

## SECTION PIL-W

**Writ Petition (Civil) No.311/2023**

**Petitioner(s)**

## VERSUS

Respondent (s)

(With IA No.46384/2023-GRANT OF INTERIM RELIEF and IA No.46388/2023-PERMISSION TO FILE LENGTHY LIST OF DATES)

**Date : 04-05-2023 This petition was called on for hearing today.**

**CORAM :**

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE J.B. PARDIWALA

**For Petitioner(s)** Mr. Junior Ngangom Luwang, Adv.  
Mr. Neeraj Kumar Gupta, AOR  
Mr. Ranjeet Kumar Singh, Adv.

For Respondent(s)	Mr. Tushar Mehta, SG Mr. K.M. Nataraj, ASG Mr. Kanu Agarwal, Adv. Mr. Mayank Pandey, Adv. Mr. Ishaan Sharma, Adv. Mr. Arvind Kumar Sharma, AOR  Mr. Raj Bahadur Yadav, AOR
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**UPON hearing the counsel the Court made the following  
O R D E R**

- 1 While invoking the jurisdiction under Article 32 of the Constitution of India, the petitioner seeks directions to the Union Ministry of Home Affairs and the State governments of Nagaland and Manipur to take appropriate steps to protect and safeguard the freedom of movement of persons belonging to the Mao tribe along National Highway No 2 (erstwhile National Highway No 39) in Southern Nagaland.
- 2 The principal issue which was raised in the Petition pertains to the blockage of National Highway No 2 (erstwhile National Highway No 39) in Southern Nagaland by the Southern Angami tribe, preventing the Mao tribe of Manipur to enter Southern Nagaland.
- 3 After notice was issued in these proceedings, the Solicitor General appearing on behalf of the Union of India, informed the Court on 5 April 2023 that the grievance was being looked into at an appropriate level and a decision would be arrived at.
- 4 During the course of the hearing, Mr Tushar Mehta, Solicitor General has apprised the Court of the instructions which have been received from the Director (NE), North East Division of the Ministry of Home Affairs. The relevant paragraph is extracted below:

“State Govt of Nagaland has now informed (by letter dated

1.5.2023) that several measures having been taken, including strengthening of security deployment in those areas, enhancement of highway patrol teams, holding regular consultation with the Civil Societies Organizations etc., so that free movement of people of Manipur passing through the State is not hindered and no member of Mao community of Manipur put to inconvenience for harassment in any manner while moving through Kohima. Further, the Southern Angami Public Organization (SAPO) on 21<sup>st</sup> March 2023 has also given a call for lifting the restriction imposed by it on the movement of Mao Community within the Kohima district. Thus, presently there aren't any kind of restraints on the free movement of people of Manipur through the State"

- 5 Counsel appearing on behalf of the petitioner submitted that though as a result of the intervention of the Court at this stage, the issue has been presently resolved, it was festering for over a decade, as a consequence of which the free movement of persons belonging to the tribe in question was being thwarted. Since at this stage, the problem seems to have been resolved, it is not necessary to keep the proceedings pending any further.
- 6 However, should there be any recurring issue, we grant liberty to the petitioner or any aggrieved person to move the Chief Secretary of the Government of Nagaland or, as the case may be, the Ministry of Home Affairs in the North East Division so that appropriate steps can be taken to resolve any recurring issue.
- 7 The petitioner would be at liberty to move the Manipur High Court for any other reliefs over and above those which have been dealt with in the present order.

- 8 Subject to the grant of liberty in the above terms, the Petition is disposed of.
- 9 Pending applications, if any, stand disposed of.

**(CHETAN KUMAR)**  
**A.R. - cum - P.S.**

**(SAROJ KUMARI GAUR)**  
**Assistant Registrar**