

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.1280 OF 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

Against the refusal order, dated 30.09.2015, passed by the Joint Sub-Registrar – I, Visakhapatnam, the 1st respondent, under Section 71 of the Registration Act, the petitioner has preferred an appeal before the District Registrar, Visakhapatnam, the 2nd respondent, on 18.11.2015. Since the same was not entertained, the petitioner sent another appeal on 26.12.2015 by registered post with acknowledgement due to the 2nd respondent. He has also produced the acknowledgment from the office of the said appellate authority. The petitioner only seeks early disposal of the said appeal.

In view of the fact that the petitioner's appeal is filed only on 26.12.2015, no inaction warranting *mandamus* is made out. However, since the appeal is stated to be already pending before the 2nd respondent, it is appropriate to direct the 2nd respondent to fix a date for hearing of the appeal after notice to the petitioner and then pass appropriate orders in the said appeal expeditiously, preferably within three months from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

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

19.01.2016
KH

VILAS V.AFZULPURKAR, J