

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.11296 of 2015

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Between:

1. Gunupati Venkata Reddy, and others

PETITIONERS

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Revenue
Department, Secretariat Buildings, Hyderabad, and others.

RESPONDENTS

ORDER:

The petitioners are stated to be the sharers as coparceners in the partition of their ancestral properties i.e., agricultural land a total extent of Ac.42.14 cents in Sy.No.399, 403, 400, 402, 1167, 1168 situated at Pedda Alavalapadu Revenue Village, P.C. Palli Mandal, Prakasam District. Apart from the said property possessed by them, the 3rd petitioner purchased an extent of Ac.2.81 cents and the 2nd petitioner purchased an extent of Ac.2.81 cents vide document dated 16.07.1996

in the above survey numbers from the coparceners. The petitioners submitted applications to the 4th respondent in Form 6(A) on 22.09.2014 for mutation and for issuance of pattadar passbooks and title deeds in their favour. As no action is taken so far, the petitioners filed the present writ petition.

Heard learned counsel for the petitioner, learned Government Pleader for Revenue (A.P.) for respondents.

As per 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.

Considering the fact that the petitioners have filed necessary application in the prescribed format, I deem it appropriate to direct the 4th respondent to consider the applications dated 22.09.2014 submitted by the petitioners and pass appropriate orders thereon in accordance with law, as expeditiously as possible, preferably within a period of six months from today.

With the above direction, the Writ Petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

21st April, 2015

Js.