

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.40997 OF 2014

ORDER:

The petitioner herein sought for a writ of mandamus for declaring the action of respondent Nos.3 and 4, in not issuing pattadar pass books and title deeds in respect of lands admeasuring Ac.3.41 cents and 1.57 cents in Sy.No.228/1 & 2, Manchikallapadu Village, Chimakurthy Mandal, Prakasam District, as illegal.

It is appropriate to notice that, in terms of Section 4 of the 1971 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 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.

The petitioner has submitted the applications in Form VI(A) on 26.09.2014 and 03.11.2014 to the recording authority, the Tahsildar, Chimakurthy Mandal, Prakasam District, the fourth respondent herein. Therefore, the fourth respondent shall deal with the applications of the petitioner and pass appropriate orders within a period of four months from today.

With this, the Writ Petition stands disposed of. No costs. Consequently, the miscellaneous petitions, if any, shall stand disposed of.

CHALLA KODANDA RAM,J

Date:06.03.2015
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