



W.P.(MD)No.3030 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.3030 of 2024

P.Palanigounder

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul Rural,
Dindigul District.

2.The Inspector of Police,
Natham Police Station,
Natham,
Dindigul District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the Respondents herein to take action and issue non-traceable certificate in respect of lost original documents based on the online information dated 20.12.2023.

For Petitioner : Mr.S.Muthu Malai Raja

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor



W.P.(MD)No.3030 of 2024

ORDER

WEB COPY

The learned Counsel for the Petitioner submit that the Petitioner had filed this Writ Petition seeking direction against the Respondents to issue the Non Traceable Certificate to the Petitioner with regard to the documents in Doc.Nos.1390/1997, 464/1979, 600/1979, 844/1979, 800/1985 and 270/1991 on the file of Sub-Registrar Office, Natham. Therefore, he had given representation through online on 20.12.2023 to the Respondents. He had also issued a paper publication in the Indian Express and Dinamani Newspaper. Since no action was taken, the Petitioner approached this Court by way of filing this petition.

2. The learned Government Advocate (Criminal Side) on instructions of the Respondents would submit that as per the Circular issued by 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. The Petitioner has to comply the circular of Director General of Police regarding non traceable certificate by furnishing certified copy of the document that is alleged to have been missed by him. The Petitioner shall furnish his photographs along with proof of Identity and copies



W.P.(MD)No.3030 of 2024

of newspaper publication. Also the Petitioner shall give an undertaking that if the lost original document is found, it will be informed to the Respondent Police promptly and if non traceable certificate is misused for any illegal transactions, the Petitioner is liable for prosecution. On such undertaking only, non traceable certificate will be issued. He would further submit that the Petitioner has to appear before the Respondent Police, with all relevant documents. On such production of documents and application, the Respondents are ready to abide by the circular of DGP/ Head of State Police Force, Tamil Nadu.

3. In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate, the Petitioner is directed to produce the certified copy of the documents that he had lost along with sufficient number of photographs of the Petitioner along with proof of identity of the Petitioner. The Petitioner shall submit copies of paper publication and give an undertaking to the effect that if the lost original document is found, it will be informed to the Respondent Police promptly and if he misuse the non-traceable certificate for any illegal transaction, he is liable for criminal prosecution. The Petitioner is directed to appear before the Respondents in person with all relevant documents. On such appearance of the Petitioner with all relevant documents and photographs, as per the circular of Director General



W.P.(MD)No.3030 of 2024

of Police/Head of State Police Force, Tamil Nadu, Chennai, in Rc.No. 2029209/General.4(1)/2022, dated 01.04.2022, the Respondents shall consider and pass appropriate order within a period of one month from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs.

12.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul Rural,
Dindigul District.
- 2.The Inspector of Police,
Natham Police Station,
Natham,
Dindigul District.



WEB COPY



W.P.(MD)No.3030 of 2024

SATHI KUMAR SUKUMARA KURUP,J.

Nsr

W.P.(MD)No.3030 of 2024

12.02.2024