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WP CrI. No. 760 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

WP CrI. No. 760 of 2025

M.Kuppusamy

Petitioner(s)

Vs

The Inspector of Police,
C-1, Harur Police Station,
Dharmapuri District.

Respondent(s)

PRAYER

Directing the Respondents to call for the records relating to the impugned order of the respondent dated 18.06.2025 in C.No.22/C1PS/General/2025 and to quash the same, consequently, direct the respondent to issue non-traceable certificate for the missing of Original Sale Deed vide Doc.No.1320 of 1979, on the file of S.R.O. Harur

For Petitioner(s): Mr.C.Prabakaran

For Respondent: Mr.R.Vinothraja,
Govt. Advocate (CrI. Side)



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ORDER

The impugned order has been passed by the Inspector of Police rejecting the application given by the petitioner to furnish non traceable certificate in respect of the document No.1320 of 1979. Challenging the same, the present petition has been filed.

2. According to the petitioner, the original document bearing No. 1320 of 1979 was misplaced on 20.02.2022 while he went to take xerox. Hence, the petitioner sought non traceable certificate and the same was rejected by the Inspector of Police stating that the petitioner is not the owner of the property.

3. Be that as it may, on perusal of the impugned order, it is seen that the Inspector of Police has gone in to the issue of title of the petitioner based on certain revenue records and thus he exceeded his limit. It is not the jurisdiction of the Inspector of Police to go into the title and hence, the impugned order with regard to the title stands quashed.



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4. The contention of the petitioner is that non-traceable certificate is required only for the purpose of registration. Now it is to be noted that Rule 55A of the Tamil Nadu Registration Rules has been struck down by the Supreme Court in Civil Appeal No.3954 of 2025 by order dated 07.04.2025. Thereafter, the Inspector General of Registration has issued circular Lr.No.44420/C1/2024, dated 28.04.2025, wherein it is clearly directed the Sub-Registrar that the Registering officials shall not insist the production of original previous documents or non-traceable certificate from the Police Department or encumbrance certificate and other revenue details from the registrants.

5. In view of the above circular, non-traceable certificate from the Police is not at all required. Accordingly, this petition is disposed of.

04-09-2025

pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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