

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.12055 of 2015

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Between:

1. Karandla Hanumandlu and another

PETITIONERS

AND

1. State of Telangana, rep. by its Principal Secretary, Revenue Department,
Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

The case of the petitioners is that they are the absolute owners and possessors of the land to an extent of Ac.0.24 guntas in Sy.No.54/3 situated in the outskirts of Rajaram PP Village, Mallial Revenue Mandal, Karimnagar District having purchased the same through a registered sale deed dated 13.11.2006 and rectification deed dated 17.11.2006 after obtaining a certificate from the 3rd respondent to the effect that the land in Sy.No.54/3 is neither assigned land nor

Government land and the same may be sold without any objection. In pursuance of the said purchase, the petitioners made representations to the 3rd respondent for mutation of their names in the revenue records and for issuance of pattadar passbooks and title deeds in their favour. Subsequently, they also filed application in Form-VI(A) under the provisions of A.P. Rights in Land and Pattadar Pass Books Act, 1971. Challenging the inaction on the part of the 3rd respondent in considering their representation, the petitioners filed the present writ petition.

Heard learned counsel for the petitioner, learned Government Pleader for Revenue (Telangana) for respondents.

As per Section 4 of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 any person acquiring by succession or survivorship or inheritance or by partition or by way of a decree from a Court any right as owner, pattadar, mortgagee, occupant or tenant of a land, shall intimate, in writing, his acquisition of such right to the Mandal Revenue Officer within 90 days from the date of such acquisition and then, the Mandal Revenue Officer shall give an acknowledgment of the receipt of such intimation. Thereafter, under Section 5 of the said Act, the Mandal Revenue Officer shall determine as to whether and if so, in what manner, the record of rights may be amended in consequence of the Application made and carry out the necessary amendment in the record of rights in accordance with such determination. It will also be appropriate to notice that Rules were also framed in 1989 for giving effect to the provisions of the Act. As per Rule 9, after due completion of enquiry, the recording authority shall pass orders in respect of cases requiring change of registry necessitated by succession, when it is not disputed. Form VI (A) is prescribed as the proper form for indicating intimation of acquisition of rights in terms of Section 4 of the Act, as per sub-rule (2) of Rule 18 of the Rules.

Considering the fact that the petitioner has filed necessary application in the prescribed format, I deem it appropriate to direct the 3rd respondent to consider the applications dated 28.08.2014 and 12.02.2015 submitted by the petitioner and pass appropriate orders thereon in accordance with law, as expeditiously as possible, preferably within a period of six months from today.

With the above direction, the Writ Petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

23rd April, 2015

Js.