



Serial No.18
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No. 5 of 2026

Date of Decision: 05.02.2026

Mr. Philarius Khyllait,
S/o (L) Braim Khyllait,
R/o Kyndong Wahlang,
Nongspung Syiemship,
East Khasi Hills District,
Meghalaya.

...Petitioner

-Versus-

1. The Khasi Hills Autonomous District Council,
Shillong, Meghalaya,
Represented by its Secretary.
2. The Executive Committee,
Khasi Hills Autonomous District Council,
Shillong, Meghalaya, represented by its Secretary.
3. The Executive Member I/c Elaka Administration,
Khasi Hills Autonomous District Council,
Shillong.
4. Shri. Curtis Rani,
The Acting Chief,
Hima Nongspung, East Khasi Hills District.
5. Shri. Kelingstar Rani,
Secretary,
Hima Nongspung, East Khasi Hills District.
6. The Election Committee-cum-Advisory
Committee, Nongspung Syiemship,
East Khasi Hills District.



7. Shri. Phorjen Warjri,
Acting Headman,
Kyndong Wahlang, Nongspung Syiemship.

...Respondents

Coram:

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

Appearance:

For the Petitioner/Applicant(s) : Mr. K.S.Kharshiing, Adv.

For the Respondent(s) : Mr. T.T.Diengdoh, Sr. Adv. with
Mr. C.C.T.Sangma, Adv. for R 1-3.
Mr. J.Shylla, Adv. for R 4 & 5.

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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. Heard Mr. K.S.Kharshiing, learned counsel for the petitioner.
2. Mr. J.Shylla, learned counsel has entered appearance today on behalf of the respondents No. 4 & 5.
3. It is submitted by the learned counsel for the petitioner that though notice was sought to be served on the respondent No.7 who is presently the Acting Headman, the same was refused.



4. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. C.C.T.Sangma, learned counsel for the respondents No. 1, 2 & 3, has at the outset submitted that the matter regarding the office of the Headman of Kyndong Wahlang, Nongspung Syiemship is under active consideration as there appears to be a lot of claims and counter claims. This submission is also endorsed by Mr. J.Shylla, learned counsel for the respondents No. 4 & 5, who has submitted that even the Sanad dated 26-08-2025, which it is stated has been issued by the earlier Acting Syiem is also under question.

5. Mr. K.S.Kharshiing, learned counsel for the petitioner however, submits that the petitioner has been duly elected by the village itself, for a term of three years which is to expire on 2028, and he has been removed for reasons not known. He therefore, submits that though he has no objection if the matter is remanded to be adjudicated by the Executive Committee, of the District Council, however, he prays that he may be allowed to continue as the duly elected Headman of Kyndong Wahlang until further orders, and that the impugned order of removal be set aside and quashed.

6. I have heard the learned counsel for the parties and also examined the materials as placed. As submitted by Mr. T.T.Diengdoh, learned Sr. counsel, as there are claims and counter claims, it is necessary for the respondent No. 2 to have an in-depth inquiry into the matter so as to ascertain the correct



position. This Court is in agreement with the submissions of the learned Sr. counsel, inasmuch as, many disputed facts have been brought into play, such as, whether there was any election for the post of Headman as claimed by the petitioner, whether the Sanad was issued by the earlier Acting Syiem and whether there were any effective complaints against the writ petitioner.

7. In this view of the matter, the matter shall stand remanded to the respondent No. 2, who after issuance of notice to all concerned parties including the earlier Acting Syiem, shall pass appropriate orders. It is expected that the inquiry shall be completed expeditiously, preferably within a period of two months from the date of this order.

8. As ordered above, matter stands disposed of.

Judge