

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

W.P.No. 1940 of 2015

DATE: 04.02.2015

Between:

Thadavarthi Srinivasa Rao

.. Petitioner

And

1. State of A.P.
2. The District Collector
3. The Revenue Divisional Officer
4. The Tahsildar

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Respondents

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ORDER:-

This writ petition is filed seeking a mandamus to declare the action of the respondents in not issuing pattadar passbook and title deed in respect of the land in an extent of Ac.10.40 cents in Sy.No.133 situated in Somavarapadu village, Thaluru Mandal, Prakasam District in favour of the petitioner, as illegal and arbitrary.

It is appropriate to notice that in terms of Section 4 of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for brevity "the Act"), 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 acknowledgement of the receipt of such intimation. Thereafter, under Section 5 of the 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.

The petitioner submitted an Application in Form VI (A) on 15.09.2014 to the recording authority, the Tahsildar, Thaluru Mandal, Prakasam District, the 4th respondent herein. Therefore, the 4th respondent shall deal with the application of the petitioner and pass appropriate orders, within a maximum period of three months, at any rate, before the end of April, 2015.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

CHALLA KODANDA RAM, J

04.02.2015

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