

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 44232 OF 2017

ORDER:

The grievance of the petitioner precisely in this Writ Petition is that though he had submitted an Application in Form-VI(A) on 06.11.2017 for mutation in the revenue records in respect of the land admeasuring Ac.0.62 cents, Ac.0.30 cents, Ac.0.67 cents and Ac.0.59 cents in R.S.Nos.105/1F, 105/2A, 105/2C and 105/3A respectively situated at Rowthugudem Village, Jeelugumilli Mandal, West Godavari District, respondent No.3-Tahsildar, Jeelugumilli 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 A.P. Rights in Land and Pattadar Passbooks 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 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 had submitted the Application in the prescribed format i.e., Form VI(A), I deem it appropriate to direct respondent No.3 to consider the same and pass appropriate orders thereon, in accordance with law, while exercising powers under Section 5 of the Act and the Rules made thereunder, within a period of four months from today.

The writ petition is accordingly disposed of. No costs.

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

CHALLA KODANDA RAM, J

Dt:26.12.2017

kdl