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W.P.Crl.No.1018 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

W.P.Crl.No.1018 of 2025

1. Ravichandran
2. Kavitha ... Petitioners

Vs.

1. The Commission of Police,
Coimbatore.
2. The Inspector of Police,
Vadavalli Police Station,
Vadavalli, Coimbatore.
3. The Sub Registrar,
Vadavalli, Coimbatore. ... Respondents

PRAYER : Writ Petition (Criminal) is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus or direction in the nature of writ, to direct respondents 1 and 2 to conduct enquiry on the petitioner's complaint dated 17.03.2025 given in person and reminder dated 25.07.2025 in respect of loss of original document, within a time frame fixed by this court.

For Petitioners : Mr.R.Prabakar

For Respondents : Mr.R.Vinothraja
Government Advocate (Criminal Side)



W.P.Crl.No.1018 of 2025

ORDER

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2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondents.

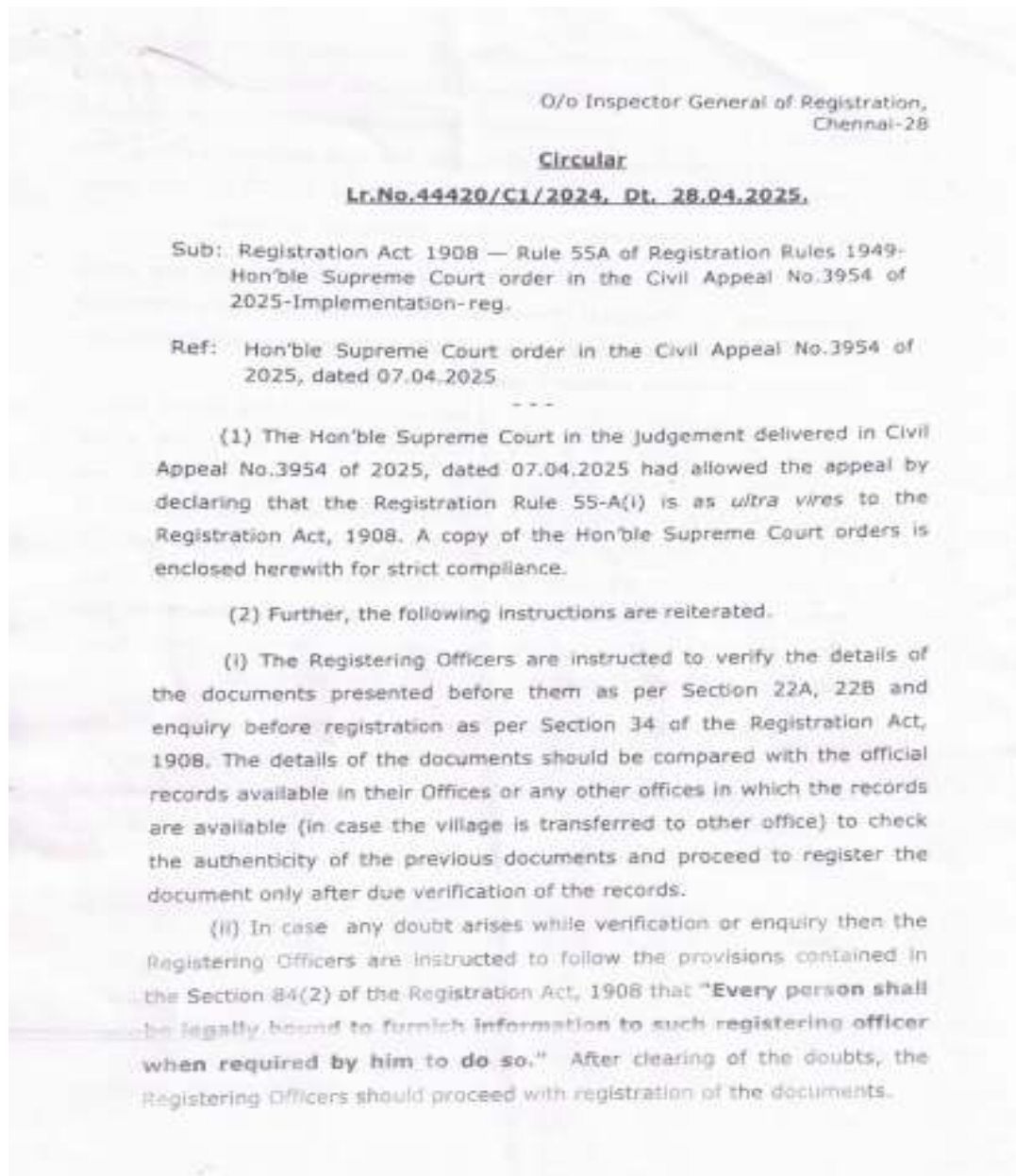
3. It is the contention of the learned counsel appearing for the petitioner that the petitioner mainly seeks a Non-Traceable Certificate only to execute the discharge receipt, as the third respondent is insisting upon the same.

