

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 19841 of 2019

O R D E R:

Petitioner is aggrieved of the inaction of the 4th respondent-Tahsildar on the on-line Application dated 08.10.2019 submitted for mutation of his name in the revenue records.

Petitioner claims to be the owner and possessor of the land in an extent of Ac.1.08 guntas in Survey No. 107 situated at Danavaigudem Village, Khammam Urban Mandal and District, through inheritance. It is stated, he made the on-line Application on 08.10.2019 to the 4th respondent-Tahsildar seeking mutation of his name in the revenue records, but however, the same has not been considered yet.

Heard learned Government Pleader for Revenue.

At the hearing, learned counsel for the petitioner fairly concedes that the Application made by the petitioner is not in the format ie. Form-VI (A), as prescribed under the A.P. Rights in Land and Pattadar Passbooks Act, 1971 (for short, 'the Act').

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 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 Application dated 08.10.2019 is not in the prescribed format, the Writ Petition is disposed of giving liberty to the petitioner to submit the same in Form-VI (A) to the recording authority, i.e., the 4th respondent-Tahsildar, who, within three months thereafter, in exercise of the powers under Section 5 of the Act and the Rules made there under, shall pass appropriate orders, in accordance with law.

Accordingly, the writ petition is disposed of. No costs.

Pending miscellaneous petitions shall stand closed.

CHALLA KODANDA RAM, J

13th September 2019

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