

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.10360 of 2015

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Between:

D. Venkatamma

PETITIONER

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat Buldings, A.P. Secretariat, Hyderabad, and another.

RESPONDENTS

ORDER:

The case of the petitioner is that he purchased an extent of Ac.3.30 cents of land in Sy.No.43 situated at Hampapuram Village, Rapthadu Mandal, Anantapuram District by way of registered sale deed vide document No.954/2014, dated 03.07.2014. He made an application under Form VI(A) under the provisions of A.P. Rights in Land and Pattadar Passbooks Act, 1971 to the 2nd respondent on

26.02.2015 for mutation of his name in the revenue records and for issuance of pattadar passbook and title deed. As there was no action, the petitioner filed the present writ petition.

Heard learned counsel for the petitioner, learned Government Pleader for Revenue (A.P.) 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 filed necessary application in the prescribed format, I deem it appropriate to direct the 2nd respondent to consider the application of the petitioner and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four 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.

13th April, 2015

Js.

