

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.40780 of 2014

ORDER:

The petitioner herein sought for a writ of mandamus for declaring the action of the 2nd respondent in not issuing pattadar pass books and title deeds on the applications submitted by the petitioners dated 11-09-2014 under Form-IV (A), as illegal.

It is appropriate to notice that in terms of 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.

The petitioners have submitted Applications in Form VI (A) on 11.09.2014 to the recording authority, the Tahsildar, Chilamaturu Mandal, Anantapuram District, the 2nd respondent herein. Therefore,

the 2nd respondent shall deal with the Applications of the petitioners and pass appropriate orders, within a maximum period of four months, at any rate, before the end of May, 2015.

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

CHALLA KODANDA RAM, J.

22nd January, 2015
Js.