



Serial No. 01
Supplementary List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C) No. 232 of 2026

Date of Order: 01.06.2026

Shri Mansan Manik Syiem

Vs.

K.H.A.D.C. & Ors.

Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. Philemon Nongbri, Adv. with
Mr. R. Pahsyntiew, Adv.

For the Respondent(s) : Mr. H.L. Shangreiso, Sr. Adv. with
Mr. T. Dkhar, Adv. (For R 1-3)
Mr. S. Sen, Adv. (For R 4)

Heard Mr. Philemon Nongbri, learned counsel for the petitioner.

Issue notice.

Mr. H.L. Shangreiso, learned Senior counsel assisted by Mr. T. Dkhar, learned counsel is present on behalf of the respondents Nos. 1, 2 & 3, and Mr. S. Sen, learned counsel is present and accepts notice on behalf of the respondents Nos. 4, so no further notice is called for.

The present writ petition is directed against an order dated 22.05.2026, whereby the petitioner who is the present Deputy Syiem has not been found fit to occupy the post of Acting Syiem, inasmuch as, he is



the younger brother of the suspended Chief, for which the consideration for appointment of Acting Chief has arisen.

The 3(three) main contentions have been raised by the writ petitioner firstly is with regard to the order itself which has been signed only by a single Executive Member, which is against the mandate of Section of 25 of *The Khasi Hills Autonomous District (Appointment and Succession of Syiem, Deputy Syiem, Electors and Rangbah Shnong of Myllichem Syiemship) Act, 2007*. The second contention raised is with regard to the express provision contained in Section-9, which provides that it is the duty of the Syiem in accordance with the customary practices to nominate from amongst the adult brothers or nephews of the Syiem to be the Deputy Syiem or Syiem Khynnah. The third contention that has been raised is in the context of Section-8, with regard to appointment of Acting Syiem, which provides that when the office of a Syiem falls vacant as a result of death, resignation, retirement due to old age, removal or suspension, the Executive Committee may by order in writing appoint the Deputy Syiem to act as an Acting Syiem, who shall exercise all the powers and functions of the Syiem, and a proviso thereto, that if the situation so warrants, the Executive Committee may, in consultation with the Executive Durbar, appoint any Khasi male adult belonging to the Syiem Myllichem Clan who fulfills the qualifications prescribed to be the Acting Syiem of Myllichem Syiemship.

Mr. Philemon Nongbri, learned counsel for the petitioner has submitted that in the instant case, the respondents have gone beyond the scope of the Act, and has further submitted that the proviso referred to Section 8(1) gives the Executive Committee an option to appoint any Khasi male, but that should be in consultation of the Executive Durbar.



He therefore, submits that the impugned order being in direct violation of the Act, the same is bad in law and is liable to be set aside.

Mr. H.L. Shangreiso, learned Senior counsel assisted by Mr. T. Dkhar, learned counsel for the respondents Nos. 1, 2 & 3, has produced a set of instructions and has submitted that it is not correct that the order was passed by a single Executive Member. The learned Senior counsel has referred to the Minutes of the Executive Committee held on 21.05.2026, and submits that the fact concerning the petitioner to be the younger brother of the suspended Chief was taken into consideration, and the same led to the order being passed. With regard to the other contention as to the appointment of any other male to be the Acting Syiem as provided in the proviso, the learned Senior counsel has submitted that it is not mandatory but only an option as provided under the Act. With regard to the mandate of Section-9, the learned Senior counsel has not advanced any arguments, but submits that the same is not applicable.

This Court has heard the learned counsel for the parties and examined the materials that have been placed. A perusal of the impugned order would show that the reasons ascribed therein for disregarding the present writ petitioner Deputy Syiem to be suitable for appointment as Acting Syiem is because of the fact that he happens to be the younger brother of the suspended Chief. Further it is noted that though the order emanates from the Minutes of the proceedings on 21.05.2026, the same has been signed by a single Member on 22.05.2026. What strikes the Court more in this regard is Section-9 of the Act, which has limited the consideration for appointment of Deputy Syiem from amongst the adult brothers or nephews of the incumbent Syiem. The provision therefore having limited consideration to the adult brothers or nephews to be eligible for appointment as Deputy Syiem, the reasons ascribed in the impugned order



shall have to undergo judicial scrutiny. Lastly as for as the Section 8(1) is concerned, though materials have been produced by the learned Senior counsel, the only reason given therein is found in the impugned order itself, and no other reasons have been furnished or considered in the said Meeting as to the necessity of not resorting to the proviso of Section 8 (1).

In the considered view of this Court the writ petitioner has made an overwhelming case for interference by this Court at this stage itself, without even the affidavit being on record. However, in order to enable the respondents to present their case, they are allowed to file affidavit enclosing all the materials produced today.

Mr. S. Sen, learned counsel for the respondent No. 4, is also allowed to file affidavit showing the factum of his assuming office.

It is further provided that an endeavour shall be made to dispose of the matter on the next date.

List this matter on 03.06.2026.

JUDGE

Meghalaya
01.06.2026
"V. Lyndem-PS"