Item No. 4-5

IN THE HIGH COURT OF MANIPUR
AT IMPHAL

WP(C) No. 827 of 2026 with
MC(WP(C) No. 840 of 2026

Nongthombam Laxmikumar Singh

…..Petitioner/s

-Versus-

State of Manipur & 3 Ors.

….Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

03.11.2026

[1] Heard Mr. Ajoy Pebam, learned counsel for the petitioner and Mr. S. Niranjan, learned G.A. appearing on behalf of the respondents.

[2] By the present petition, the petitioner prays for:

(i) issue rule nisi calling upon the Respondents to show cause as to why a Writ of Mandamus should not be issued for directing the Respondents to re-verify the homestead land under Jamabandi Patta No. 86/677 (New), C.S. Dag No. 490/867, measuring 0.17700 acre, situated at Village No. 15, Khurai Sajor Leikai, Imphal East District of the Petitioner.

(ii) direct the Respondents to consider and dispose of the representation dated 30/10/2026 submitted by the Petitioner.

(iii) direct the Respondents that the Petitioner shall not be evicted from his homestead land by demolishing his structure/workshed without due process of law.

(iv) pass any order or directions which the Hon'ble Court deems fit and proper in the facts and circumstances of the case;

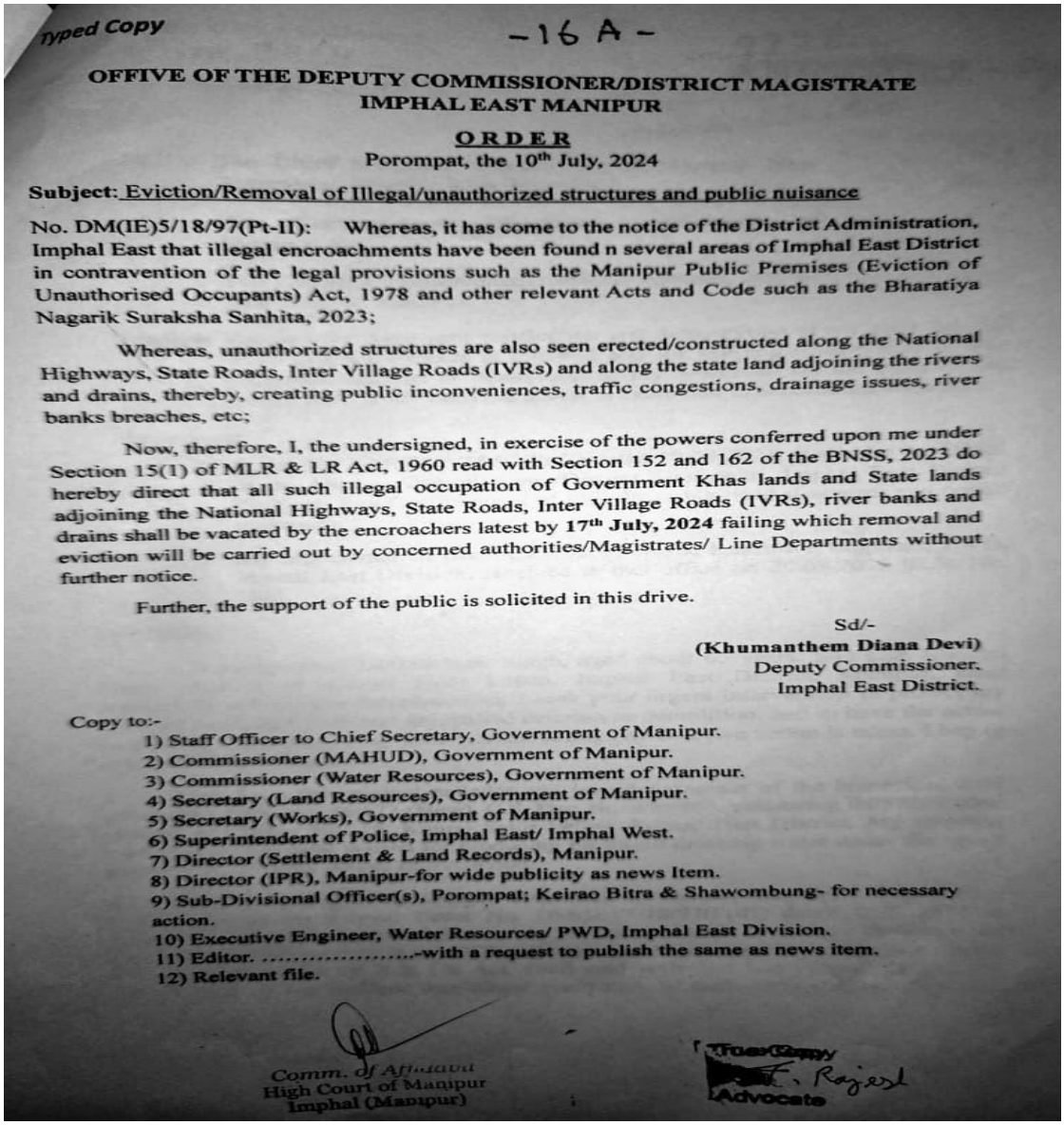
(v) cost of litigation

-AND-

IN INTERIM:

In the interim, your Lordships be pleased to direct the Respondents that the Petitioner shall not be evicted from his Patta land without due process of law or status quo of the Petitioner's land as on today shall be maintained till the disposal of the present writ petition for the ends of justice.

[3] The reason for approaching this Court is on the basis of an order dated 10.07.2024 issued by Deputy Commissioner, Imphal East issuing a general direction for eviction/removal of illegal/unauthorized structures and public nuisance and illegal occupant of Government and State land adjoining the National Highways, State Roads, Inter Village Roads (IVRs), river banks and drains in Imphal East. The order dated 10.07.2024 is reproduced below:



Typed Copy

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OFFIVE OF THE DEPUTY COMMISSIONER/DISTRICT MAGISTRATE
IMPHAL EAST MANIPUR

ORDER

