



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGOVAN

W.P. (MD)No.9146 of 2021

P.Venkateswaran

...Petitioner

Vs.

1.The Superintendent of Police,
Alagar Kovil Main Road,
Race Course Colony,
Madurai - 625 002.

2.The Sub-Inspector of Police,
Melavazhavu Police Station,
Melavazhavu,
Madurai - 625 105.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to consider the petitioner's online complaint dated 04.02.2021 and the consequent complaint before the second respondent dated 08.02.2021 vide CSR Receipt No.71/2021, dated 27.02.2021 and to conduct proper investigation to trace the Settlement Deeds dated 12.12.1942 & 17.08.1961 or to issue a non-traceable certificate to the said effect to the petitioner, within a time frame, as pleased by this Court.

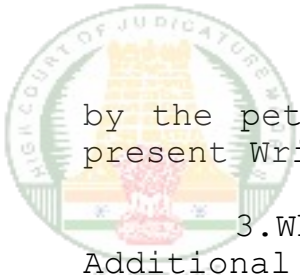
For Petitioner : Mr.S.Chandrasekaran

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent police to issue the Non Traceable Certificate to the petitioner based on the petitioner complaint in C.S.R.No.71/2021 dated 27.02.2021 within the stipulated time fixed by this Court.

2. The case of the petitioner is that on 31.01.2021, at about 7.00 pm, the petitioner was carrying the two original settlement deeds for the purpose of taking xerox copies. When he reached the Centre, he found the original documents missed. Hence, he gave complaint on 04.02.2021 through online to the first respondent. Further, on 08.02.2021, he submitted a similar complaint before the second respondent in person. Since there was no action on the side of the respondents for the above complaints, he was forced to submit a reminder, for which, CSR Receipt No. 71/2021 has been issued on 27.02.2021. Further, the petitioner published an advertisement in 'Thamizhaga News Daily' on 02.03.2021. Since all the efforts taken



by the petitioner ended in vain, he is before this Court with the present Writ Petition.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor for the respondents would submit that in respect of issue the Non-traceable Certificate for missing document, the Director General of Police has issued a circular in ந.க.எண்.116/முகாம் / கா.து.து.த/2020 நாள் 31.07.2020 and the first respondent has to follow the same. According to him, the procedure has to be scrupulously followed by the second respondent before issuing the Certificate. So, it will take some time, since the request has to be given to the State Record Bureau as well as the District Records Bureau and he seeks three months time to complete the enquiry.

4. Considering his request as well as the Circular issued by the Director General of Police, ந.க.எண்.116/முகாம் / கா.து.து.த/2020 நாள் 31.07.2020, there shall be a direction to the second respondent to complete the enquiry within a period of three months from the date of receipt of a copy of this order and act as per the outcome of the enquiry.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Alagar Kovil Main Road,
Race Course Colony,
Madurai - 625 002.

2. The Sub-Inspector of Police,
Melavazhavu Police Station,
Melavazhavu,
Madurai - 625 105.

+1 CC to M/s.S.CHANDRASEKARAN, Advocate (SR-21280[F]dated06/07/2021)

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