

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE RAVI MALIMATH,
CHIEF JUSTICE
&
HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL
ON THE 28th OF FEBRUARY, 2022

WRIT PETITION No. 1479 of 2022

Between:-

1. NAGRIK UPBHOKTA MARG DARSHAK MANCH THROUGH ITS PRESIDENT SHRI P.G. NAJPANDEY S/O LATE SHRI G.N. NAJPANDEY AGED 84 YEARS, OCCUPATION: SOCIAL WORKER, R/O RAM NAGAR, ADHARTAL, DISTRICT JABALPUR (MADHYA PRADESH)
2. RAJAT BHARGAVA S/O LATE SHRI SUNIL BHARGAVA, AGED ABOUT 51 YEARS, OCCUPATION: SOCIAL WORKER, R/O NAYAGAON, RAMPUR, JABALPUR (MADHYA PRADESH)

.....PETITIONERS

(BY SHRI DINESH KUMAR UPADHYAY - ADVOCATE)

AND

1. STATE OF MADHYA PRADESH THROUGH ITS PRINCIPAL SECRETARY, DEPARTMENT OF LAW AND LEGISLATIVE AFFAIRS, MANTRALAYA, VALLABH BHAWAN, BHOPAL (MADHYA PRADESH)
2. STATE OF MADHYA PRADESH THROUGH ITS PRINCIPAL SECRETARY, PANCHAYAT AND RURAL DEVELOPMENT DEPARTMENT, MANTRALAYA, VALLABH BHAWAN, BHOPAL (MADHYA PRADESH)
3. MADHYA PRADESH STATE ELECTION COMMISSION, THROUGH ITS SECRETARY, NIRVACHAN BHAWAN, BHOPAL (MADHYA PRADESH)

.....RESPONDENTS

(SHRI BRAHMDATT SINGH - GOVERNMENT ADVOCATE FOR THE RESPONDENT NOS.1 & 2, AND SHRI SIDDHARTH SETH - ADVOCATE FOR RESPONDENT NO.3)

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This petition coming on for admission this day, Hon'ble Shri Justice Ravi Malimath, Chief Justice passed the following:

ORDER

This petition is said to be in public interest. The prayer sought for is a writ of mandamus to incorporate certain provisions in the law, namely, Section 14-A of the Madhya Pradesh Municipal Corporation Act, 1956 and Section 32-A of the

Madhya Pradesh Municipalities Act, 1961.

Irrespective of the submission being made, it is needless to state that a writ for mandamus cannot lie to direct the State to enact a law. That is precisely what the writ petitioners want. Hence, we are of the view that such a petition for mandamus would not lie. Hence, the writ petition is dismissed.

(RAVI MALIMATH)
CHIEF JUSTICE

S/

(DINESH KUMAR PALIWAL)
JUDGE