4. The issue involved in this case, namely, the refusal to register a document for want of the original previous documents or a Non-Traceable Certificate from the Police Department, has already been dealt with by this Court in W.P.No.2758 of 2023, vide order dated 08.02.2023, after advertent to several judgments of the Hon'ble Apex Court. Further, the



W.P.Crl.No.1018 of 2025

Inspector General of Registration has also issued a circular dated 28.04.2025 in Lr.No.44420/C1/2024, in respect of the same issue concerning Rule 55A of Registration Rules. The scanned copy of the circular dated 28.04.2025 issued by the Inspector General of Registration has been reproduced below :-





W.P.Crl.No.1018 of 2025

WEB COPY

(3) It is hereby reiterated that if registering officers are found to have passed an order of refusal on the grounds that the executant of a document has not produced Original Previous documents or non-traceable certificate for the loss/misplace of original Previous documents at the time of registration or not submitted, Encumbrance Certificate and other revenue details, then severe disciplinary actions will be taken.

(4) In other words the Registering Officers shall not insist production of Original Previous documents or Non-Traceable Certificate from the Police Department or Encumbrance Certificate and other Revenue details from the Registrants.

(5) The concerned District Registrars (Audit) of the district should monitor the registration of the documents and to verify the above instructions have been followed without any lapses and to check that there is no delay or hassles while registering the documents. If, there is any delay in registration of the documents or if there is any lapse it should be immediately reported by the concerned District Registrars (Administration) or District Registrars (Audit) as the case may be to this office through concerned Deputy Inspector Generals, to initiate disciplinary proceedings against the concerned erred officials.

(6) Hence, Registering officers are directed to strictly adhere to the above instructions in letter and in spirit. District Registrars and Deputy Inspector Generals are instructed to supervise the compliance of the above instructions by the registering authority. The receipt of this circular is to be acknowledged by all hierarchically.

(7) This circular is issued without prejudice to the department to seek review of the Hon'ble Supreme Court Judgement.

Sd-28.04.2025

Inspector General of Registration

(By Order)

Additional Inspector General of Registration
(Stamps & Registration)

28/4/25

5. Following the aforesaid order, this Court directs the Registering Officer not to insist upon the production of the original previous document,



W.P.Crl.No.1018 of 2025

Non-Traceable Certificate from the Police department, Encumbrance Certificate or other revenue details from the registrants. The Registering Authority shall register the document pursuant to the circular issued by the Inspector General of Registration, in accordance with law.

6. Accordingly, this Writ Petition (Criminal) stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

09.10.2025

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Neutral Citation: Yes/No
To

1. The Commission of Police,
Coimbatore.
2. The Inspector of Police,
Vadavalli Police Station,
Vadavalli, Coimbatore.
3. The Sub Registrar,
Vadavalli, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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W.P.Crl.No.1018 of 2025

N. SATHISH KUMAR, J.

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W.P.Crl.No.1018 of 2025

09.10.2025