Porompat, the 10th July, 2024

Subject: Eviction/Removal of Illegal/unauthorized structures and public nuisance

No. DM(IE)5/18/97(Pt-II): Whereas, it has come to the notice of the District Administration, Imphal East that illegal encroachments have been found n several areas of Imphal East District in contravention of the legal provisions such as the Manipur Public Premises (Eviction of Unauthorised Occupants) Act, 1978 and other relevant Acts and Code such as the Bharatiya Nagarik Suraksha Sanhita, 2023;

Whereas, unauthorized structures are also seen erected/constructed along the National Highways, State Roads, Inter Village Roads (IVRs) and along the state land adjoining the rivers and drains, thereby, creating public inconveniences, traffic congestions, drainage issues, river banks breaches, etc;

Now, therefore, I, the undersigned, in exercise of the powers conferred upon me under Section 15(1) of MLR & LR Act, 1960 read with Section 152 and 162 of the BNSS, 2023 do hereby direct that all such illegal occupation of Government Khas lands and State lands adjoining the National Highways, State Roads, Inter Village Roads (IVRs), river banks and drains shall be vacated by the encroachers latest by **17th July, 2024** failing which removal and eviction will be carried out by concerned authorities/Magistrates/ Line Departments without further notice.

Further, the support of the public is solicited in this drive.

Sd/-
(Khumanthem Diana Devi)
Deputy Commissioner,
Imphal East District.

Copy to:-
1) Staff Officer to Chief Secretary, Government of Manipur.
2) Commissioner (MAHUD), Government of Manipur.
3) Commissioner (Water Resources), Government of Manipur.
4) Secretary (Land Resources), Government of Manipur.
5) Secretary (Works), Government of Manipur.
6) Superintendent of Police, Imphal East/ Imphal West.
7) Director (Settlement & Land Records), Manipur.
8) Director (IPR), Manipur-for wide publicity as news Item.
9) Sub-Divisional Officer(s), Porompat; Keirao Bitra & Shawombung- for necessary action.
10) Executive Engineer, Water Resources/ PWD, Imphal East Division.
11) Editor. .....-with a request to publish the same as news item.
12) Relevant file.

