

(2020) 12 MAN CK 0010

In the Manipur High Court

Case No : Public Interest Litigation No. 47 Of 2020

Athokpam Indrakumar Singh & Anr.

APPELLANT

Vs

Union Of India & Ors.

RESPONDENT

Date of Decision : 17-12-2020

Acts Referred:

Citation : (2020) 12 MAN CK 0010

Hon'ble Judges : Ramalingam Sudhakar, J;Kh.Nobin Singh, J

Bench : Division Bench

Advocate : N.Jotendro, N.Kumarjit Singh, S.Suresh

Final Decision : Dismissed

Judgement

Ramalingam Sudhakar, J

[1] Heard Â Mr.Â N.Jotendro, learnedÂ seniorÂ counselÂ forÂ theÂ 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 prayerÂ No.(ii)Â inÂ the PIL is as follows:-

â??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-aligned 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 Honâ??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.