



WP(MD)No.4009 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2024

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.4009 of 2024

S.Dhanaraj

... Petitioner

/vs./

1.The Sub Registrar

Rajapalayam,

Virudhunagar District.

2. The Inspector of Police

Keezharajakularaman Police Station,

Rajapalayam, Virudhunagar District.

... 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 for the original Sale deed bearing Document No.2459/2013 dated 24.06.2013 on the file of Sub Registrar Office, Rajapalayam, Virudhunagar District, based on the Petitioner's representation dated 12.10.2022 submitted in person as well as his representation dated 20.09.2023 submitted through online within the time limit that may be stipulated by this Court.

For Petitioner : Mr.M.Mohanasundaram

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



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ORDER

The learned counsel for the Petitioner submits that the Writ Petition had been filed seeking Writ of Mandamus, directing the second Respondent to issue Non Traceable Certificate, regarding the sale deed, Document No.2459 of 2013, on the file of the Sub Registrar Office, Rajapalayam, Virudhunagar District, based on the Petitioner's representation, dated 12.10.2022 and 20.09.2023.

2. The learned Government Advocate (criminal side) on instructions of the Respondent Police submits that the Petitioner had given a complaint through on-line. On receipt of the same, the Respondent Police attempted to call the Petitioner, the Petitioner did not respond. Therefore, the learned Government Advocate (criminal side) seeks direction against the Petitioner to appear before the second Respondent and furnish documents 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.



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3. Recording the submission of the learned Government Advocate (criminal side), the Petitioner is directed to take paper publication, regarding missing document. Also, he shall file a certified copy of the document from the Sub Registrar concerned, he shall furnish proof of identity by furnishing Aadhar card, Driving Licence or any other identity proof. The Petitioner also directed to give written undertaking that if the original is traced and found out, the same will be informed to the Inspector of Police, Keezharajakularaman Police Station. Also he shall give an undertaking that the Non Traceable Certificate, will not be used to create encumbrance in properties that as it attracts criminal prosecution for misusing the non traceable certificate. On such filing of representation before the Respondent Police, the Respondent Police shall dispose of the Petition within a month from the date of filing of such Petition and documents by the Petitioner.

4. With the above directions, this ***Writ Petition*** is disposed of.

No costs.

22.02.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes/ No
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SATHI KUMAR SUKUMARA KURUP, J.

LS

TO:

1. The Sub Registrar
Rajapalayam,
Virudhunagar District.
2. The Inspector of Police
Keezharajakularaman Police Station,
Rajapalayam, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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