



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P(MD)No.21493 of 2018

Latha

.. Petitioner

-Vs-

State Rep. by
The Inspector of Police,
All Women Police Station,
Aranthangai,
Pudukkottai District.

.. Respondent

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order, dated 21.09.2018, passed by the respondent and quash the same and consequently direct the respondent to issue the non traceable certificate to the petitioner.

For Petitioner : Mr.M.Ramu
For Respondents : Mr.B.Bhagawathi,
Government Advocate.

ORDER

This Writ petition has been filed for a direction to the respondent police to give Non traceable Certificate with regard to the original documents belonging to the petitioner which were stolen and lost.

2.The learned counsel for the petitioner would submit that the respondent police have taken a specific stand that the articles and the documents that were stolen from the house of the petitioner were not traced in the course of investigation and they are lost. Having made such a statement, the respondent police is duty bound to give a Non traceable Certificate to the petitioner, since the petitioner has to deal with the property in future.

3.The learned Government Advocate (Crl. Side) would submit that the articles and the documents belonging to the petitioner were said to be stolen by the accused person Sivakumar. Against which the case was registered by the respondent police in Crime No.9 fo 2012. During the course of investigation, the police were not able to find any of the articles or the documents in the place of Sivakumar. Therefore, the respondent police have given a reply, dated 21.09.2018, stating the above facts.



4.The learned counsel for the petitioner would submit that this reply will not suffice and a specific Non traceable Certificate has to be granted by the respondent police in order to enable the petitioner to work out her remedy and to sell her property with the help of the Certified copy of the document No.1006 of 2010.

5.In the facts and circumstances of the case, there shall be a direction to the respondent to give a non traceable certificate to the petitioner insofar as the original documents which were not traceable and which were not able to be recovered by the respondent police from the accused person. This process shall be completed by the respondent police with in a period of four weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Joint Registrar(Judicial)

/True Copy/

Sub Assistant Registrar(CS-I)

TM

To

The Inspector of Police,
All Women Police Station,
Aranthangai,
Pudukkottai District.

+1cc to Spl Government Pleader, SR No.90804

W.P(MD)No.21493 of 2018

NM/PM/SAR I/01.11.18/2P/3C.