*Item No. 8*
***(Video Conferencing)***

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

**W.P. (C) No. 464 of 2020**

1. Shri Mutum Bijoy Singh, aged about 65 years, S/o (Late) M. Medana Singh, a resident of Kiyam Siphai Babu Bazar, P.O. & P.S. Thoubal, Thoubal District, Manipur – 795138, President, Joint Action Committee, Tangjeng Lampak amasung Tangjeng Ching Kanba Lup, Thoubal.
2. Shri. Sapam Khomei Singh, aged about 54 years, S/o (Late) S. Natum Singh, a resident of Kiyam Siphai, P.O. & P.S. Thoubal, Thoubal District, Manipur-795138, Secretary, Joint Action Committee, Tangjeng Lampak amasung Tangjeng Ching Kanba Lup, Thoubal.

……. ***Petitioners***

- Versus –

1. The State of Manipur represented by the Commissioner/Secretary (Revenue), Government of Manipur, New Secretariat, P.O. & P.S. Imphal, Manipur. 795001.
2. The Director, Settlement and Land Records, Government of Manipur, Lamphelpat, P.O. & P.S. Lamphel, Manipur-795004.
3. The Assistant Survey & Settlement Officer, Thoubal, Government of Manipur, P.O. & P.S. Thoubal, Thoubal District, Manipur-795138.

…. ***Respondents***

BEFORE
**HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR**

| | | |
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| For petitioners | : | Mr. I. Lalitkumar, Sr. Advocate |
| For respondents | : | Mr. R.K. Umakanta, G.A. |
| **Date of Order** | **:** | **24.08.2020** |

## ORDER

**[1]** Heard Mr. I. Lalitkumar, learned senior counsel appearing for the petitioners and Mr. R.K. Umakanta, learned Government Advocate appearing for the respondents.

**[2]** The prayers in the writ petition are as follows :-

> ***(i)*** *to direct the respondent No. 2 and 3 to dispose of the representation dated 15/01/2020 (Annexure/A2) within a time bound period;*
> ***(ii)*** *to direct the proforma respondents not to construct/erect any structures inside the State Khass Land till the disposal of the representation dated 15/01/2020*

**[3]** The petitioners are the President and Secretary of the "Joint Action Committee, Tangjeng Lampak Amasung Tangjeng Lampak Ching Kanba Lup", Thoubal District, Manipur. The sole object of forming such Committee is to preserve the Tangjeng Lampak (Grazing Field) and Tangjeng Ching (Slop Hill) of Kiyam Siphai, Thoubal District, Manipur. In the said land, a lot of Ritual/Customary ceremonies (Lai Haraoba) and other public functions are being held for the last many decades since the time immemorial.

The villagers of the petitioner's locality are preserving those trees growing in the slop hills and surrounding areas so as to save and protect the environment of the nature and further take care of such place. While doing so, it has been found that some of the Revenue Staff of the State Government in connivance with some vested and interested persons, had allotted the State Khass land of the Tangjeng Lampak (grazing fileld) and Tangjeng Ching (Hill slop) which is located within the locality of Kiyam Siphai, Thoubal District, Manipur to those persons whose name has been entered in the relevant land records. And the same has been done in violation of the order dated 29/01/1998 passed in DLR Misc. Case No. 27 of 1998.

Thereafter, the petitioners had approached before the concerned Revenue Office to correct the land records. However, the same has not been attended and considered. As a last resort, the petitioners finally approached before the Hon'ble Chief Minister, Manipur in MEEYAMGI NUMIT for taking up necessary action vide their application dated 15/01/2020; and the same was duly endorsed to the concerned Government respondents for necessary action. But till date no appropriate action has been taken. Hence, the present writ petition has been filed.

**[4]** The statement that they approached the revenue authority is not borne on the basis of record. There is no representation or petition to the senior revenue authority in the rank of Secretary to the Government, who could have taken a call on this issue. Unfortunately, in this case, the representation was made to the Chief Minister without approaching the competent authority of the revenue department by a proper representation. Be that as it may, in order to effectively take a decision on this issue, the petitioner has to approach the competent revenue authority who will be able to take a decision whether the claim is justified. Furthermore, any person or persons, who will be affected by such decision, should also be properly noticed so as to avoid allegation of violation of principles of natural justice.

Since the representation is not given to the proper and competent authority of the revenue department, the writ petition stands disposed of giving liberty to the petitioner to make a detailed and proper representation

to the competent authority. As and when such a representation is made, it can be considered on its own merits, of course, by giving opportunity to any person or persons who may be affected by such decision so as to avoid allegation of violation of principles of natural justice.

Writ petition stands disposed of as above.

**CHIEF JUSTICE**

*Sandeep*

WAIKHOM TONEN MEITEI
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