



W.P.Crl.(MD)No.3362 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **23.06.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.Crl.(MD)No.3362 of 2026

I.Balan Ranjan Issac,
Through His Power Agent,
P.Vijayakumar Parameshwaran Pillai.

... Petitioner

Vs.

1. The Superintendent of Police,
Kanniyakumari District,
Nagercoil.

2. The Inspector of Police,
Asaripallam Police Station,
Kanniyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to issue a non-traceable certificate in respect of the will deed dated 22.01.1991 registered as Doc.No.12/1991 on the file of Joint No.I, Sub-Registrar Office, Nagercoil by considering the petitioner's representation dated 08.04.2026.

For Petitioner : Mr.A.Mohamedhaneef

For Respondents : Mr.D.Rajaboopathy

Government Advocate (Crl. Side)



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ORDER

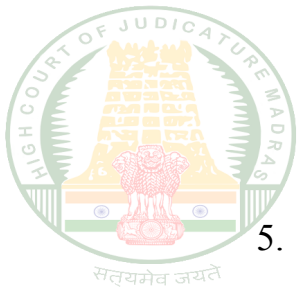
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This writ petition has been filed seeking for a direction to the 2nd respondent to issue a non-traceable certificate in respect of the will deed dated 22.01.1991 registered as Doc.No.12/1991 on the file of Joint No.I, Sub-Registrar Office, Nagercoil by considering the petitioner's representation dated 08.04.2026.

2. The learned counsel for the petitioner submitted that the petitioner's will deed dated 22.01.1991 registered as Doc.No.12/1991 on the file of Joint No.I, Sub-Registrar Office, Nagercoil was misplaced and lost, for which the petitioner had given a complaint on 08.04.2026. Since the same was not considered, the petitioner is before this Court.

3. The learned Government Advocate (Crl.side) submitted that the Director General of Police had already issued Circular Memorandum, dated 01.04.2022 in this regard with respect to issuance of NOC, where the applicants have to produce certain documents. On such production of the documents, the respondent police will take necessary steps. He further submitted that online complaint has been received from the petitioner on 10.04.2026.

4. Heard the learned counsel on either side and carefully perused the materials available on record.



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5. The petitioner has given a complaint for issuance of NOC on 08.04.2026. The petitioner is further directed to produce all the necessary documents as required by the respondent police in terms of the Circular Memorandum, which is extracted below:

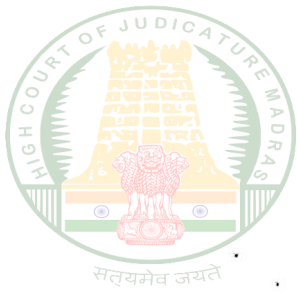
4. In case of multiple legal heirs, No Objection Certificate obtained from other legal heirs other than the petitioner should be enclosed.
5. Encumbrance certificate (Digital or Manual) for the above property for the last 20 years or from the date of registration of missing document, whichever is longer and it should be obtained from the concerned Sub-Registrar Office only.
6. Original of the public advertisement given one in leading English and one in leading vernacular newspaper should be enclosed. The advertisement should have been published within 30 days prior to the presentation of the petition (format pertaining to the publication of public advertisement in the newspaper in English and vernacular as follows)

Original Land / Property Document Lost

I(Aadhar Card/Voter ID/ Passport No S/o / D/o), aged about years, residing at, do hereby inform to the General Public that I have lost the original land document pertaining to my / our property registered in document No, dated registered at Sub Registrar Office, If anyone finds the said document, please contact me over phone no (.....) or at the following residential address.(.....)

அசல் நிலம்/சொத்து ஆவணம் காணவில்லை

.....முகவரியில் வசித்து வரும் திரு/திருமதி.....
அவர்களின் மகன் / மகள் ஆதார் அட்டை/வாக்காளர் அடையாள அட்டை /
கடவுச் சீட்டு எண் சுமார் வயதுடைய நான் இதன்
மூலம் பொதுமக்களுக்கு தெரிவித்துக்கொள்வது யாதெனில்
சார்பதிவாளர் அலுவலகத்தில் பதிவு செய்யப்பட்ட எனக்கு/ எங்களுக்கு
சொந்தமான அசையா சொத்தின் மூல ஆவணம் எண் தேதி
தொலைந்து விட்டது. யாரேனும் அதனைக் கண்டுபிடித்தால், எனது
கைப்பேசி எண்ணிற்கு அல்லது கீழ்க்கண்ட முகவரிக்கு தொடர்பு கொள்ளுமாறு
கேட்டுக் கொள்கிறேன்.



