

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 6199 of 2015

ORDER:

This Writ Petition can be disposed of as the petitioners have submitted the applications in Form VI(A) on 01.12.2014.

The petitioners herein sought for a writ of mandamus for declaring the action of the 3rd respondent in not considering the petitioners' applications/representations dated 22.09.2014 and 01.12.2014 for mutation of petitioners names in record of rights and adangal/pahanies for petitioners' land in an extent of 695.75 square yards each in survey No.124/B & C of Desaipet Village, Warangal Mandal, Warangal 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 petitioners have submitted the applications in Form VI (A) on 01.12.2014 to the recording authority, the Tahsildar, Warangal Mandal, the 3rd respondent herein. Therefore, the 3rd respondent shall deal with the applications of the petitioners and pass appropriate orders, within a maximum period of three months, at any rate, before the end of June, 2015.

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

CHALLA KODANDA RAM, J

17th March, 2015

MVA