WEB COPY

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.2945 of 2024

S.Nagendran ... Petitioner

/vs./

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

2.The Inspector of Police,
Central Police Station,
Thoothukudi City. ... 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 non traceable certificate to the Petitioner with regard to the missing original sale deed document No.3701/2014 dated 06.11.2014 on the file of the Murappanadu Sub-Registrar Office, Thoothukudi District.

For Petitioner : Mr.M.Maharaja

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

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

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 missing original sale deed document No.3701/2014 dated 06.11.2014 on the file of the Murappanadu Sub-Registrar Office, Thoothukudi District. He had given representation through online on 16.12.2023 to the Respondent Police. 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 of newspaper publication. Also the Petitioner shall give an undertaking that if the

https://www.mhc.tn.gov.in/judis

WEB COPY

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 of Police/Head of State

https://www.mhc.tn.gov.in/judis

WEB COPY

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,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Central Police Station,
Thoothukudi City.

WEB COPY

SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.2945 of 2024

Dated:
12.02.2024

https://www.mhc.tn.gov.in/judis