

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 25701 OF 2017

DATE OF ORDER: 02.08.2017

Between:

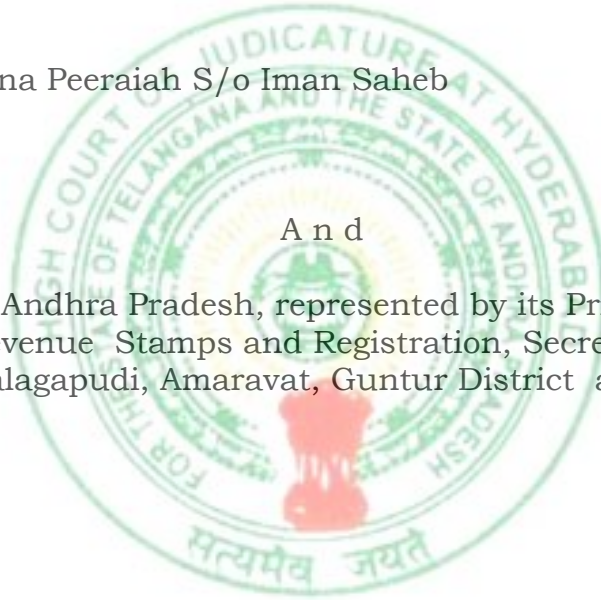
Palagiri Chinna Peeraiah S/o Iman Saheb

....Petitioner

A n d

The State of Andhra Pradesh, represented by its Principal Secretary, Revenue Stamps and Registration, Secretariat Buildings, Valagapudi, Amaravat, Guntur District and three others

....Respondents



HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 25701 OF 2017

ORDER:

The document No. P727/2016 presented by the petitioner was refused by the Sub-Registrar vide refusal No. 8/2017 dated 27.4.2017 assigning reasons in support of the said decision. Aggrieved by the refusal, petitioner preferred appeal before the District Registrar under Section 72 of the Registration Act. The said appeal is returned on the ground that the appeal was not presented within 30 days as required by Section 72. The endorsement by which the appeal was returned is impugned in this Writ Petition.

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

3. Learned counsel appearing for petitioner submits that when the Sub-Registrar is not passing orders on registration of the document presented by the petitioner, he appealed to the District Registrar. However, the District Registrar refused to entertain the appeal on the ground such appeal was filed 30 days after the refusal order was passed by the Sub-Registrar. According to learned counsel, the refusal order was received by the petitioner on 29.6.2017, and the appeal was filed within 30 days thereafter. The Xerox copy of cover through which the refusal letter was communicated is enclosed at page 9 of the writ petition material paper book.

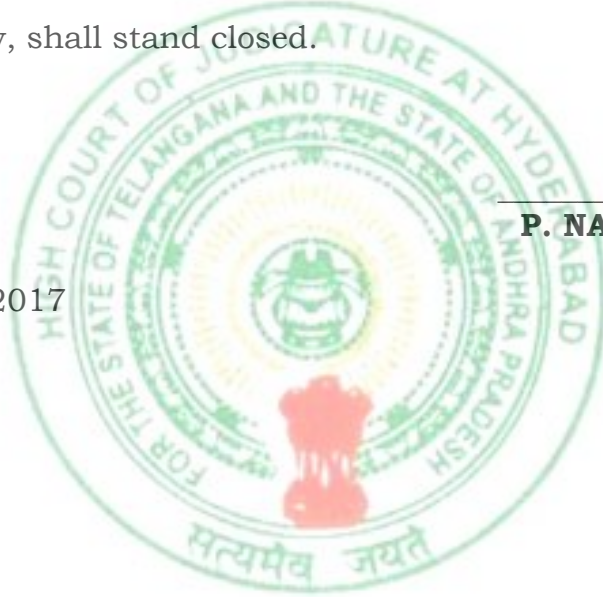
4. Having regard to the endorsement noted on the postal cover, it cannot be said that the appeal presented by the petitioner on

30.6.2017 received by the District Registrar on 4.7.2017 is beyond the time granted for filing such appeal under Section 72.

5. Having regard to the above finding, the endorsement dated 7.7.2017, impugned in this Writ Petition, is set aside and the District Registrar is directed to consider the appeal preferred by the petitioner dated 30.6.2017 on merits, without referring to the delay in filing the appeal, and communicate the decision to the petitioner within six weeks from the date of receipt of a copy of this order.

6. Accordingly, Writ Petition is allowed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

Date: 02.08.2017
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P. NAVEEN RAO, J