



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.14893 of 2021

Amithsanthan

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.

3.The Sub- Inspector of Police,
Jetty Police Station,
Ramanathapuram District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second and third respondents to issue Non-Traceable Certificate in respect of the petitioner's document viz., Original Will in Document No.4/2007 [4/BK III/2020] on the file of the Sub Registrar, Rameswaram, Ramanathapuram District, based on complaint given by the petitioner dated 08.09.2020.

For Petitioner : Mr.T.Veerakumar

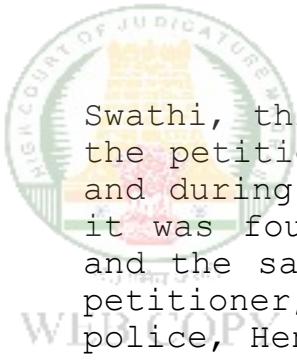
For Respondents : Mr.RMS.Sethuraman

Additional Public Prosecutor

ORDER

`This Criminal Original Petition has been filed seeking a direction to the second and third respondents to issue Non-Traceable Certificate in respect of the petitioner's document viz., Original Will in Document No.4/2007 [4/BK III/2020] on the file of the Sub Registrar, Rameswaram, Ramanathapuram District, based on complaint given by the petitioner dated 08.09.2020.

2. The learned counsel for the petitioner would submit that on 12.02.2007, his paternal uncle namely Mariyasuyambu Jeyaraj had executed Will in respect of 12 schedule properties in favour of the petitioner and his brother namely Persipodel and his sister namely



Swathi, through the above said registered Will. On 27.06.2020, when the petitioner went to the Soosaiappar Kovil, Verkkodu, Rameshwaram and during that time, the above said Will also was taken by him and it was found missing during transit. Hence, he lodged a complaint and the same was assigned with CSR No.39 of 2020. According to the petitioner, no proper action has been taken by the respondent police, Hence, this 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-traceble 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-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.



2.The Inspector of Police,
Jetty Police Station,
Ramanathapuram District.

3.The Sub- Inspector of Police,
Jetty Police Station,
Ramanathapuram District.

4.The Additional Public Prosecutore,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.VEERA KUMAR, Advocate (SR-31147[F] dated
05/10/2021)

Crl.O.P. (MD)No.14893 of 2021
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RD(22.10.2021) 3P 6C