

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 44247 OF 2017

ORDER:

The petitioner claims to have purchased a piece of land in an extent of Acs.3.52 cents in Survey No. 52 situated at H/o Annuru Revenue Village, Karvetinagar Mandal, Chittoor District, under a registered sale deed, dated 26.10.2015. Thereafter, she had made a representation to the revenue authorities to issue pattadar passbook and title deed in her favour and subsequently, on the advice of the revenue department, she had also paid challan for Rs.250/- dated 16.08.2016 *online* with Application No. APO 3254914 and a copy thereof was submitted to the 4th respondent Tahsildar, but so far, the same has not been considered. Hence, this Writ Petition.

At the hearing, it is fairly conceded by the learned counsel for the petitioner that the Application submitted by his client 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').

Heard learned Government Pleader for Revenue (Andhra Pradesh).

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 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 4th respondent-Tahsildar. As and when the petitioner submits such an Application, within eight weeks thereafter, the 4th 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 December 2017

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