



WP(MD) No.5394 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.03.2024**

CORAM:

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

W.P.(MD) No.5394 of 2024

A.Ponnukkalai

... Petitioner

/vs./

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Illupur,
Pudukkottai District.
- 3.The Inspector of Police,
Ponnamaravathi Police Station,
Illupur Circle,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 3rd Respondent to issue Non Traceable Certificate to the Petitioner relating to the missing Original Deed vide Document Nos.1444 of 2022 and 2047 of 2008 dated 26.08.2002 and 22.07.2008



WP(MD) No.5394 of 2024

WEB COPY

respectively, registered in the Sub Registrar Office, Ponnamaravathi and by considering the Petitioner's online representation dated 06.01.2024.

For Petitioner : Mr.S.Muthu Malai Raja

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)

ORDER

The learned counsel for the petitioner submits that the petitioner had filed this Writ Petition seeking direction against the third Respondent to issue the 'Non Traceable Certificate' to the Petitioner relating to the missing Original Deed vide Document Nos.1444 of 2022 and 2047 of 2008 dated 26.08.2002 and 22.07.2008 respectively registered in the Sub Registrar Office, Ponnamaravathi.

2.It is his submission that the petitioner lost documents bearing Doc.Nos. 1444/2002 and 2047/2008 registered on the file of the Sub Registrar Office, Ponnamaravathi, while returning from the Bank. The petitioner had given a complaint to the third respondent regarding missing of documents. Also, he had given a complaint through online on 06.01.2024. He had given a public advertisement in the local newspaper and in English version in Dinamani and



WP(MD) No.5394 of 2024

WEB COPY

Indian Express, Pudukkottai Edition on 10.01.2024. Therefore, he had filed this Petition seeking direction against the third Respondent to issue the 'Non Traceable Certificate' to the Petitioner

3.The learned Government Advocate (Crl.side), on instructions of the respondents 3 and 4, would submit that CSR.No.98 of 2024 had been registered by the fourth respondent. He would further 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 the 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 the 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



WP(MD) No.5394 of 2024

WEB COPY

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.

4.In the light of the submissions made by the learned Counsel for the Petitioner and the learned Government Advocate (Crl.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 and 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 misuses 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.2029209/General.4(1)/2022, dated



WP(MD) No.5394 of 2024

WEB COPY

01.04.2022, the Respondents shall consider and pass appropriate orders within a period of one month from the date of receipt of a copy of this order.

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

07.03.2024

Index : Yes / No
Internet : Yes / No
mm

TO:

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Illupur,
Pudukkottai District.
- 3.The Inspector of Police,
Ponnamaravathi Police Station,
Illupur Circle,
Pudukkottai District.



WEB COPY



WP(MD) No.5394 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

mm

Order made in
W.P.(MD)No.5394 of 2024

Dated:
07.03.2024