

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.37462 OF 2015

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ORDER:

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

The petitioner alleges that he has succeeded to his father late Nanduri Venkatarama Krishnama Charyulu, who was stated to have died on 29.12.2014. He states that his parents own Ac.3.18 cents of land in Survey No.47/1-2 of Sarpavaram Village, Kakinada Rural Mandal, East Godavari District, and they were also issued Pattadar Passbook No.245 apart from other lands as set out in paragraph No.3 of the affidavit. The petitioner states that his father left an unregistered Will in his favour bequeathing all the properties to him and based on that he made a notarised affidavit on 04.08.2015 and submitted to Sub Registrar, Kakinada.

The present Writ Petition is filed alleging inaction in not mutating the petitioner's name in the revenue records based on the Will dated 02.02.2008.

It is however evident from the record that no application has been filed by the petitioner under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 and the Rules framed thereof before the recording authority. Hence, no direction as sought for by the petitioner can be given. However, the petitioner is at liberty to make appropriate application in accordance with the Rules before the recording authority. As and when such an application is made, the recording authority shall conduct due enquiry and take appropriate decision in accordance with law.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V. AFZULPURKAR, J

18.11.2015

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