

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.2499 of 2015
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ORDER:

This Writ Petition can be disposed of as the petitioner has submitted an application in Form VI(A) on 07.07.2014. The petitioner herein sought for a writ of mandamus for declaring the action of the respondents in not issuing the pattadar passbooks pursuant to the said application for his land in an extent of Ac.0.16 guntas in Sy. Nos.476 and 478 measuring Ac.0.05 guntas and Ac.0.11 guntas respectively of Kodad Village and Mandal, Nalgonda 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 application in Form VI (A) on 07.07.2014 to the recording authority, the Tahsildar, Kodad, Nalgonda District, the 3rd respondent herein. Therefore, the 3rd respondent shall deal with the application of the petitioner and pass appropriate orders, within a period of four (4) months from today.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

CHALLA KODANDA RAM, J

Dated: 09.02.2015

MVA