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W.P.No.26792 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.26792 of 2022

A.Albonse @ Albonsa

... Petitioner

Vs.

State of Puducherry
Represented by the Inspector of Police,
Dhanvantri Police Station,
Pondicherry - 605 006.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to issue "Non Traceable Certificate" in respect of Original Sale Deeds viz., Doc.No.633/1988 dated 1/2/1988, on the file of Sub Registrar Uzhavarkarai, Pondicherry, Doc.No.2284/1986 dated 22/10/1986, on the file of Sub Registrar Uzhavarkarai, Pondicherry and Doc No.2644/1984 dated 15.10.1984, on the file of Sub Registrar Vanur, Tamil Nadu.

For Petitioner

: M/s.R.Chithra Devi

For Respondent

: Mr.V.Balamurugane
Public Prosecutor (Pondicherry)



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ORDER

This Writ Petition has been filed to direct the respondent to issue "Non Traceable Certificate" in respect of Original Sale Deeds viz., Doc.No.633/1988 dated 1/2/1988, on the file of Sub Registrar Uzhavarkarai, Pondicherry, Doc.No.2284/1986 dated 22/10/1986, on the file of Sub Registrar Uzhavarkarai, Pondicherry and Doc No.2644/1984 dated 15.10.1984, on the file of Sub Registrar Vanur, Tamil Nadu.

2. The learned counsel for the petitioner would submit that the original sale deeds viz., Doc.No.633/1988 dated 01.02.1988 on the file of Sub Registrar, Uzhavarkarai, Pondicherry, Doc.No.2284 /1986 dated 22/10/1986 on the file of Sub Registrar, Uzhavarkarai, Pondicherry and Doc.No.2644/1984 dated 15.10.1984 were missed on 13.07.2021 while carrying such documents for taking photocopies. Thereafter, the petitioner has given public notice on 20.07.2021 about the missing of documents. Despite the petitioner had filed a complaint to the respondent on 03.08.2021, no action has been taken by the respondent police.



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Hence, he seeks direction to the respondent to issue Non-Traceable Certificate in respect of original sale deeds.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor (Pondicherry).

4. On perusal of the documents, it reveals that the petitioner had lost his original sale deeds on 13.07.2021 while carrying the documents for taking photocopies. The petitioner can very well obtained the certificate copy from the SRO for the documents viz., Doc.No.633/1988 dated 01.02.1988 on the file of Sub Registrar, Uzhavarkarai, Pondicherry, Doc.No.2284 /1986 dated 22/10/1986 on the file of Sub Registrar, Uzhavarkarai, Pondicherry and Doc.No.2644/1984 dated 15.10.1984. The respondent police may investigate whether the missing of original sale deeds is true as stated by the petitioner and before completing the investigation by the respondent police, this Court cannot pass any blanket direction to the respondent police despite the allegation that the original sale deeds were missed as stated by the petitioner is true.



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WEB COPY 5. In such view of the above, this Court does not find any merits in this petition. Accordingly, this Writ Petition is dismissed. No costs.

10.10.2022

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order
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To

1. The Inspector of Police,
Dhanvantri Police Station,
Pondicherry - 605 006.

2.The Public Prosecutor
High Court, Madras.



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V.SIVAGNANAM,J.

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