

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.01.2019

CORAM:
THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.34740 of 2018

B.Prabakaran

... Petitioner

Vs.

1.The Commissioner of Police,
Gretaer Chennai,
Chennai-600 008.

2.The Inspector of Police,
B-4, High Court Police Station,
Chennai-600 104.

3.Pulliah

4.Kenamma

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 herein to take necessary action based on the representation dated 03.10.2018 sent by the petitioner and to conduct an enquiry and to cancel the "Non-Traceable Certificate" dated 07.12.2017 and 27.11.2017 in C&O sheet No.338/2017 dated 04.12.2017, C.No.284/Missing/B4PS/2017 and C&O Sheet No.325 of 2017 dated 27.11.2017, C.No.274/Missing/B4PS/2017 issued to the respondents 3 and 4 respectively within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For R-1 & R-2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This writ petition has been filed seeking for a direction to the first and second respondents to take necessary action based on the representation given by the petitioner on 03.10.2018.

2.It is seen from the records that the third and fourth respondents have sought for a "Non Traceable Certificate" before the second respondent and the second respondent has also issued a "Non Traceable Certificate" on 27.11.2017 and 07.12.2017 respectively with regard to two sale deeds.

3.It is the case of the petitioner that the original sale deeds are available with the petitioner and concealing the said fact, the third and fourth respondents have obtained a "Non Traceable Certificate" and have used the same and dealt with the property.

4.The petitioner gave a representation to the respondent police seeking to cancel the "Non Traceable Certificate" and to take action against the third and fourth respondents. Since the same was not considered, the present writ petition has been filed.

5.In the facts and circumstances of the case, the petitioner is permitted to give a fresh representation to the second respondent narrating the entire facts and the second respondent immediately on receipt of the representation shall call the parties for an enquiry and take an appropriate action in accordance with law. This process shall be completed by the second respondent within a period of two weeks from the date of receipt of the representation from the petitioner.

6.This writ petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsg1/ia

To

1.The Commissioner of Police,
Gretaer Chennai,
Chennai-600 008.

2.The Inspector of Police,
B-4, High Court Police Station,
Chennai-600 104.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.1172

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SR(CO)

RRS (29/01/2019)