



W.P.(MD)No.21077 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.21077 of 2024

Narang International Hotels Private Limited
represented by its Authorised Signatory

...Petitioner

Vs.

1.The Director General of Police,
State of Tamilnadu
Office of the DGP, Mylapore,
Chennai-600004.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Tuticorin District, Tuticorin-628001.

3.The Inspector of Police,
Tuticorin Central Police Station,
Tuticorin-628001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records leading to the impugned CLOSURE ORDER dated 19.08.2024 issued by the third respondent arbitrarily closing the documents Missing Complaint dated 07.09.2023 under CSR No. 1153/2023 dated 13.09.2023 without conducting any enquiry, and quash



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the same as illegal being ultra vires of the provisions of Article 14, 21 and 300A of the Constitution, and consequently direct the third respondent to forthwith issue the Non Traceable Certificate in respect of the lost Original Title Deeds numbering 51 Sale Deeds of the property owned by the petitioner having an extent of about 106 acres in and Pazhavor Village, Radhapuram Taluk, Tirunelveli District, based on the complaint dated 07.09.2023 under CSR No.1153/2023 dated 13.09.2023 on the files of the third respondent.

For Petitioner : Mr.Isaac Mohanlal, Senior Counsel
for Mr.S.I.Abdul Kalam Bagadursha

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

ORDER

The Writ Petition is directed against the order dated 19.08.2024 issued by the third respondent and for direction to the third respondent to issue Non Traceable Certificate in respect of 51 original sale deeds of the property owned by the writ petitioner having an extent of about 106 acres in Pazhavor Village, Radhapuram Taluk, Tirunelveli District, based on his complaint dated 07.09.2023.

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



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3. The learned Additional Public Prosecutor appearing for the respondents would submit that on the basis of the complaint lodged by the writ petitioner for missing of his 51 original sale deeds, CSR No.1153 of 2023 came to be registered and after detailed enquiry, the same was ordered to be closed on 19.08.2024 by the third respondent.

4. The learned Senior Counsel appearing for the writ petitioner would submit that even though the writ petitioner has also given an undertaking affidavit as prescribed by the third respondent, the third respondent has passed the impugned order closing the writ petitioner's complaint hastily.

5. In pursuance of the direction of this Court in CrI.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 writ petitioner is directed to give a



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fresh representation along with an undertaking affidavit before the third respondent and on receipt of the same, the third 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.

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

04.09.2024

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

To

- 1.The Director General of Police,
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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.21077 of 2024

Dated : 04.09.2024