

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 27322 of 2017

Date :17.8.2017

Between :

Kommuru Venkata Sukumar
S/o Venkata Krishnaiah
37 years
R/o Baestlein STR 20 04347
Leizig, Germany and another

Petitioner

And

The State of A P
Rep by its Principal Secretary,
Registration and Stamps Department
Secretariat, Amaravati and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioners contend that they got married on 6.2.2017. Before the present marriage, the second petitioner and 4th respondent were married and out of their marital life they were blessed with a child and subsequently differences arose and they got divorce. Both the second petitioner and 4th respondent are presently living with their respective spouses. In a settlement arrived at between second petitioner and 4th respondent, the 4th respondent gave up all his natural rights as parent of the child born to them and vesting all the rights in second petitioner. After the marriage of second petitioner with first petitioner, they intend to adopt the child as their child and accordingly Deed of Adoption dated 5.7.2017 was sought to be presented before the Registrar for registration and the Registrar refused to receive the same. Hence, this writ petition.

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

The Court is not inclined to go into the details of the larger issues raised in the writ petition. Suffice to note, Section 72 of the Registration Act 1908, provides a remedy of appeal against the decision of the Sub Registrar, including the decision not to admit a document for registration and without availing the said remedy, the petitioners invoked the jurisdiction of this Court. Accordingly, the writ petition is dismissed, leaving it open to the petitioners to avail the remedy of appeal against the refusal to admit the document. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

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