



WP(MD)No.2613 of 2024

WEB COM BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2024

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.2613 of 2024

Subbaih doss

... Petitioner

/vs./

1.The Superintendent of Police,

Office of the Superintendent of Police,

Tirunelveli District.

2.The Inspector of Police

Moolakaraipatty Police Station,

Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second Respondent, to issue a “Non Traceable Certificate” to the Petitioner in respect of missing document vide Document No.5117 of 2007 on the file of Kokkirakulam Sub Registrar, Tirunelveli District, by considering the Petitioner's representation dated 29.09.2023 and 04.10.2023 within time frame as fixed by this Court.



WP(MD)No.2613 of 2024

WEB COPY

For Petitioner : Mr.D.S.Haroon Rasheed
For Respondents : Mr.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

The learned counsel for the Petitioner submits that the Writ Petition had been filed against with the 2nd Respondent, seeking Writ of Mandamus, regarding missing document, ie. Original Settlement Deed registered as Document No.5117 of 2007 on the file of Kokkirakulam Sub Registrar, Tirunelveli District, and to issue “Non-Traceable Certificate”. Since the Respondent Police had not registered any case, the Petitioner was forced to file this Writ Petition seeking direction of a Writ of Mandamus against the Respondents.

2. The learned Government Advocate (Criminal Side) on instructions of the second Respondent submits that as per the Circular of the Director General of Police / Head of State Police Force, Tamil Nadu, Chennai, in Rc.No.2029209/General.4(1)/2022, dated 01.04.2022, the Field Officers were directed to follow certain Standard Procedures.



WP(MD)No.2613 of 2024

WEB COPY

3. Accordingly, the Petitioner is directed to issue Public Notice regarding the lost Document. Only then, the Respondent Police will be able to issue the “Non-Traceable Certificate”. The Petitioner is also directed to furnish the following documents along with the Petition:

(i). Two Certified copies of the document/s which is alleged to have been lost (obtained within a month prior to the presentation of the petition at the Police Station from the concerned Sub Registrar Office).

(ii) Recent photograph of the Petitioner or that of his power of attorney.

(iii) Copy of Aadhar Card or Voter ID or Passport (No other Identity proof will be accepted).

(iv) News paper advertisements in original as mentioned in Para 6.

(v). Undertakings mentioned in Paras 7 and 8.

4. The Petitioner is directed to follow the Procedures as stated in the Circular of the Director General of Police, which was directed by



WP(MD)No.2613 of 2024

WEB COPY

the 2nd Respondent. The Petitioner shall furnish details of the document along with the Petitioner's photograph and proof of Identity to the Respondent Police.

5. On such furnishing of documents and photographs, the Respondent Police shall act as per the Circular of the Director General of Police, within a reasonable time of 15 days.

6. With the above directions, this Petition is disposed of.

No costs.

09.02.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes/ No
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WP(MD)No.2613 of 2024

TO:

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



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WP(MD)No.2613 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

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W.P.(MD)No.2613 of 2024

09.02.2024