



W.P(MD)No.24223 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.24223 of 2023

K.Subbulakshmi

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

3.Aandal

4.Papathi

5.P.Arumugam

6.D.Tirupathi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st and 2nd respondents to issue a non-traceable certificate by considering the petitioner's representation dated 29.09.2023 within the time stipulated by this Court.



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For Petitioner : Mr.J.Vishnu
For R1 and R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to issue a non-traceable certificate by considering the petitioners representation dated 29.09.2023 within the time stipulated by this Honourable Court.

2. Learned counsel for the petitioner submitted that the petitioner's husband died on 20.02.2010. During his life time, he has purchased a property in S.No.243/2C1A at Melur Town, Kasukarasettiar street, Melur. On 15.12.2018, the respondents 3 to 6 have trespassed into the petitioner's house and took away valuable documents of the house and a cash of Rs.55,000, gold jewels worth 25 sovereigns and household articles worth Rs.1 Lakh. Hence, she has lodged a complaint on 31.12.2008. Since she could not get her documents back, she has applied for issuance of non traceable certificate.

3. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents1 and 2.



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4. Learned Additional Public Prosecutor would submit that on the basis of the complaint given by the petitioner, enquiry was undertaken. During enquiry, it was found that the documents are available at the hands of the fourth respondent. Hence, there is no question of granting any non traceable certificate to the petitioner.

5. Recording the submissions of the learned Additional Public Prosecutor, this Writ Petition is dismissed as unnecessary. The respondent may proceed with the complaint made by the petitioner with regard to the theft of documents and valuables by the private respondents.

6. Let the above said complaint be enquired and disposed of within a period of 15 days from the date of appearance of the parties.

7. With this direction, this Writ Petition stands dismissed. No costs.

06.10.2023

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
pnn



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G.ILANGO VAN, J

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To

- 1.The Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Melur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
W.P(MD)No.24223 of 2023

Dated : 06.10.2023