Item No. 08

IN THE HIGH COURT OF MANIPUR
AT IMPHAL
WP(C) No. 1069 of 2016

(Through video conference)

1. Shri V.S. Ngahanpam, aged about S/o Late V.S. Wungnaoyo, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

2. Shri V.S. Wonmi, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur resident of Khayang Village, PO Ukhrul& PS KamjongChassadUkhrul District, Manipur.
3. ShriC.H. Lightson, aged about 41 S/o C.H. Meiteipam, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.
4. ShriC.H. Kanmi, aged about 56 S/o C.H. Vangai, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

5. ShriC.H. Wungnaokan, aged about 58 S/o C.H. Haoching, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

6. ShriR.S. Solomon, aged about 43 S/o R.S. Naokahao, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

7. ShriV.S. Luckson, aged about 58 S/o V.S Shangyur, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

8. ShriM. Philip, aged about 40 S/o M. Wungnaochin, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

9. ShriH.R. Vareipam, aged about 57 S/o H.R. Wungnaoyo, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

10. ShriV.S Shimthing, aged about 43 S/o V.S. Ruichumsai, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

11. ShriC.H. Shimreingam, aged about 56 S/o C.H. Mangamleng, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

12. ShriV.S. Shanrei, aged about 55, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur.

13. ShriM. Mataishang, aged about 55, a permanent resident of Tinsong Village P.O. Karong Mao-MaramTadubi sub-Division, P.S. Senapati, Senapati district, Manipur

... Petitioners

-Versus-

1.The State of Manipur through the Commissioner/ Principal Secretary, Tribal Affairs/Hills & SC, Government of Manipur.

2. The Deputy Commissioner, Senapati District, Government of Manipur.

3. The Sub-divisional Officer (SDO), Mao- MaramSenapati District, Government of Manipur.

4. Shri. R. Wakhao, Tingsong Village, Mao-Maram, Sub-Division, Senapati District, Government of Manipur.

... Respondents.

B E F O R E
HON'BLE MR. JUSTICE MV MURALIDARAN

For the petitioners :: R.S. Reisang, Sr. Adv.

For the respondents :: M. Rarry, Addl. AG
Mr.N. Bipin, Adv.

Date of hearing and
Order :: 19.10.2020.

JUDGMENT & ORDER

(ORAL)

[1] I heard Mr. R.S Reisang, learned senior counsel for the petitioners and Mr.M.Rarry, learned Addl. AG for the respondents.

[2] When the matter is taken up, Mr.R.S.Reisang, learned senior counsel for the petitioners has not pressed the prayer No.2 but he prayed this Court that prayer No.3 may be considered by directing the respondents to consider and dispose of the representations dated 16.11.1999, 20.10.2004, 03.04.2008, 11.10.2011 and 05.09.2013which are enclosed as Annexure A6 and A9 and which is suffice and satisfied bythe writ petitioner.

[3] Whereas Mr. M. Rarry, learned Addl. AG for the respondents represented that counter affidavit has been filed by the 1st respondent dated 26.09.2019 and in which the Annexure R3 dated 17.10.2012 has been enclosed.

[4] Mr. M. Rarry, learned Addl. AG, learned counsel for the respondents by showing the Annexure R3 dated 17.10.2012 represented before this Court that a suitable direction may be issued to the respondents to consider the writ petitioners' representations dated 16.11.1999, 20.10.2004, 03.04.2008, 11.10.2011 and 05.09.2013 in the light of the order as per the Annexure R3 dated 17.10.2012.

[5] Mr. R.S. Reisang, learned senior counsel for the petitioner agreed the representation made by Mr. M. Rarry, learned Addl. AG but he prayed this Court that instead of considering the representations dated 16.11.1999, 20.10.2004, 03.04.2008, 11.10.2011 and 05.09.2013 which are given long back, the writ petitioner may be permitted to give fresh representation to the respondents and the same may be considered within a stipulated period of time in the light of the said document of Annexure R3 dated 17.10.2012.

[6] Considering both sides arguments, it is appropriate that instead of directing the respondents to consider the writ petitioner's earlier representations dated 16.11.1999, 20.10.2004, 03.04.2008, 11.10.2011 and 05.09.2013 which were given long back particularly in the year 1999, 2004, 2008, 2011 and 2013, permission is granted to the writ petitioner to give fresh representation to the respondents for considering his request.

[7] Accordingly without going into the merits and demerits of the case of the writ petitioner, I am inclined to pass the following orders:

(a) The writ petition is disposed of.

(b) the prayer No.2 in this writ petition has not been pressed by the writ petitioner. Accordingly the same is rejected.

(c) the writ petitioner is given liberty to give fresh representation within a period of 2(two) weeks from the date of receipt of this order by making request of prayer No.3 in this writ petition to the concerned Department and on receipt of the same, the respondents are directed to consider if the petitioner has given the representation within a time stipulated by this Court and to pass

appropriate speaking orders by giving fair opportunity to the petitioners in the light of the Annexure R3 dated 17.10.2012 within a period of12(twelve) weeks thereafter.

[8] Accordingly, the writ petition is dispose of.

JUDGE

John Kom

Yumkham Rother

Digitally signed by Yumkham Rother
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