

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.6758 of 2020

ORDER:

This Writ Petition is filed seeking to declare the proceedings dated 03.11.2018, issued by the 4th respondent refusing to register the pending document P.1054/2018 in respect of property admeasuring Ac.2.00 cents in S.No.139/1A situated at R.Mallavaram village, Renigunta Mandal, Chittoor District, as illegal, arbitrary etc., and contrary to the judgment passed by this Court in W.P.No.35576 of 2014 dated 24.11.2014 and for a consequential direction to set aside the impugned rejection order dated 03.11.2018.

Admittedly, against the order passed by the 4th respondent, an Appeal lies to the District Registrar under Section 72 of the Registration Act, 1908, within 30 days from passing of order, dated 03.11.2018.

The learned counsel for the petitioner while contending that the said order dated 03.11.2018, is not valid also submits that it is contrary to the judgment of this Court in W.P.No.35576 of 2014 dated 24.11.2014.

However, in view of the remedy available to the petitioner by way of an appeal under the provisions of the Registration Act, this Court is not inclined to go into the merits of the case and considering the submissions made on behalf of the petitioner that the he may be permitted to file an Appeal against the order of refusal, this Court is inclined to disposed off the Writ Petition, giving liberty to the petitioner to file an Appeal against the order of refusal, dated 03.11.2018 along with a petition to condone the delay in filing the Appeal. On filing of such an application seeking condonation of delay in filing of the Appeal, the 3rd respondent shall

consider the same in accordance with law and pass appropriate orders there on.

With the above observations, this Writ Petition is disposed of. There shall be no order as to costs of the Writ Petition.

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

NINALA JAYASURYA, J

19.03.2020
BLV

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