Item No.1
(Video Conferencing)

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

PIL No. 47 of 2020

Athokpam Indrakumar Singh & anr. ……Petitioners
- Versus –
The Union of India & ors. …..… Respondents

BEFORE
HON'BLE THE CHIEF JUSTICE MR. RAMALINGAM SUDHAKAR
HON'BLE MR.JUSTICE KH.NOBIN SINGH

For the petitioners :: Mr. N.Jotendro, Sr. Advocate
For the respondents :: Mr. N.Kumarjit Singh, AG
Mr. S.Suresh, ASG
Date of order :: **17.12.2020**

ORDER(ORAL)

Ramalingam Sudhakar,

[1] Heard Mr. N.Jotendro, learned senior counsel for the petitioners. Mr.N.Kumarjit, learned Advocate General appears for the State respondents and Mr.S.Suresh, learned ASG appears for the Union respondent.

[2] The prayer No.(ii) in the PIL is as follows:-

> "ii) issue a writ in the nature of mandamus or any other appropriate writ of the like nature for an appropriate direction to the concerned authority/authorities to modify/alter the Proposed Imphal Ring Road re-alignment of the Proposed Proposed Imphal Ring Road plan right from CMC Hospital through Mongjam via Chairenthong, DC Office, Imphal East, Kongba Trijunction, Jubaraj Palli IVR upto Maharaja Gambhir Singh Statue, Chanchipur , Imphal West by making re-alignment on the proposed map sketched through dotted line as the said land affected various households thereby going to displace many houses and the same are likely to be separated from the family members each other and in order to save the public exchequer the proposed Proposed Imphal Ring Road may be re-alignated on the proposed map submitted by the petitioners in order to save the public money and also beautify the road with less curves and crisscross and also further direct to consider and disposed of the representation submitted by the petitioners on 21.9.2020 and 7.11.2020 as available at Annexure-A/4 & A/5 within a reasonable period and till such consideration the road construction may be restrained or may not be constructed without the leave of the Hon'ble Court or maintain status quo;."

[3] A mere reading of the prayer in the writ petition makes it clear that the petitioners in public interest want to modify or alter the proposed Imphal Ring Road plan on certain issues that he has raised. The relief sought for by the petitioners appears to be an issue of technical nature and the competent authority, respondents alone are capable of deciding what would be the appropriate manner in which the road should be laid. There is no breach of any provision of law or rule alleged in this present case except stating that alignment is not to the satisfaction of the petitioner. If the same allegation is placed by any third party, then there will be conflict of view on the alignment. The authority cannot be called upon to answer each and every representation of individuals seeking modification of the alignment. If such proposal is accepted and if a direction is issued to consider each one of the representations, then there will be no road to be laid because each one may want to align the road in the manner he wishes. This will stall the entire process of laying the Ring Road and it will not benefit the general public. If there is any violation of law or rule in the proposed Imphal Ring Road, then there is an issue for the petitioner to agitate in the manner prescribed by law. The allegation of the petitioners appears to be technical and individual in nature and not in public interest. Accordingly, we find no merit in the PIL. Dismissed.

JUDGE CHIEF JUSTICE

FR/NFR

Opendro(rt)

Yumkham Rother
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