



W.P.(MD)Nos.4310 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

THE HONOURABLE **MR.JUSTICE P.DHANABAL**

W.P.(MD)No.4310 of 2025

C.Duraipandian

... Petitioner

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Head of Police Force,
Tamil Nadu, Chennai - 4.
2. The Commissioner of Police,
Tirunelveli City, Tirunelveli.
3. The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City, Tirunelveli.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.2 and 3 to issue the Non traceable certificate as per the circular of the 1st respondent in Rc.No. 2029209/General.1(1)/2022 dated 01.04.2022, based on the petitioner's representation dated 31.07.2024 within a time stipulated by this Court.



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For Petitioner : Mr.V.Saravanaganthi
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This writ petition has been filed seeking for a direction to the respondents No.2 and 3 to issue the non-traceable certificate as per the circular of the 1st respondent in Rc.No.2029209/General.1(1)/2022 dated 01.04.2022, based on the petitioner's representation dated 31.07.2024 within a time stipulated by this Court.

2. According to the petitioner, he owns the property through the partition deed in Document No.51 of 2003, dated 08.01.2003, on the file of the Sub Registrar Office, Tirunelveli. While being so, on 14.09.2023, when he was coming from Vannarpettai to Tirunelveli Town by bus, he missed the original partition deed in Document No.51 of 2003 dated 08.01.2003 and thereafter, he made a search in somany places. However, he is unable to trace out the same. Therefore, he lodged an online complaint on 21.09.2023 and he also issued



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paper publication to that effect. The petitioner also made a complaint dated 31.07.2024, which was also acknowledged by the third respondent on the same day and CSR No.265/2024 was also assigned. The first respondent also issued the circular dated 01.04.2022 in respect of issuance of non-traceable certificate. But the third respondent has not followed the said circular and so far, he has not issued the non traceable certificate. Hence, the petitioner filed this writ petition.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the third respondent enquired the matter and closed the complaint, after verifying the CCTV footage.

4. This Court heard the learned counsel on both sides and perused the records placed before this Court.

5. According to the petitioner, he misplaced the partition deed in Document No.51 of 2003, dated 08.01.2003, on the file of the Sub Registrar Office, Tirunelveli, while he was travelling in the bus from Vannarpettai to



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Tirunelveli Town and therefore, he lodged a complaint dated 31.07.2024 for missing of the said partition deed. The above said complaint is also admitted by the third respondent and CSR No. 265 of 2024 dated 31.07.2024 was also issued. However, the third respondent closed the complaint on the ground that alleged missing of document is not true.

6. The learned Additional Public Prosecutor appearing for the respondents produced the copy of the report of the third respondent, dated 18.02.2025.

7. On a perusal of the the report of the third respondent, dated 18.02.2025, it is seen that third respondent conducted enquiry and perused the CCTV footage in and around the place where the document was missed and thereafter, closed the complaint, as the complaint is not true. There is no specific averment as to where the third respondent monitored the CCTV footages with regard to the missing of the said document. The document was misplaced while travelling in the bus from Vannarpettai to Tirunelveli Town. While so, it is not possible to trace the document through CCTV footage. Therefore, the aforesaid closure of the complaint is not in accordance with law.



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8. In view of the above, the third respondent is directed to trace out the document of partition deed in Document No.51 of 2003, dated 08.01.2003 and if he is unable to trace out the same, he shall issue non traceable certificate in accordance with law, within a period of one month from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is disposed of. No costs.

19.02.2025

Neutral Citation: Yes / No
Index : Yes / No
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P.DHANABAL, J.

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2. The Commissioner of Police,
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3. The Inspector of Police,
Tirunelveli Junction Police Station,
Tirunelveli City, Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
W.P.(MD)No.4310 of 2025

Dated:
19.02.2025