

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WP.No.26094 of 2015

Between:

Chukabatla Venkateshwarlu and four others.

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... Petitioner/Appellant (s)

and

The State of Andhra Pradesh, Rep. by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and 3 others.

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... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 18.08.2015

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SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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|--------------------------------------|---|---------------|
| <u>1</u> | <u>Whether Reporters of Local newspapers</u>
<u>may be allowed to see the Judgments?</u> | <u>Yes/No</u> |
| <p style="text-align: center;">-</p> | | |
| <u>2</u> | <u>Whether the copies of judgment may be</u>
<u>marked to Law Reports/Journals</u> | <u>Yes/No</u> |
| <p style="text-align: center;">-</p> | | |
| <u>3</u> | <u>Whether Their Ladyship/Lordship wish to</u>
<u>see the fair copy of the Judgment?</u> | <u>Yes/No</u> |

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.26094 OF 2015

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ORDER:

This writ petition is filed stating that the petitioners and their mother Chukkabatla Venkayamma are the owners and possessors of an extent Ac.10.80 cents in Sy.No.5/16 of dry land and Ac.2.25 cents of dry land in Sy.No.528-17/1 of Muppala Village, Ipur Mandal, Guntur District and that originally the said land is the ancestral property of late Chukkabatla Narsaiah who was the father of the

petitioners herein and after his death, the said land was mutated in the name of petitioners' mother and accordingly, Pattadar Pass Book and title Deed were issued in her favour. While so, the subject land was partitioned among the petitioners and their mother under Registered Partition Deed dated 22.10.2011. Thereafter, with a view to mutate the lands in their favor in revenue records the petitioners sent the intimation of the acquisition of their rights in form VI A as prescribed under Rule-18(2) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (*for short 'the Act'*) on 20.01.2015 to 4th respondent. When intimation under Section 4(1) of the Act is given, the recording authority has to make enquiry as prescribed under Section 5 of the Act and pass necessary orders within six months from the date of receipt of intimation as prescribed under Rule 18(3) (c) of the Act. But, in this case, no orders were passed and no action has been initiated by the respondents. Aggrieved by the same, present writ petition is filed.

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

In the present case, since the petitioners filed registered partition deed before the 4th respondent and also intimated the acquisition of their rights in form VI A as prescribed under Rule-18(2) of the Act for mutation of properties fell to their share in their favour in the revenue records, it is for the 4th respondent to conduct enquiry as prescribed under the Act and pass orders in accordance with law.

In view of the above, the 4th respondent is directed to conduct enquiry as prescribed under the Act and pass orders for mutation in accordance with law within a period of two weeks from the date of receipt of a copy of this order. Further, since the property stands in the name of the mother in the revenue records, before effecting mutation in favour of petitioners, the 4th respondent shall give a

notice to the mother of the petitioners.

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending shall stand closed.

A.RAJASHEKER REDDY, J

18.08.2015

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