



W.P.(MD) NO.4727 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.(MD) No.4727 of 2025

and

W.M.P.(MD) No.3410 of 2025

Madhu Jayan

... Petitioner

vs.

1.The Superintendent of Police,
Thoothukudi.

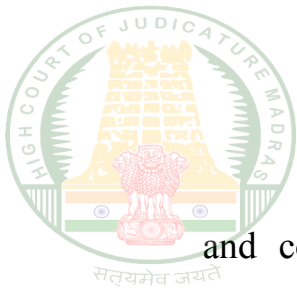
2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi.

3.S.R.Parthasarathy

4.Selvaraj.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to Non Traceable Certificate, dated 03.05.2021 issued by the second respondent in respect of Doc.No.840/1998, 839/1998, 663/1998, 843/1998, 841/1998 and 842/1998, registered with Sub Registrar Office



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and consequently, direct the respondent Nos.1 and 2 herein to take appropriate action against the respondent Nos.3 and 4 in accordance with law.

For petitioner : Mr.G.Vishnuram

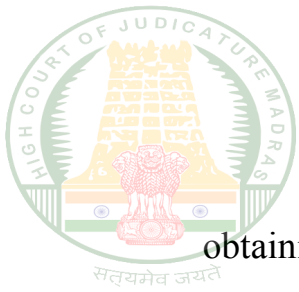
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor for R1 & R2

ORDER

This petition has been filed by the petitioner to call for the records pertaining to Non Traceable Certificate, dated 03.05.2021 issued by the second respondent in respect of Doc.No.840/1998, 839/1998, 663/1998, 843/1998, 841/1998 and 842/1998, registered with Sub Registrar Office and consequently, direct the respondents 1 and 2 herein to take appropriate action against the respondents 3 and 4.

2. Mr.R.M.Anbunithi, learned Additional Public Prosecutor takes notice for the respondents 1 and 2.

3. The learned counsel for the petitioner would submit that the documents in Doc.No.840/1998, 839/1998, 663/1998, 843/1998, 841/1998 and 842/1998 were mortgaged by the third respondent by



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obtaining money from the petitioner and the documents are under the custody of the petitioner. Suppressing the said facts, the third respondent obtained Non-Traceable Certificate from the second respondent police. Hence, he filed this petition.

4. This Court heard both sides and perused the records.

5. Considering the limited scope of the prayer sought for in this petition, this Court, even without issuing notice to the private respondents, is inclined to dispose of this petition at the time of admission itself.

6. According to the petitioner, the second respondent lodged a false complaint stating that the documents in Doc.Nos. 840/1998, 839/1998, 663/1998, 843/1998, 841/1998 and 842/1998 were misplaced, by suppressing that those documents were mortgaged with the petitioner herein. The respondent police also without any enquiry issued Non-Traceable Certificate. Even assuming that the third respondent, after suppressing the facts, obtained the Non-Traceable Certificate, merely because of the non-traceable certificate issued by the police, that will not create any right for the parties in respect of the title of the property.



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Therefore, the filing of the present petition itself is unnecessary. Hence, this Court is not inclined to cancel the Non-Traceable Certificate issued to the third respondent. However, if the petitioner has some rights over the property, based on those documents, he can approach appropriate forum in the manner known to law.

7. With the above direction, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1.The Superintendent of Police,
Thoothukudi.

2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P.DHANABAL,J

apd

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