

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 24745 of 2016

ORDER:

The case of the petitioner is that after the death of her husband, who purchased the land in an extent of Ac.1.52 cents situated in Survey No. 216/5 of Doddipalli Village, Piler Mandal, Chittoor District, she submitted an Application through *Mee Seva* to the 3rd respondent Tahsildar, Piler Mandal, seeking mutation of her name in the revenue records and for issuance of the pattadar passbooks in her favour. As no action has been taken thereon, the petitioner got issued a legal notice to the 3rd respondent on 31.05.2016. Still, no steps are forth-coming on the Application submitted by the petitioner, is the complaint made by her in this Writ Petition.

Heard learned counsel for the petitioner as well as learned Government Pleader for Revenue (Andhra Pradesh).

At the hearing, it is fairly conceded by the learned counsel for the petitioner that the Application submitted by the petitioner is not in accord with Form-VI (A), as specified under the provisions of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act').

It is appropriate to notice that in terms of Section 4 of the 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/her 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 necessary amendments 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 and 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 intimation of acquisition of rights in terms of Section 4 of the Act, as per sub-rule (2) of Rule 18 of the Rules.

Inasmuch as the petitioner's Application is not in the prescribed format, I deem it appropriate to leave liberty to the petitioner to submit her Application in Form-VI (A) to the recording authority, i.e., the 3rd respondent-Tahsildar. As and when the petitioner submits such an Application, within three months thereafter, the 3rd respondent, in exercise of his powers under Section 5 of the Act and the Rules made there under, shall pass appropriate orders thereon, in accordance with law.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the Miscellaneous Applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J.

26th July 2016

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