

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 26281 of 2016

ORDER:

The grievance of the petitioner precisely in this writ petition is that though she has submitted an Application in Form-VI (A) on 16.05.2016 for issuance of pattadar passbooks and title deeds in respect of the land admeasuring Ac.1.92 cents in Survey No.31 part situated at Balakrishnapuram Village, Yerpedu Mandal, Chittoor District, the 2nd respondent-Tahsildar, Yerpedu Mandal has not acted thereon.

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

It is appropriate to notice that in terms of Section 4 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short '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 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 the Andhra Pradesh Rights in Land and Pattadar Pass Books Rules (for short 'the Rules') were

also framed in 1989 for giving effect to the provisions of the Act and as per Rule 9 of the Rules, 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 has submitted the Application in the prescribed format i.e., Form VI (A), I deem it appropriate to direct the 2nd respondent to consider the same, within a period of four months from today, in exercise of the powers under Section 5 of the Act and the Rules made there under and pass appropriate orders thereon, in accordance with law.

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

Consequently, the miscellaneous petitions, if any shall also stand disposed of.

CHALLA KODANDA RAM, J

Dt:05.08.2016

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