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7. The petitioner should submit an undertaking along with the petition that no civil dispute or mortgage pertaining to the property document alleged to have been lost, is pending before any Court or Financial Institution.
8. The petitioner should also submit an undertaking along with the petition that if he/she furnishes any false information with regard to the property, whose document is alleged to have been lost, the petitioner or whoever abets the offence shall be liable for criminal prosecution under appropriate legal provisions. The petitioner should also furnish an undertaking that he/she shall handover the missing document if it is traced later. In that case, the Station House Officer should intimate about the tracing of the document to the concerned Sub Registrar Office.
9. On receipt of the petition, the Station House Officer (SHO) shall issue a CSR to the petitioner immediately.
10. The CSR should be issued only by the Station House Officer (SHO) and not by any other personnel in the Police Station.
11. If any shortfall in production of documents is noticed, (Documents mentioned in para-2) the Station House Officer (SHO) should intimate the same to the concerned petitioner in writing instructing him to produce the concerned documents within a week time.
12. Within three days from the receipt of documents in full and issuance of CSR, the Station House Officer (SHO) after personally satisfying himself, should send a letter addressed to the Deputy Superintendent of Police / Assistant Commissioner of Police of the DCRB/ CCRB informing about the loss of document along with the following Certificate:



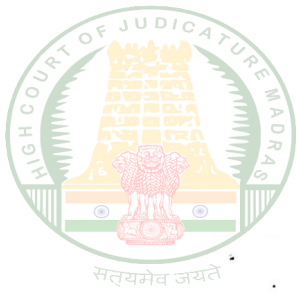
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"Certificate"

"Certified that I have verified all the documents enclosed as mandated in the Chief Office circular memorandum in Rc.No2029209/Gen.1(1)/2022, dated: 01.04.2022".

13. The DSP's / ACP's of DCRB / CCRB on receipt of papers shall publish the matter in Crime and Occurrence Sheet within a week from the date of receipt of the letter from the Station House Officers.
14. The publication in the Crime and Occurrence Sheet shall be sent to the concerned Station House Officers within three days from the date of such publication.
15. In the meantime, necessary action should be taken by the SHO to trace out the said original land documents. Enquiry should be conducted to find out whether the owners or the complainant had encumbered the land documents and by approaching the concerned S.R. for verification. [The purpose of compelling original document is to avoid double documentation.]
16. On receipt of copy of the Crime and Occurrence Sheet publication and if unable to trace out the said documents, the Station House Officers shall issue Non-traceable Certificate to the petitioner.
17. Henceforth, Non-traceable certificate with regard to loss of original land documents shall be issued only by the Station House Officer after adhering to the above procedure and the certificate should be issued to the petitioner after obtaining due acknowledgement and a copy of the same shall be sent to the concerned Sub Registrar Office. (Format of Not Traceable Certificate is enclosed in Annexure)



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18. The Commissioners of Police in Cities and Superintendents of Police in Districts are requested to issue suitable instructions to the Station House Officers to adhere to the above procedure without any deviation. In case of any deviation in this regard, action shall be taken against the concerned police personnel.
19. The above circular shall be posted on the State Police Website and CCTNS Citizen Portal and also pasted in the 'Notice Board' of all Police Stations.

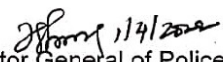
Encl: Annexure.

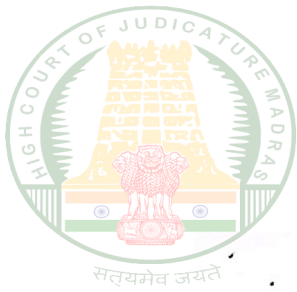
Sd/-Dr.C.Sylendra Babu
Director General of Police/
Head of Police Force,
Tamil Nadu.

To
All Commissioners of Police in Cities.
All Superintendents of Police in Districts.

Copy to: The Additional Director General of police, SCRB, Chennai.
Copy to: All Inspectors General of Police in Zones.
Copy to: All Deputy Inspectors General of Police in Ranges.
Copy to: Legal Officer (Service) and Legal Officer, Chief Office, Chennai
Copy to: Administrative Officer (R&T), Chief Office, Chennai.
Copy to: Stock File.

/t.c.f.b.o/


Asst. Inspector General of Police,
(Law & Order)



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ANNEXURE

Dist / City :

PS / Sub Division :

CSR No :

Date of issue of CSR :

NOT TRACEABLE CERTIFICATE

1.	Petitioner Name, Father Name with full Address	
2.	Photo of the petitioner	
3.	Petitioner Mobile Number	
4.	ID card details (Aadhar/Driving Licence/ Pan card)	
5.	Date of the paper publication and News paper details	
6.	Details of missing document/s: a) Document Number: b) Year: c) Book No: d) Sub Registrar Office: e) Copy of the missing document: (Signed and stamped in every page by the SHO)	Enclosed.

This is to certify that the above document / documents are Non - Traceable although reasonable efforts has been taken to trace the above missing documents.

Place:

Date :

Signature and Seal of the SHO



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6. On production of the above said documents as required in the Circular Memorandum extracted supra, the 2nd respondent police is directed to take necessary steps for issuance of NOC to the petitioner with respect to the will deed dated 22.01.1991 registered as Doc.No.12/1991 on the file of Joint No.I, Sub-Registrar Office, Nagercoil, by considering the representation dated 08.04.2026.

7. With the above directions, this Writ Petition stands disposed of.

23.06.2026

NCC : Yes / No
Index : Yes / No
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TO:-

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1. The Superintendent of Police,
Kanniyakumari District,
Nagercoil.
2. The Inspector of Police,
Asaripallam Police Station,
Kanniyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.Crl.(MD)No.3362 of 2026

Dated
23.06.2026