

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

(Video Conference)

W.P. (C) No. 68 of 2020

Kamsuanang Kamei

...Petitioner(s)

Vs.

State of Manipur

...Respondent(s)

B E F O R E

HON'BLE MR. JUSTICE KH. NOBIN SINGH

O R D E R

26-02-2021

Heard Shri Julius Riamei, learned Advocate appearing for the petitioner and Shri Th. Vashum, learned Government Advocate appearing for the respondents.

[1] According to the petitioner, he is and has been the Khunbu/Chief/Headman of Guangram (Punglam) Village for the last many years, since the then Chairman resigned on health ground on 07-08-1999. The name of the petitioner was recommended by him and in addition thereto, the respondent No. 1 vide Notification dated 11-10-2000 notified that the petitioner is the Khunbu of Guangram (Punglam) Village. Pursuant to the said notification dated 11-10-2000, the Deputy Commissioner, Tamenglong issued another notification dated 24-10-2000 to the effect that the petitioner is the Khunbu/Chief/Headman of the said village.

[2] Shri Hujinang Kamei, claiming to be the Khunbuship/Chiefship filed a suit being O.S. No. 1 of 2001 in the Court of Civil Judge, Junior Division, Tamenglong against the said notification dated 11-10-2000 but it was withdrawn on 02-05-2002. The last village authority election was held, the result of which was declared on 05-04-2013 and published in the Gazette on 05-04-2013 whereby the petitioner was shown as the Khunbu/Chief/Headman of the Village. The respondent No. 2, Deputy Commissioner, Noney vide his letter

[2]

dated 20-11-2018 forwarded the result of the said election to the State Government recommending the name of the petitioner to be declared as the Ex-officio Chairman/Khunbu/Chief of the Village. Despite the said result of the election being forwarded to the State Government, the result of the election was not published in the Gazette because of which, the petitioner submitted a representation dated 02-07-2019 for declaration of the result. Accordingly, the instant writ petition has been filed by the petitioner praying for declaration of the result and that the same be published in the Gazette.

[3] No counter has been filed on behalf of the respondents and therefore, the averments made in the writ petition shall be deemed to have been admitted by them in terms of the various decisions rendered by the Hon'ble Supreme Court in a catena of cases. In the meantime, a writ petition being W.P. (C) No. 321 of 2019 filed by one Shri Namchuathiamang, was disposed of by this court on 12-04-2019 with the direction that the representation submitted by him should be disposed of by the respondents therein.

[4] In the additional affidavit filed on behalf of the petitioner, it has been submitted that in compliance with the said order passed by this court, the Deputy Commissioner, Noney considered and disposed of the said representation by a reasoned order dated 12-05-2020.

[5] In view of the above, it has been submitted by Shri Julius Riamei, learned counsel appearing for the petitioner that the instant writ petition can be allowed with the direction that the respondents shall publish the result of the election in the Gazette in terms of the order dated 12-05-2020 to which, it has been fairly submitted by Shri Th. Vashum, learned Government Advocate that the instant writ petition can be allowed directing the respondents and in particular, the respondent No. 1 publish the result of election of the Village Authority of the said village in the Gazette within a period of one month from the date of receipt of a copy of this order. The writ petition

[3]

stands allowed in terms of the above submissions made by the counsels appearing for the parties with the direction that the result of the election of the village authority, Guangram shall be published in the Gazette within a month from today.

Copies of this order shall be sent to the counsels appearing for the parties through their WhatsApp/e-mail.

JUDGE

Devananda

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