



WEB COPY

Crl. O.P. No.26938 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P No.26938 of 2023

M/s.LS Automotive India Private Limited,
Represented by its Director,
Mr.Seong Yeol Kim
Having Office At:
Survey No.280,281, 292,340/1BR and 340/1B5,
Poonamallee – Thiruvallur High Road,
Gudapakkam Village, Poonamallee Taluk,
Thiruvallur District – 600 124.

.. Petitioner

Vs.

- 1.The Inspector of Police,
Kanakamma Chatram Police Station,
Thiruvallur District.
- 2.The Deputy Superintendent of Police,
District Crime Records Bureau,
Thiruvallur District.
- 3.The Superintendent of Police,
Thiruvallur District.

..Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to issue a direction to the Respondent Police to issue a non-traceable certificate for missing documents of the property being all that



piece and parcel of land measuring in all 6.67 acres (as per Patta No.1632 - 5.73 acres) comprised in S.No.692/2, 693/1A, 693/1B, 693/1C2, 693/1C3, situate at Old No.61, New No.118, Ramancherry Village, Tiruvallur Taluk, Tiruvallur District, by considering the Complaint dated 25.09.2023.

For Petitioner : Mr.A.E.Gopinathan
For Respondents : Mr.Leonard Arul Joseph Selvam,
Government Advocate,
(Crl.Side)

ORDER

The petitioner Company alleging that some of the documents including sale deed was destroyed in a fire accident occurred in the premises of the Company on 08.11.2018, had made a representation to the respondent police after five years on 26.10.2023, stating that the first informant while reporting the fire accident has failed to mention about the destruction of the documents and therefore, need a non-traceable certificate for certain documents listed in the representation, which are mostly registered deeds of sale in favour of the petitioner Company.

2. The learned counsel appearing for the petitioner submitted that since there is no other alternate, the petitioner sought for non traceable certificate. However, the police refused to give non traceable certificate,



citing that those documents which have been destroyed in the alleged fire accident cannot fall under lost documents to give non-traceable certificate and therefore, they have not taken the representation for consideration.

3. The learned Government Advocate (Crl.Side) appearing for the State submitted that after five years of the accident, alleging that the documents were destroyed in the fire, representation given to issue non-traceable certificate and the circular of the DGP dated 01.04.2023, indicate the procedure to be adopted regarding issuance of non traceable certificate on receipt of the petition relating to the loss of original land documents. Whereas, in this case, which is not loss of original documents, but destruction of the documents in the alleged fire accident and therefore, they are not in a position to give non traceable certificate for non existing documents.

4. This Court fully in agreement to the contention raised by the learned Government Advocate (Crl.Side) representing the respondents.

Dr.G.JAYACHANDRAN, J.

The petitioner who claims that original registered documents destroyed in



fire can get a certified copy of those documents and proceed further, but cannot have the privilege of getting non traceable certificate as he claimed in his representation. Hence, this petition is dismissed.

29.11.2023

Internet : Yes/No

Index: Yes/No

rkp

To

1.The Inspector of Police,
Kanakamma Chatram Police Station,
Thiruvallur District.

2.The Deputy Superintendent of Police,
District Crime Records Bureau,
Thiruvallur District.

3.The Superintendent of Police,
Thiruvallur District.

4.The Public Prosecutor,
Madras High Court, Madras.

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