



W.P.(MD)No.19505 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.19505 of 2024

Ponnusamy

...Petitioner

Vs.

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

2.The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli 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 second respondent to issue non traceable certificate to the petitioner with regard to the missing original sale deed document No.979/1985 dated 19.09.1985 on the file of the Cheranmahadevi Joint II Sub-Registrar office, Tirunelveli District.

For Petitioner : Mr.M.Maharaja

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders to direct the second respondent to issue non traceable certificate to the writ petitioner with regard to the missing original sale deed document No.979/1985 dated 19.09.1985 on the file of the Cheranmahadevi Joint II Sub-Registrar office, Tirunelveli District.

2. Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. The learned Government Advocate (Criminal Side) appearing for the respondents would submit that the writ petitioner's earlier application for missing of his original sale deed document bearing No. 979 of 1985 dated 19.09.1985 which was situated at Kothankulam, Gopalamudram Village, Tirunelveli District in Survey No.71/1 came to be closed on the ground that the writ petitioner has not appeared before the then investigating officer.



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4. The learned counsel appearing for the writ petitioner would submit that the writ petitioner has given a complaint on 27.10.2023 and CSR No.1590/2023 came to be registered on 02.12.2023 and the writ petitioner has appeared before the then investigating officer one week later. He would further submit that the writ petitioner has also made paper publication on 28.10.2023 with regard to the missing of original document.

5. In pursuance of the direction of this Court in Crl.O.P.No.3307 of 2022, the Director General of Police has issued a circular memorandum in Rc.No.2029209/General.1 (1)/2022, dated 01.04.2022 stipulating the procedure to be adopted with regard to issuance of non-traceable certificate.

6. Considering the above, the second respondent is directed to conduct enquiry and issue Non-traceable Certificate to the writ petitioner, after ensuring the said document has not been deposited for any purpose following the circular issued by the Director General of Police within a period of one month from the date of receipt of a copy of this order.



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7. With the above direction, the Writ Petition stands disposed of.

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No costs.

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NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

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



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K.MURALI SHANKAR, J

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Order made in
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