



W.P(MD)No.3182 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.3182 of 2024

C.Palanichamy

...Petitioner

Vs.

**1. The Superintendent of Police,
Pudukkottai District.**

**2. The Inspector of Police,
Ponnamaravathy Police Station,
Pudukkottai District.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent herein to direct the third Respondent to issue Non Traceable Certificate to the Petitioner in respect of the missed Doc.No.2205/12 dated 26.09.2012 on the basis of the CSR No.368 of 2022 dated 29.11.2022.

For Petitioner : Mr.K.G.Arunkumar

**For Respondents : Mr.M.Veeranthiran
Government Advocate (Crl. side)**



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking a Writ of Mandamus against the Respondent 1 and 2 to issue Non-Traceable Certificate of the Petitioner in respect of the missing document No.2205 of 2012 dated 26.09.2012 on the basis of the C.S.R.No.368 of 2022 dated 29.11.2022.

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 lost original document is found, it will be informed to the Respondent Police promptly and if non traceable



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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 (Criminal side), 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 Police Force, Tamil Nadu, Chennai, in Rc.No.



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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 allowed. No costs.

14.02.2024

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

jbr

To

1. The Superintendent of Police,
Pudukkottai District.
2. The Inspector of Police,
Ponnamaravathy Police Station,
Pudukkottai District.



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SATHI KUMAR SUKUMARA KURUP, J.

jbr

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