



W.P.(MD)No.26324 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

W.P.(MD)No.26324 of 2024

Sargunam

.. Petitioner

Vs

1. The Superintendent of Police
Tiruchirapalli District
Tiruchirapalli

2. The Deputy Superintendent of Police
Jeeyapuram
Tiruchirapalli District

3. The Inspector of Police
Mannachanallur Police Station
Mannachanallur,
Tiruchirapalli District

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to issue non traceable certificate relating to the sale deed bearing document number 1257 of 2007 dated 28.07.2007 on the file of the Sub Registrar, Thuraiyur on the basis of online complaint reference number CHS24467914 dated 29.09.2024 within time frame fixed by this Court



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For Petitioner : Mr.A.Azhagrson
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the third respondent to issue non traceable certificate relating to the sale deed bearing document number 1257 of 2007 dated 28.07.2007 on the file of the Sub Registrar, Thuraiyur on the basis of online complaint reference number CHS24467914 dated 29.09.2024 within time frame fixed by this Court

2.The petitioner has given complaint on 01.10.2024 for missing of document and issuance of Non Traceable Certificate, which was not considered. Hence the present petition has been filed.

3. The father of the petitioner and his friend Subbiah have purchased property for an extent of 2 acre 96 cents at Peramangalam Village, Musiri Taluk, Trichy District by way of sale deed bearing document No.1257 of 2007 dated 28.02.2007. After purchase of property the father of the petitioner and his friend were both in possession and enjoyment of the property without any hindrance . Patta was also



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transferred in their names in Patta No.150. The said Subhaiah who is the joint property holder had executes a sale deed for his portion of land through registered sale deed bearing document No.6793 of 2009 dated 19.10.2009. The father of the petitioner had also executed settlement deed for remaining portion of the land through registered settlement deed bearing document No.6985 of 2009 dated 27.10.2009. Hence the petitioner had become owner of the property and he is in possession and enjoyment of the property. The parent document original was with the petitioner. On 28.09.2024 the petitioner along with his friend had gone to Mannachanallur Registrar Officer for some enquiry and apply for Encumbrance Certificate. When he came back home he found the original documents missing. Thereafter he lodged complaint and also sent online complaint on 29.09.2024. Hence he made request to the respondent police to issue Non Traceable Certificate.

4. The learned Additional Public Prosecutor would submit that the complaint of the petitioner was not received by the respondent. He would further submit that in pursuance of the direction of this Court in CrI.O.P.No.3307 of 2022, the Director General of Police has issued a



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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. Following the above, 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 two month from the date of receipt of a copy of this order.

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

No costs.

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Index: Yes/No

Internet : Yes/No

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To

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2. The Deputy Superintendent of Police
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3. The Inspector of Police
Mannachanallur Police Station
Mannachanallur,
Tiruchirapalli District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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