

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.27057 of 2016

K. Chinthamani

.. Petitioner

Vs

1. The State of Tamil Nadu
rep by its Commissioner of Police,
Chennai City Corporation,
Chennai

2. The Inspector of Police
S-9 Pazhavanthangal Police Station,
Chennai - 114

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the 2nd respondent to issue non-traceable certificate of petitioner's missing husband registered in Cr.No.2702/15 dated 29.12.2015 in pursuance of her representation dated 27.05.2016 to enable her to avail pension and other monetary benefits.

For Petitioner : Mr.R. Veeramani

For Respondents : Mr.D.Vairamurthy, Spl.G.P.

सत्यमेव जयते

O R D E R

The writ petition is filed seeking to issue a Writ of Mandamus directing the 2nd respondent to issue non-traceable certificate of petitioner's missing husband registered in Cr.No.2702/15 dated 29.12.2015.

2. The petitioner's claim to issue a non-traceable certificate by the respondent police is that the petitioner's husband is missing from 27.12.2015 and pursuant to the same, first information report came to be registered on 29.12.2015.

Thereafter, the petitioner visited several times to the respondent police for tracing her husband, but since the respondent police could not find out the whereabouts of her husband, she has sought for issuance of non-traceable certificate in order to claim the pensionary benefits. Despite the efforts made by the petitioner, no such certificate is issued and under such circumstances, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner produced an Official Memorandum dated 24.6.2013, wherein, it is made clear that the petitioner is entitled for family pension benefits provided she is able to produce the complaint along with the report obtained from the police stating that her husband could not be traced out.

4. Such being the position, the petitioner is entitled for the relief as prayed for. Upon notice, the learned Special Government Pleader submitted that the respondent police will issue necessary certificate to the petitioner.

5. The said submission is recorded. On such certificate being issued, it is for the petitioner to submit the same before the competent authority for appropriate orders.

6. On receipt of the complaint, the second respondent is directed to issue the non-traceable certificate within a period of two weeks from the date of receipt of the representation made by the petitioner along with the copy of the complaint. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Police,
Chennai City Corporation,
Chennai

2. The Inspector of Police
S-9 Pazhavanthangal Police Station,
Chennai - 114
3. The Public Prosecutor,
High Court, Madras.

W.P.No.27057/2016

Rj (CO)
CS/28/06/17



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