



**W.P(MD)No.12312 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 05.06.2023**

**CORAM :**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**W.P(MD)No.12312 of 2023**

C.Rajakumar

... Petitioner

**Vs.**

- 1.The Superintendent of Police,  
Kanyakumari District,  
Nagercoil.
- 2.The Additional Superintendent of Police,  
DCRB,  
Kanyakumari District.
- 3.The Deputy Superintendent of Police,  
DCRB,  
Kanyakumari District.
- 4.The Deputy Superintendent of Police,  
Kanyakumari Sub Division,  
Kanyakumari.
- 5.The Deputy Superintendent of Police,  
Nagercoil Sub Division,  
Kanyakumari District.
- 6.The Inspector of Police,  
Rajakkamangalam Police Station,  
Kanyakumari District.
- 7.C.Viswakumar

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 6 not to entertain any application seeking Non-Traceable Certificates and No Objection Certificates to the 7<sup>th</sup> respondent or else based on the Crime No.84 of 2023 on the file of the 6<sup>th</sup> respondent till the disposal of all the consequent proceedings in Crime No.84 of 2023, based on the petitioner's representation dated 26.04.2023 and 06.05.2023.

For Petitioner : Mr.N.S.Ramakrishna Dass  
For R1 to R3 : Mr.B.Nambiselvan  
Additional Public Prosecutor

### **ORDER**

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 6 not to entertain any application seeking Non-Traceable Certificates and No Objection Certificates to the 7<sup>th</sup> respondent or else based on the Crime No.84 of 2023 on the file of the 6<sup>th</sup> respondent till the disposal of all the consequent proceedings in Crime No.84 of 2023, based on the petitioner's representation dated 26.04.2023 and 06.05.2023.

2. The petitioner and the seventh respondent are brothers. The grievance of the petitioner is that due to civil dispute, a false case has been given by the 7<sup>th</sup> respondent and the same was registered in Crime



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No.84 of 2023 for the offences punishable under Section 380 of IPC against the petitioner. Taking advantage of the registration of the case, an attempt has been made by the seventh respondent and other persons, to obtain No Objection Certificate from the concerned authority.

3. This Court is not in a position to understand the grievance expressed by the petitioner. If any complaint has been given by the seventh respondent seeking enquiry into the missing of documents, it is for the Competent Authority to look into the same properly. This Court cannot be issue any negative directions.

4. The other grievance expressed by the petitioner is that by misusing the above said FIR, any third party can obtain any type of duplicate documents and No Objection Certificate, is squarely out of place and cannot be taken into account. Absolutely, this petition is filed under misconception of fact and law. This Court does not find any merits in this petition. Accordingly, this Writ Petition is dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

**05.06.2023**

NCC :Yes/No  
Index :Yes/No  
Internet : Yes/ No  
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WEB COPY

To

- 1.The Superintendent of Police,  
Kanyakumari District,  
Nagercoil.
- 2.The Additional Superintendent of Police,  
DCRB,  
Kanyakumari District.
- 3.The Deputy Superintendent of Police,  
DCRB,  
Kanyakumari District.
- 4.The Deputy Superintendent of Police,  
Kanyakumari Sub Division,  
Kanyakumari.
- 5.The Deputy Superintendent of Police,  
Nagercoil Sub Division,  
Kanyakumari District.
- 6.The Inspector of Police,  
Rajakkamangalam Police Station,  
Kanyakumari District.
- 7.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



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**G.ILANGOVAN,J**

tta

**Order made in**

**W.P(MD)No.12312 of 2023**

**Dated : 05.06.2023**