Comm. of Affidavit
High Court of Manipur
Imphal (Manipur)

True Copy
Advocate

[4] Mr. Ajoy Pebam, learned counsel for the petitioner, submits that recently the revenue officials came with a copy of the order dated 10.07.2024 (supra) and informed him to demolish the work shed erected by him in his patta land. However, any other documents, except the order dated 10.07.2024 issued by Deputy Commissioner, Imphal East, has been issued to him. In the circumstances, apprehending eviction, the petitioner submitted a joint representation dated 30.10.2026 to (i) The Chief Secretary, Government of Manipur; (ii) The Commissioner (Revenue), Government of Manipur; and (iii) The Deputy Commissioner/District Magistrate, Imphal East inter-alia requesting for fresh verification and demarcation of his patta land before conducting any eviction in pursuance to the order dated 10.07.2024. The prayer in the representation is reproduced as:

> *"1) direct a fresh spot verification and joint demarcation of my land under Patta No. 86/677 (New), C.S. Dag No. 490/867, measuring 0.017700 acre, in my presence.*
>
> *2) direct the revenue officials and the PWD, Imphal East Division, to inspect the site together, examine the records, and fix the exact position of my workshed in relation to the drain alignment and the adjoining Government land.*
>
> *3) direct examination of the records and markings of the eviction exercise under Order dated 10.07.2024, in which my workshed was not marked, and state the basis on which it is now called unauthorized.*
>
> *4) keep in abeyance any eviction or demolition of my workshed, and any irreversible action on the disputed portion, until the verification is complete, my objections are heard, and a reasoned decision is given to me in writing, subject to the applicable law.*
>
> *5) direct PWD to consider the realignment requested on 29.09.2026, or to provide suitable engineering protection for the foundation and structure of my workshed.*
>
> *6) furnish copies of any survey report, demarcation map, inspection report, or specific notice relied upon against my workshed, and clarify how an order with an expired deadline of 17.07.2024 is being acted on now.*

7) *give me a reasonable opportunity to place my land documents and objections before any adverse decision.*

8) *pass any other order considered necessary to protect my lawful property rights."*

[5] It is submitted that the petitioner has strong apprehension of being evicted on the basis of the order dated 10.07.2024 and direction may be issued to verify the area of patta land of the petitioner before conducting any eviction.

[6] Issue notice.

[7] Mr. S. Niranjan, learned G.A. accepts notice on behalf of respondent Nos. 1 to 4.

[8] Learned G.A. raises the question of maintainability of the writ petition on the ground that the apprehension of the petitioner of being evicted on the basis of general order dated 10.07.2024 is unfounded, as any specific notice has been issued by the authority for eviction of the petitioner. It is also submitted that for reverification, measurement and demarcation of his patta land, the petitioner has to approach the concerned revenue authority.

[9] This Court perused the materials on record. The petitioner has apprehension of evicting on the basis of the order dated 10.07.2026. It is admitted case that no eviction notice or eviction order has been issued by the State authority to the petitioner and the writ petition is based on mere apprehension of being evicted. This Court also finds substance in the submissions of learned G.A. that demarcation, measurement, etc. are the function of the revenue officers under Manipur Land Revenue and Land Reforms Act, 1960 and Rules of 1961 and 1962. In the circumstances, writ petition is disposed of on the ground that the common order dated 10.07.2024 issued by Deputy Commissioner, Imphal East for eviction of illegal occupants and demolition of illegal structure from the Government land, does not authorize the State respondent from evicting the petitioner

from his patta land without any verification. For the prayers in the writ petition, the petitioner has liberty to approach appropriate revenue authority or any other authority.

[10] With these observations, writ petition is disposed of. Misc. application is also disposed of.

JUDGE

Kh. Joshua Maring

KH. JOSHUA MARING

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