



W.P.(MD) No.5575 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD) No.5575 of 2024

Chinnaiyan

... Petitioner

Vs.

State rep. by

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

2.The Sub Inspector of Police,
Valanaadu Police Station,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, directing the 1st Respondent to direct the 2nd Respondent to find out the Petitioner's purchased lands' document in No.38 of 1995 dated 23.01.1995 of the Thuvarankuruchi Sub Registry or issue non-traceable certificate to him based on his online complaint dated 27.12.2023 and his representation dated 02.02.2024 within the stipulated time limit as fixed by this Court.

For Petitioner : Mr.N.Palaniyandi

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



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ORDER

The learned Counsel for the Petitioner would submit that this Writ Petition had been filed seeking direction against the Respondents to issue non-traceable certificate based on the Petitioner's representation dated 27.12.2023 through online and another representation dated 02.02.2024.

2. It is the submission of the learned Counsel for the Petitioner that he had lost the 'Sale Deed Document bearing No.38/1995' for his land. He had furnished certified copy of the said Document and sufficient number of photographs along with proof of identity of the Petitioner to the 2nd Respondent. The paper publication was also effected with regard to the missing of documents and a copy of the same was also produced to the 2nd Respondent. Still, the Petitioner was not issued with non-traceable certificate.

3. The learned Government Advocate (Crl. Side), on instructions of the Respondents, disputes the contention of the learned Counsel for the Petitioner that he had furnished all relevant documents. It is the



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submission of the learned Government Advocate (Crl. Side) that the Petitioner had sent only online representation and he has not approached the 2nd Respondent, Sub-Inspector of Valanaadu Police Station, in person. Further, the learned Government Advocate would submit that as per the representation dated 02.02.2024, the Petitioner had not enclosed copies of the documents that he sought in this Writ Petition. Therefore, the learned Government Advocate, on instructions of the 2nd Respondent, would contend that if the Petitioner is ready to approach the Respondents along with all relevant documents, they are ready to issue non-traceable certificate to the Petitioner.

4. In the light of the above, the Petitioner is directed to appear before the 2nd Respondent and furnish certified copy of the lost 'Sale Deed Document bearing No.38/1995' along with sufficient number of photographs of the Petitioner and Photostat of Identity Card as proof of Identity. The Petitioner shall also furnish an undertaking stating that if the original document is traced out, he will inform the 2nd Respondent and also after issuance of non-traceable certificate, he will not misuse it for encumbering the properties and if there is any violation of conditions, he is liable to be prosecuted. On appearance of the Petitioner and giving such



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undertaking, the 2nd Respondent shall, within a period of 1 month, issue non-traceable certificate to the Petitioner.

5. Accordingly, this Writ Petition is disposed of. No cost.

08.03.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order

JEN

To :

- 1.The Superintendent of Police,
Trichy, Trichy District.
- 2.The Sub Inspector of Police,
Valanaadu Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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