



WP(MD) No.2941 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.02.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.2941 of 2024

R.M.Niranjana

... Petitioner

/vs./

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Mukudal 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 2nd Respondent forthwith to issue Non-traceable certificate in respect of the missing documents viz., Original Sale Deed in Doc.No.6557/2007 and Doc.No. 6558/2007, on the file of Sub Registrar, Nanguneri in the light of the Circular issued by the Director General of Police, Tamil Nadu in Rc.No. 2029209/General.1 (1)/2022 dated 01.04.2022.



WP(MD) No.2941 of 2024

WEB COPY

For Petitioner : Mr.R.Ponkarthikeyan

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

ORDER

The learned Counsel for the Petitioner submits that the Petitioner had filed this Petition seeking 'non traceable certificate' from the second Respondent.

2.The learned Additional Public Prosecutor, on instructions of the second Respondent, would submit that based on the petition of the Petitioner, CSR.No. 138 of 2022 had been registered. Further, 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 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



WP(MD) No.2941 of 2024

WEB COPY

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.

3.It is the further contention of the learned Additional Public Prosecutor that the second Respondent had already advised the Petitioner to produce those documents. Instead, he had approached this Court by filing this Petition. 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.

4.In the light of the submissions made by the learned Counsel for the Petitioner and the learned Additional Public Prosecutor, 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 is directed to take paper publication, shall submit copies of paper publication and give an undertaking to the effect that if the lost



WP(MD) No.2941 of 2024

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 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 two weeks from the date of furnishing of such documents.

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

13.02.2024

Index : Yes / No

Internet : Yes / No

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TO:

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

4/6



WP(MD) No.2941 of 2024

WEB COPY

2.The Inspector of Police,
Mukudal Police Station,
Tirunelveli District.



WEB COPY



WP(MD) No.2941 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.2941 of 2024

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