



W.P.(MD)No.6369 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.6369 of 2024

E.Madhavan

... Petitioner

Vs

1.The Superintendent of Police,
Kanyakumari District, Nagercoil.

2.The Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.

...Respondents

Prayer : Petition filed under Article 226 of Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to issue non traceable certificate for vehicle bearing Reg.No.TN74AS8539 (Ashok Leyland Mini Tempo) in favour of the petitioner on the basis of the petitioner's representation dated 26.02.2024.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor



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ORDER

This writ petition is filed seeking a Writ of Mandamus, to direct the Respondents to issue a Non Traceable Certificate to the petitioner based on his representation dated 26.02.2024.

2.The petitioner claims that his vehicle bearing Reg.No.TN74AS8539 (Ashok Leyland Mini Tempo) was found missing and a case has been registered, on 09.07.2018, in Cr.No.209 of 2018 for the offence under Section 379 IPC. The said case is pending for investigation for the past six years and the second respondent police has not filed the final report yet. The petitioner is also unable to get the insurance, in the absence of certificate from the respondents. Therefore, the petitioner has filed the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents submits that the case is still in FIR stage.



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4.In view of the above, the second respondent is directed to conduct proper investigation and find out the missing vehicle, within a period of one month from the date of receipt of a copy of this order. In the event, if the second respondent Police could not find the vehicle or proceed with the case, then the respondents shall issue Non Traceable Certificate to the petitioner, after verifying the ownership.

5.In the result, this writ petition is disposed of. No costs.

11.07.2024

NCC : Yes/No
Index : Yes/No
gns



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B.PUGALENDHI,J

gns

To

- 1.The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 2.The Inspector of Police,
Aralvaimozhi Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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