsel for writ petitioners submits that this list of inmates was given for the purpose of deportation process and this is reflected in the communication itself. It is also pointed out that writ petitioner Nos. 1, 2 & 3 are Sl. Nos 8, 9 & 13 respectively in the tabulation qua 24.11.2025 communication. It is also submitted by learned

counsel for writ petitioners that similarly placed persons have got the benefit of repatriation orders vide section 11(1) of the Foreigners Act, 1946.

[5] Issue notice to respondents.

[6] Mr. Soraisham Chittaranjan Singh, learned Addl. Advocate (Addl. AG) General who is in Court and who is assisted by Yambem Max Singh, learned advocate accepts notice for respondent Nos. 1,3,4,5 & 6. Mr. N. Nongdamba, learned counsel who is present in Court (physical Court) accepts notice for respondent No.2 and Mr. Kh. Samarjit, learned Senior Advocate and learned Deputy Solicitor General of India (DSGI) appears on his behalf.

[7] Learned Addl. AG for State of Manipur, Mr. Soraisham Chittaranjan Singh very fairly submits that the deportation/repatriation process is underway and the cases of the writ petitioners are under consideration.

[8] In the light of the narrative thus far, with the consent of all the afore-referred learned counsel on both sides, main WP was taken up and heard out.

[9] It was brought to notice of this Court by learned counsel for writ petitioners that a representation dated 15.04.2026 has been sent inter-alia to respondent No.3 (The State of Manipur represented by Commissioner (Home), Government of Manipur, 2nd Floor, Room No.78, South Block, Manipur Secretariat Complex, Mantripukhri, PO & PS Heingang, Imphal East District, Manipur-795002) and the same has been received by respondent No.3 on 17.04.2026 and for the present, learned counsel for writ petitioners de-scope the prayer in the

WP and he submits that it would suffice if there is a direction to respondent No.3 to dispose of the representation dated 15.04.2026 on its own merits and in accordance with law.

[10] To be noted, a scanned reproduction of this representation dated 15.04.2026 along with endorsement demonstrating receipt by respondent No.3 on 17.04.2026 as placed in the case file is as follows:

[1] **ANNEXURE- 1/10**

To

Received No. 182
Dated 17/4/26
Jail Department, Manipur

1. The Under Secretary (Myanmar), Government of India, Ministry of External Affairs (BM Division).
2. The Commissioner (Home), Government of Manipur. — *17/4/26*
3. The Additional Secretary (Home), Government of Manipur. R.R. No. 268...Dt. 17/4/2026
4. The Director General of Police (Prisons), Government of Manipur. Addl. Secy. (Home)
5. The Superintendent of Police, Women Foreigners Detention Centre, Manipur Central Jail, Imphal. *Sangam Singh*
6. The Superintendent of Police, Tengnoupal District, Manipur. Directorate of Prisons
R.R. No. 101
17/4/26

Subject: Humble Representation for Early Deportation/Repatriation of Myanmar Nationals detained at Women Foreigners Detention Centre, Manipur Central Jail, Imphal in connection with FIR No. 45(10)2021, MRH-PS under Section 14 Foreigners Act read with Sections 107/34 IPC.

o/c

Sir(s),

We, the undersigned Myanmar nationals, presently detained at the Women Foreigners Detention Centre, Manipur Central Jail, Imphal, in connection with FIR No. 45(10)2021, MRH Police Station under Section 14 of the Foreigners Act read with Sections 107/34 IPC, most respectfully submit this representation seeking expeditious deportation/repatriation to our home country, Myanmar.

1. That we were arrested by the Moreh Police Station on 05.10.2021 at about 1500 hours at PVCP 20th Check Post, Khudengthabi, along with 24 co-accused persons. Among them, there were 7 (seven) males, 14 (fourteen) females, and 3 (three) minor children.

2. That some of the similarly situated women detainees have already been deported/repatriated to Myanmar. However, we continue to remain in detention despite identical circumstances.

3. That we have been in incarceration at the Women Foreigners Detention Centre, Manipur Central Jail, Imphal, for more than four and a half years, even after being granted release orders by the learned Judicial Magistrate First Class, Moreh.

4. That the Additional Secretary (Home), Government of Manipur, vide letter dated 11th November 2025 bearing No. H-201/20/2025-HD-HD, submitted a status report regarding 23 women foreign detainees lodged in the said detention centre to the Under Secretary (Myanmar), Ministry of External Affairs (BM Division), Government of India. Out of the said detainees, the names of 14 (fourteen) women, including the undersigned, were included.

TRUE COPY
Cham Biding
Advocate

(10)

[2]

5. That it was specifically noted in the said report that the undersigned have been granted bail by the competent court and have submitted their personal data forms required for deportation, and are awaiting confirmation.
6. That thereafter, the Additional Secretary (Home), Government of Manipur, vide letter dated 20th November 2025, bearing No. H-201/20/2025-HD-HD, requested the Director General of Police (Prisons), Manipur, to furnish the personal data forms of the undersigned for urgent necessary action.
7. That on 24th November 2025, the Superintendent, Manipur Central Jail, Imphal, duly furnished the original personal data forms along with recent passport-sized photographs of 14 (fourteen) Myanmar national detainees for the purpose of deportation.
8. That again, on 26th November 2025, the Director General of Police (Prisons), Manipur, forwarded the personal data forms (PDF) along with photographs of the said detainees to the concerned authorities.
9. That despite completion of all procedural formalities and continuous correspondence between authorities, the process of deportation/repatriation has not been finalized till date.
10. That the continued detention of the undersigned for such a prolonged period, without filing of charge sheet and beyond the permissible period of detention, amounts to a serious violation of fundamental rights under Article 21 of the Constitution of India.
11. That it is further submitted that the three minor children who were detained along with their mothers have been deprived of their right to education and normal childhood, having remained in detention for more than four and a half years.

