



W.P(MD)No.6217 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.6217 of 2024

S.Thangarasu

... Petitioner

Vs

1. The Superintendent of Police,
O/o.Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Sindhupatti Police Station,
Sindhupatti,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to find out of petitioner missed documents or issue non traceable certificate (NTC) in respect of the documents Doc.No.86 of 1991 dated 13.02.1991 registered at the office of the Sub - Registrar, Sindhupatti within a stipulated period fixed by this Court.



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For Petitioner : Mr.S.M.Anantha Murugan
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

ORDER

The learned Counsel appearing for the Petitioner submit that the Petitioner had filed this petition seeking Writ of Mandamus against the Respondents to issue non traceable certificate with regard to the document.No.86 of 1991 dated 13.02.1991 registered with the Sub - Registrar, Sindhupatti.

2.It is the contention of the learned Counsel appearing for the Petitioner that the original sale deed, dated 13.02.1991 was lost by the Petitioner. The encumbrance of the property is still with the Petitioner. The Petitioner lodged a complaint with the second Respondent as on 20.06.2023 since the Second Respondent did not take any action based on the complaint of the Petitioner, the Petitioner preferred second complaint on 27.06.2023.

3.The learned Government Advocate (Crl.Side) on instructions of the Respondents submit that the second representation of the Petitioner



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was not issued on 27.06.2023. It was issued only on 24.07.2023. He further submit that the Petitioner had given the first representation through online and the second representation was sent through registered post. The learned Government Advocate (Crl.Side) further submit that the Petitioner may be directed to appear in person for enquiry with the second Respondent.

4.Considering the rival submissions, the Petitioner is directed to appear before the second Respondent 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 Respondents are directed to issue a non-traceable certificate on appearance of the Petitioner along with the documents mentioned in 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 Respondents shall consider the Petitioner's representation favorably within a period of one



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month from the date of appearance of the Petitioner along with sufficient number of copies of documents.

5. With the above directions, this writ petition is disposed of. No costs.

15.03.2024

Index :Yes/No
Internet: Yes/No
LR



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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Sindhupatti Police Station,
Sindhupatti,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

LR

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