



WP(MD) No.3759 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2024**

CORAM:

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

W.P.(MD) No.3759 of 2024

Jagadeeswaran

... Petitioner

/vs./

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

2.The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd Respondent to issue non traceable certificate in respect of the documents viz., Original sale deed in Document No.187/2017 dated 27.01.2017, on the file of the Sub Registrar, Aranthangi and its original parental documents etc., by considering the Petitioner's representation dated 07.02.2024.



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For Petitioner : Mr.T.Lenin Kumar

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

ORDER

The learned Counsel for the Petitioner submit that the Petitioner had filed this Writ Petition seeking direction against the second Respondent to issue the 'non traceable certificate' to the Petitioner with regard to the document in Document No.187/2017 dated 27.01.2017, on the file of the Sub Registrar, Aranthangi and its original parental documents etc., He had given a representation dated 07.02.2024 to the Respondents. Till date, no action had been taken to issue the non traceable certificate.

2.The learned Additional Public Prosecutor, 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 with the circular of Director General of Police regarding non traceable certificate by furnishing



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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 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



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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.

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

20.02.2024

Index : Yes / No

Internet : Yes / No

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TO:

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

2.The Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

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SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
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Dated:
20.02.2024