

THE HON' BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.18631 of 2019

ORDER:

The grievance of the petitioner is that she purchased the property in an extent of Ac.5-25 guntas in Survey No.53 of Jilleda Village, Jekkepalli R/M Vemanpally, Mancherial District, through a registered Sale Deed No.3507/2017 dated 25.04.2017, SRO, Mancherial. And, on 01.05.2017, she submitted an Online Application to respondent No.5 through MeeSeva for mutation in revenue records and also for issue of pattadar passbook and title deed, but her application was not considered till date.

Learned Government Pleader would submit that inasmuch as the petitioner has filed an application in Form-VI, which is in accordance with the provisions of A.P. Rights in Land and Pattadar Passbooks Act, the writ petition may be disposed of with a direction to the respondent authorities to consider the application and pass orders thereon in accordance with law.

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. On such intimation, the Mandal Revenue Officer shall give an acknowledgment as having received such intimation and shall, thereafter, under Section 5 of the Act, determine as to whether and, if so, the manner in which, 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 as per law. 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 application submitted by the petitioner in Form-VI (A) is as per the prescribed format under the Act, the 5th respondent-Tahsildar in exercise of his powers under Section 5 of the Act, and the Rules made thereunder, shall pass appropriate orders thereon, within a period of three months from the date of receipt of a copy of this order, following the due procedure prescribed under law.

The writ petition is accordingly disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

27th August, 2019

KSM

CHALLA KODANDA RAM, J

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