



W.P.(MD)No.23049 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.23049 of 2024

A.Gurusamy

...Petitioner

Vs.

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

2.The Inspector of Police, (Crime Branch)
Srivilliputtur Town Police Station,
Virudhunagar 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 a Non-Traceable Certificate in respect of original document number 745/1989, in view of representation / complaint dated 25.12.2022 within the stipulated time which this Court may deem fit and proper in the circumstances of the case.



W.P(MD)No.23049 of 2024

WEB COPY

For Petitioner : Mr.M.Jothi Basu

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

ORDER

The Writ Petition has been filed, invoking Article 226 of the Constitution of India, seeking orders to direct the second respondent to consider the writ petitioner's complaint dated 25.12.2022 and issue non-traceable certificate with regard to the document mentioned in the said complaint within a time stipulated by this Court.

2. The learned counsel appearing for the writ petitioner would submit that the writ petitioner has made paper publication on 21.12.2022 for missing of his original sale agreement document bearing No.745 of 1989 dated 28.04.1989, that thereafter the writ petitioner has lodged an online complaint on 24.12.2022 and again lodged a complaint before the second respondent on 25.12.2022 and on that basis, CSR No.143 of 2023 came to be registered and that thereafter the writ petitioner has sent a fresh representation dated 03.02.2024 but there was no action.



W.P(MD)No.23049 of 2024

WEB COPY

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the writ petitioner's representation after enquiry was closed and that the writ petitioner may be directed to give a fresh representation and they will consider the same.

4. 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.

5. Considering the above, the writ petitioner is directed to give a fresh representation to the second respondent and on receipt of the same, 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.



W.P(MD)No.23049 of 2024

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

WEB COPY

No costs.

27.09.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm

To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police, (Crime Branch)
Srivilliputtur Town Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



W.P(MD)No.23049 of 2024



WEB COPY



W.P(MD)No.23049 of 2024

K.MURALI SHANKAR, J

csm

**Order made in
W.P.(MD)No.23049 of 2024**

Dated : 27.09.2024