

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 06.06.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH**W.P. (MD) No.8617 of 2017**

J.Rajalakshmi

... Petitioner

-VS-

The Inspector of Police,
All Women Police Station,
Sivakasi, Viruthunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the Respondent to issue not traceable certificate in connection with Crime No.34 of 2013 on the file of his office by considering the petitioner's representation dated 22.02.2017 within the stipulated time framed by this Hon'ble Court.

For Petitioner : Mr.S.Selvakumar

For Respondent : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This petition has been filed, seeking to direct the respondent to issue a non-traceable certificate in connection with Crime No.34 of 2013 on the file of the respondent police by considering the petitioner's representation dated 22.02.2017.

2. It is the case of the petitioner that she studied Diploma in Pharmacy and B.Sc. Chemistry. It is her further case that she got married to one Sekar and her marriage ran into rough weather, resulting in she getting estranged from Sekar. It is alleged by the petitioner that she was assaulted by her husband Sekar and he had taken away her educational qualification certificates and jewels. In this regard, she gave a complaint dated 28.12.2013, based on which, a case in Sivakasi All Women Police Station Crime No.34 of 2013 was registered for the offences under Sections 498 (A), 406 and 506(i) IPC r/w Section 109 IPC against Sekar. During the course of investigation, Sekar was released on anticipatory bail by the Court and therefore, the Police were not able to arrest him. The investigation in Crime No.34 of 2013 was completed and a charge sheet has been filed in C.C.No.173 of 2016 before the learned Judicial Magistrate, Sivakasi for the offences under Sections 498(A), 406 and 506(i) IPC r/w Section 109 IPC against



Sekar and the trial of the case is pending. While so, the petitioner, who wants to seek employment for herself, has filed the present petition with the above prayer.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the State. Mrs.P.K.Pandiammal, Sub-Inspector of Police, All Women Police Station, Sivakasi is present. On instructions, learned Additional Government Pleader submitted that despite best efforts taken, the Police were not able to recover the educational qualification certificates of the petitioner from her husband Sekar.

4. That apart, it is too late in the day for the Police to take Sekar into custody for the purpose of recovery of those certificates. However, the petitioner needs those certificates for her very survival and in order to get certified copies of certificates, a non traceable certificate from the Police is being insisted upon by the authorities and therefore, the petitioner seeks a non traceable certificate.

5. Taking into consideration the facts and circumstances of the case, this Court directs the Inspector of Police, All Women Police Station, Sivakasi to issue a non traceable certificate in respect of educational qualification certificates of the petitioner within a period of two weeks from the date of receipt of a copy of this order so that the petitioner can apply for the certified copies of the same through proper channel.

With the above direction, this petition is disposed of. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

The Inspector of Police,
All Women Police Station,
Sivakasi, Viruthunagar District.

+1cc to M/S. S.SELVAKUMAR, Advocate, SR.No.59179.
+1cc to Special Government Pleader, SR.No.58840.

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