Prayer

In view of the facts and circumstances stated above, it is most humbly prayed that your good offices may be pleased to:

1. Expedite the process of deportation/repatriation of the undersigned to Myanmar at the earliest;
2. Ensure parity with similarly situated co-accused who have already been deported; and
3. Pass any other appropriate order(s) in the interest of justice, equity, and good conscience.

And for this act of kindness, the undersigned shall ever pray.

Dated: 15-04-2026

Imphal

TRUE COPY
Chen Kashyap
Advocate

Yours faithfully,

(Signatures of the Applicants on the next page)

Sl No.	Name, Age & W/o/D/o	Address	Signature/Thumb impression
1.	Kanithum @ Jingpui (22) w/o shitu of @ Horey Htan	Butalen Toyaro, Myanmar, P.S. Butalen, District Mong Hsat	Kanithum
2.	Thiutauh @ Tlaang (18) w/o Phuchan @ Phyu Toke	Butalen, Toyaro, Myanmar, P.S. Butalen District - Mongwa	Thiutauh
3.	Le lenai @ kim kim (19) w/o Thantua @ lae lae Naing	- do -	Le lenai
4.	Le lemuang @ Tetai (21) D/o chawmoe @ lae lae Mon	- do -	Le le muang
5.	Mumuthi @ Lalmona aih (22) w/o Niumuithu @ Moe Moe Htay	Mangswa Khutan Village, Myanmar P.S. Mongwa District mangwa sagang	Mu Mu thi
6.	Mejehu @ kimtezo (20) D/o Uchaw Su @ May Zin Oo	- do -	Mejehu
7.	Aung mau @ Mamaui (19) D/o Uchaw Su @ Aung Mar Oo	- do -	Aung ma u
8.	Jim it @ kim (34) w/o chawmigu @ Yee Myint	- do -	Jim it
9.	Thaimathu @ Khumi (30) w/o Thonayo @ Khing Mar Htoo	Butalen, Toyaro, Myanmar, P.S. Butalen District mongwa	Thaimathu
10.	Le letu @ Masmaui (30) D/o Aum O @ lae lae Thu	Mangswa Khutan Village, Myanmar P.S. Mongwa District mangwa sagang	Le letu
11.	Ema @ Thauhoth (35) w/o Uchawle @ Aye Mar	- do -	Ema
12.	Mimue @ Sangte (20) D/o U joma @ Myint Myint Oo	- do -	Mimue

TRUE COPY
Chau Kishup
Advocate

13.	Yatei S.v @ Thaugde (22)	Phungdoret, Sonra (Burma) Myanmar A/P	yatei
14.		Khamsom Village, Ukhrul.	
15.			
16.			
17.			
18.			
19.			

15/1/20
Jailor
Maitpur Central Jail
Imphal

[11] Learned counsel for writ petitioners submits that writ petitioner Nos. 1 & 2 are at serial Nos. 8 and 12 respectively in the tabulation in the representation containing the list of signatories. It is also to be noted that, as already alluded to supra, writ petitioner No.3 is a minor and she is represented by her mother who is writ petitioner No.1.

[12] In the light of the narrative thus far, considering what unfurls in the hearing, more particularly owing to learned counsel for writ petitioners de-scoping the prayer, we deem it appropriate to make a simple order directing respondent No.3 to continue the consideration of repatriation/deportation and dispose of the afore-referred representation dated 15.04.2026 as regards the 3(three) writ petitioners on its own merits and in accordance with law as expeditiously as the official business of respondent No.3 would permit but in any event on or before 29.05.2026. To be noted, 29.05.2026 denotes 6(six) weeks from the date receipt of afore-referred representation by respondent No.3.

[13] The afore-referred representation disposed of in the aforesaid manner by respondent No.3 shall be by way of a speaking order and the same shall be served on each of the writ petitioners within 5(five) working days from the date on which the order of disposal is made and such service shall be under due acknowledgement from the respective addressees.

[14] Though obvious, we make it clear that if writ petitioners are either not satisfied or aggrieved by the disposal of the afore-referred representation in the aforesaid manner, it is open to writ petitioners to assail the same in a manner

known to law and for this purpose, all questions raised in the captioned WP are left open and it is further made clear for the sake of specificity that for the purpose of such a possible future scenario, all questions in captioned WP are left open for both sides.

[15] Captioned WP is disposed of in the aforesaid manner. There shall be no order as to costs.

JUDGE

CHIEF JUSTICE

FR/NFR

John Kom

P.S. I : Upload forthwith

P.S. II : All concerned will stand bound by web copy uploaded in High Court website inter alia as the same is QR coded.