



W.P(MD)No.20499 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.20499 of 2024

Shiek Uduman

...Petitioner

Vs.

1.The Superintendent of Police,
District Police Officer,
Dindigul District.

2.The Inspector of Police,
Chathrapatti Police Station,
Ottanchathram Taluk,
Dindigul 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 authorized power agent without insisting the physical appearance of the legal owner of the property based on the representation, dated 23.07.2024 and as per the circular of the Director General of Police, Chennai.

For Petitioner : Mr.J.Gunaseelan Muthiah

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



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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 petitioner authorized power agent without insisting the physical appearance of the legal owner of the property based on the representation, dated 23.07.2024 and as per the circular of the Director General of Police, Chennai.

2. Heard the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that since the petitioner has not appeared before the respondent Police, they could not proceed further.

4. But the learned counsel appearing for the petitioner would submit that in pursuance of the summons issued by the respondent Police, he has sent a reply through online stating that the petitioner is a



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senior citizen and not in a position to appear before the respondent Police. He would further submit that the writ petitioner has lodged a complaint before the respondent for missing of his original sale deed document bearing No.1593 of 1975 dated 19.04.1975 which was situated at Perumbakkam Village, Saidapet Taluk, Chingelput District. He would further submit that the writ petitioner has also made paper publication 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 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.

No costs.

02.09.2024

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

To

- 1.The Superintendent of Police,
District Police Officer,
Dindigul District.
- 2.The Inspector of Police,
Chathrapatti Police Station,
Ottanchathram Taluk,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

das

Order made in
W.P.(MD)No.20499 of 2024

Dated : 02.09.2024