



W.P(MD)No.8023 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2024

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.8023 of 2024

Jeyakannan .G

... Petitioner

Vs

The State Rep. by The,  
Inspector of Police,  
Sivakasi East  
Police Station,  
Virudhunagar District.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to conduct enquiry regarding the missing of original share certificate in Folio no.1598-Certificate No.4902, Folio no.1598 Certificate no.50122, Folio no.22060 certificate no.60634 and folio number 1598 Transfer No.T31070 by considering the petitioner representation dated 15.03.2024 within the time stipulated by this Court.



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For Petitioner : Mr. E.Mareeskumar  
For Respondent : Mr.T.Senthil Kumar  
Additional Public Prosecutor

## **ORDER**

This Writ Petition has been filed for a Mandamus, directing the respondents to conduct enquiry regarding the missing of original share certificates of Tamil Nadu Mercantile Bank belonging to the petitioner.

2.The case of the prosecution is that the petitioner's share certificates in Folio No.1598-certificate4 no.4902, Folio No.1598 certificate No.50122 and Folio No.1598-Transfer No.T31070 of Tamil Nadu Mercantile Bank were misplaced on 05.12.2021 at Sivakasi. Therefore, the petitioner had given a criminal complaint before the respondent police on 05.01.2022 and the same was taken on file in CSR No.8 of 2022 by the respondent police. However, no action has been taken by the respondent police.

3.Mr.T.Senthil Kumar, Additional Public Prosecutor takes notice for the respondent.



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4. When this writ petition was taken up for admission on 02.04.2024, the learned Additional Public Prosecutor submitted that a Circular in Rs.No.2029209/General.1(1)/2022 dated 01.04.2022 has been issued by the Director General of Police, Chennai prescribing certain guidelines for issuance of a Non Traceable Certificate. However, on perusal of the same, it appears that the above Circular is meant for missing of land documents alone. Hence, this Court posted this case under the caption "for clarification" on 25.04.2024.

5. Today (25.04.2024), when the matter is taken up for hearing, the learned Counsel for the petitioner submitted that the share Certificates which he had kept in his office were missing.

6. Considering the relief sought for by the petitioner, the petitioner shall lodge a complaint before the learned Judicial Magistrate concerned under section 156(3) of Cr.P.C. In the event, if the petitioner makes out a case, the concerned Magistrate shall take the complaint on file and pass suitable orders.



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7. Accordingly, this Writ Petition is disposed of. No costs.

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**25.04.2024**

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

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To

1. Inspector of Police,  
Sivakasi East  
Police Station,  
Virudhunagar District.

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



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**B.PUGALENDHI, J.**

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