

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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WRIT PETITION No.2438 of 2015

ORDER:

This Writ Petition can be disposed of as the petitioner has submitted an application in Form VI(A) on 07.03.2014. The petitioner herein sought for a writ of mandamus for declaring the action of the 3rd respondent in recording name of petitioner in Record of Rights (ROR) and pahanies in pursuance of order in proceedings No. B/23/2006 dated 26.04.2006, 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 07.03.2014 to the recording authority, the Tahsildar, Hayathnagar Mandal, Ranga Reddy 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