



WP(MD) No.5025 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **04.03.2024**

CORAM:

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

W.P.(MD) No.5025 of 2024

V.S.Arun

... Petitioner

/vs./

1.The Sub-Registrar,
Thriuthangal,
Virudhunagar District.

2.The Inspector of Police,
Thiruthangal Police Station,
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 conduct enquiry regarding the missing of original sale deed in Document No.3085/2022 dated 02.06.2022 (on the file of the first Respondent) of the Petitioner and issue Non-Traceable Certificate to the Petitioner after due enquiry by considering the Petitioner's representation dated 23.02.2024 within the time stipulated by this Court.

For Petitioner : Mr.E.Marees Kumar

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



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ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition for issuance of Writ of Mandamus, seeking direction against the second Respondent to conduct enquiry regarding the missing of original sale deed in Document No.3085/2022 dated 02.06.2022 (on the file of the first Respondent) of the Petitioner and issue Non-Traceable Certificate to the Petitioner after due enquiry by considering the Petitioner's representation dated 23.02.2024.

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



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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 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



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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 disposed of. No costs.

04.03.2024

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

TO:

- 1.The Sub-Registrar,
Thriuthangal,
Virudhunagar District.
- 2.The Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Order made in
W.P.(MD)No.5025 of 2024

Dated:
04.03.2024