



W.P(MD)No.13897 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.13897 of 2023

K.Kandhasamy

... Petitioner

Vs.

1. The Sub Registrar,
Joint Sub Registrar No.II,
Tenkasi,
Tenkasi District.

2.The State rep. by
The Inspector of Police,
Kutralam Police Station,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent to issue a Non-Traceable certificate in respect of the lost original document viz., registered will executed in favour of the petitioner's grandmother in Doc.No.6/1950 dated 04.05.1950 on the file of the 1st respondent in the light of the circular issued by the Director General of Police, Tamil Nadu in Rc.No.2029209/General01 (1)/2022, dated 01.04.2022.



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For Petitioner : Mr. S.Rajasekar
for M/s. Lajapathi Roy and Associates
For Respondents : Mr. B. Nambiselvan
Additional Public Prosecutor

ORDER

This Writ Petition has been filed for issuing direction to the 2nd respondent to issue a Non-Traceable certificate in respect of the lost original document viz., registered will executed in favour of the petitioner's grandmother in Doc.No.6/1950 dated 04.05.1950 on the file of the 1st respondent in the light of the circular issued by the Director General of Police, Tamil Nadu in Rc.No.2029209/General01 (1)/2022, dated 01.04.2022.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the petitioner has given a complaint, dated 05.01.2023



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before the respondent for missing of registered will executed in favour of the petitioner's grandmother in Doc.No.6/1950, dated 04.05.1950 but no action was taken as on date and hence, he has filed the present petition.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner's complaint, dated 05.01.2023 is still pending.

5. Considering the above, the 2nd respondent police is directed to conduct an enquiry and complete the same by following the circular issued by the Director General of Police within a period of three months from the date of receipt of a copy of this order. Depending upon the outcome of the enquiry, if required the petitioner may workout his remedy through appropriate proceedings.

6. With the above direction, this Writ Petition stands disposed of.

14.06.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
trp

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To

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Tenkasi District.
- 2.The State rep. by
The Inspector of Police,
Kutralam Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J

trp

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