

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.39578 of 2018

ORDER:

The grievance of the petitioner precisely in this Writ Petition is that though he had submitted an Application in Form-VI(A) on 01.06.2018 for mutation of his name in the revenue record as Pattedar for the agriculture land, admeasuring Ac.5.24 gts. in Sy.No.61 of Sankalamaddi village, Moosapet Mandal, Mahabubnagar District, the same has not been acted upon.

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

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 the 1st respondent to consider the same, within a period of eight weeks from the date of receipt of a copy of this order, 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 the above direction, the Writ Petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

Date: 02.11.2018
Dsr

CHALLA KODANDA RAM,J

Note:

Furnish copy in three days

B/o
Dsr