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W.P.(Crl).No.155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.07.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.(Criminal).No.155 of 2025

G.Kalivu (senior citizen - 70 years)
S/o Late A.Govindan

.. Petitioner

Vs.

State of Tamil Nadu,
Rep. by the Inspector of Police,
M.K.B.Nagar Police Station,
Vysarpadi,
Chennai-600 039.

.. Respondent

Writ Petition (Criminal) filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to issue a Non-traceable Certificate in respect of the missing sale deed dated 24.01.2007 registered as Document No.157 of 2007, on the file of the Sub-Registrar, Uthukottai, within a stipulated time period.

For petitioner : M/s.G.Daisy John

For respondent : Dr.C.E.Pratap, Govt. Advocate (Crl. side)



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ORDER

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The petitioner has filed the present Writ Petition praying for issuance of a Writ of Mandamus to direct the respondent to issue a Non-traceable Certificate in respect of the missing sale deed dated 24.01.2007 registered as Document No.157 of 2007, on the file of the Sub-Registrar, Uthukottai, within a stipulated time period.

2. Earlier, this Court gave a direction that the respondents have not properly responded and till now, they have not given any non-traceable certificate and hence, this Writ Petition is filed by the petitioner for the above stated prayer.

3. Learned Government Advocate (Criminal Side) appearing for the respondent submitted that an affidavit was called for from the son of the petitioner, who is residing abroad. Though they have sent the affidavit, it is not in proper format and the same was not signed before the Embassy and not sent through proper channel. The petitioner was requested to file affidavit in proper form. Since the petitioner has not given proper affidavit, the respondents are unable to give final report.

4. Heard both sides and perused the materials available on record.

5. Admittedly, the petitioner has given a complaint before the

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respondent-Police for missing of the document of his son's property.

Admittedly, the son is in abroad, though the affidavit was called for, they have not filed it in proper form.

6. In the above facts and circumstances, the petitioner is directed to file affidavit in proper form as required by the respondent-Police and on receipt of the proper affidavit from the petitioner, the respondent-Police is directed to conduct investigation and give a suitable reply/Certificate as requested by the petitioner in the manner known to law.

7. With the above observations/direction, this petition is disposed of.

03.07.2025

CS

To

1. The Inspector of Police, M.K.B.Nagar Police Station, Vysarpadi, Chennai-600 039.
2. The Sub-Registrar, Uthukottai
3. The Public Prosecutor, High Court, Madras.

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P.VELMURUGAN, J

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