



WP(MD) No.3274 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.02.2024**

CORAM:

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

W.P.(MD) No.3274 of 2024

Vasuki

... Petitioner

/vs./

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
C3, Police Station,
S.S.Colony,
New Ellis Nagar,
Magapoopalayam,
Madurai – 625 016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to issue Non traceable Certificate for the sale deed in Doc.No.2863/1964 in the name of Late. B.Susila W/o.Late. Balu @ Balasubramanian based on the Petitioner's complaint dated 25.07.2023 and the subsequent complaint to the second Respondent on 17.11.2023.



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For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.B.Thanga Aravindh
Government Advocate
(Criminal Side)

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 sale deed of the Petitioner bearing Document No.2863/1964, registered on the file of the Sub Registrar Office, Arasaradi, Madurai District. The Petitioner had lodged a compliant with the Respondents regarding the same, based on which CSR No.1248 of 2023 was also registered. Since no action was taken till date, the Petitioner is forced to file this Writ Petition.

2.The learned Government Advocate (Criminal Side), on instructions of the Respondents would submit that the Petitioner had already approached the Respondent Police for which CSR was also issued. Subsequently, the Petitioner did not appear. As per the Circular issued by the Director General of Police/Head of 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



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Procedures. He would further submit that the Petitioner shall appear before the Respondent Police, after issuing paper publication in any one of the local daily regarding missing sale deeds and shall produce the copy of the sale deeds along with the Petitioner's proof of identity to the Respondent Police. 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. Accordingly, the Petitioner is directed to furnish the details 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.



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4.The Petitioner is directed to follow the Procedures as stated in the Circular of the Director General of Police, which was informed to the Petitioner by the Respondent Police. The Petitioner shall furnish the 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 pass appropriate orders as per the Circular of the Director General of Police within the period of two weeks from the date of receipt of a copy of this order.

6.With the above directions, this Petition is disposed of. No costs.

15.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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