

(2026) 02 MEG CK 1736
In the Meghalaya High Court
Case No : Writ Petition (C). No. 60 Of 2026

Ainam Manik Syiem

APPELLANT

Vs

Khasi Hills Autonomous District Council & Ors.

RESPONDENT

Date of Decision : 20-02-2026

Acts Referred:

Khasi Hills Autonomous District (Appointment And Succession Of Syiem, Deputy Syiem, Electors And Rangbah Shnong Of Myllem Syiemship), Act, 2007 — Section 7(c), 7(e)

Citation : (2026) 02 MEG CK 1736

Hon'ble Judges : H. S. Thangkhiew, J

Bench : Single Bench

Advocate : Philemon Nongbri, R. Pahsyntiew, T.T. Diengdoh, C.C.T. Sangma

Judgement

H.S. Thangkhiew, J

1. The instant writ application has been filed assailing the impugned order dated 11-02-2026, whereby the respondent District Council has on complaints against the writ petitioner on three counts, firstly, the non-crediting of 10% of the gross income, secondly, the non-deposit of 1/8 share, and continued collection of toll/tax from the markets within Myllem Syiemship, have initiated proceedings

2. In this context, the respondent No. 2 has taken recourse to section 7 (c) and (e) of the Khasi Hills Autonomous District (Appointment and Succession of Syiem, Deputy Syiem, Electors and Rangbah Shnong of Myllem Syiemship), Act, 2007, to direct for the convening of the Dorbar Hima within one week to take up the above issues. It has been submitted by Mr. Philemon Nongbri, learned counsel for the petitioner that the writ petitioner has never been served with any formal complaint on these allegations, nor given a proper forum to show cause as to the proposed action and direction for the calling of the Dorbar Hima, which he submits, has a direct bearing on the move to remove him from office. It is further submitted that the dispute, if any, between the respondents and the petitioner is only financial which does not call for such coercive action.

3. Further, the learned counsel has also submitted that in the entire sequence of events, the principles of natural justice have also been violated, inasmuch as, it is the respondents themselves, who are the complainants and also the respondents themselves, the authority to adjudicate on these complaints. Further it is reiterated, that before the impugned order was passed, no reasonable opportunity was provided to the writ petitioner to answer to the said allegations.

4. Mr. T.T.Diengdoh, learned Sr. counsel assisted by Mr. C.C.T.Sangma, learned counsel for the respondents, has submitted that whatever action that had been taken by the respondents, is in accordance with the Act, and it is for this reason that the writ petitioner has also been given opportunity to convene the Dorbar Hima to discuss the charges levelled against him. He further submits that it is not a case where the Syiem has been suspended or removed without due process, and the writ petition is on mere apprehension. He lastly submits that the apprehension of the writ petitioner is unfounded, inasmuch as, before any action is taken, the same will have to be discussed and deliberated in the Dorbar Hima itself. He therefore, submits that no interference is called for and the respondents be permitted to proceed in accordance with law.

5. This Court on hearing the submissions of the learned counsel for the parties, and also on examination of the materials on record, especially the impugned order dated 11-02-2026, it appears as submitted by the learned counsel for the petitioner that the complaints on three grounds is by the respondents themselves, as also the direction that the Dorbar Hima be called for within one week for the issues to be taken up. Though it is seen that the matter has earlier received attention, and correspondence exists with regard to the non-fulfilment of the obligations as to the remittance of the share of revenue with the District Council, however, what strikes this Court at this stage is with regard to the bar on the collection of toll/tax from the markets, inasmuch as, this aspect is governed by the Market Regulation of 1979 and also the Rules on Revenue Administration with regard to the Myllem Syiemship. Further, is the aspect that the Dorbar Hima had been directed to be convened within a short time of one week which shows the haste at which the matter was decided.

6. Be that as it may, without dwelling into the other issues that had been raised, the writ petitioner at this stage, in the view of this Court has made out a prima facie case for intervention. As such, the impugned order dated 11-02-2026 shall accordingly remain stayed till the next date.

7. The respondents to file their affidavits by two weeks.

8. List this matter on 11-03-2026.