

Andhra Pradesh Municipalities (Alteration of Ownership of Property in Assessment Books) Rules, 1966

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-MUNICIPALITIES-ALTERATION-OF-OWNERSHIP- of 1966

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Andhra Pradesh Municipalities (Alteration of Ownership of Property in Assessment Books) Rules, 1966In exercise of the powers conferred by sub-section (1) of Section 326 of the Andhra Pradesh Municipalities Act, 1965 (Act 6 of 1965), the Governor of Andhra pradesh hereby makes the following rules relating to the transfer of registry of ownership of property in the assessment books of a Municipality the same having been published at pages 270-272 of Rules Supplement to Part I of the Andhra Pradesh Gazette, dated 9th June, 1966, as required under Clause (a) and (b) of sub-section (1) of Section 327 of the said Act.

1.

These rules may be called the Andhra Pradesh Municipalities (Alteration of Ownership of Property in Assessment books) Rules, 1966.

2.

The entries relating to ownership of property shall be altered by the Commissioner in the assessment books on the application of any person whether at a general revision or between one general revision and another.

3. Transfers by voluntary action of owner.

- In case of absolute transfer of title, the entries relating to property in the assessment books may be altered in accordance with application made in this behalf by either or both the parties to the transfer. Every application for alterations of entries shall be made in writing and signed by the person or persons making it. It may be sent by post or presented in person or by duly authorised agent, or through an officer of the Registration Department. Where such an application is presented by both the parties to the transfer and one of them is the owner whose name appears in the assessment book, change of registry entries as requested may be ordered at once. But where only one of the parties to the transfer makes the application, notice shall be served on the other party. Where the said owner is not a party to the transfer, notice shall also be issued to him whether the application for alteration of entries in the assessment book is presented by both the parties or one of them. If the said owner objects to the proposed alterations, no alterations shall be made unless the person who claims to be the owner produces the document whereby the ownership of the property has been transferred to him. Where only one party to the transfer applies and the other either objects or is silent, the parties should produce relevant documents in support of their claims. In the absence of any such documents the claims should be established by secondary evidence, such as statements of respectable persons and tax receipts. A month's time shall be allowed for filling objections; and, if any objection is made, an enquiry shall not be held and unless the objection is found to be valid, entries in the assessment book shall be not altered.

4. Transfer to decree-holder.

- In a case of transfer of title of property in the name of decree-holder with reference to a decree of a civil court or of purchaser in auction-sale held in execution of a court decree, alteration in the assessment books may be made at once on the application of any of the parties to the suit or of the auction purchaser and on the production of an authenticated copy of the decree or a certificate of sale as the case may be, and a certificate of delivery of possession in pursuance thereof; provided that the transfer is from the owner, whose name appears in the assessment books. Where the transfer is made by an owner whose name does not appear in the assessment books notice shall be given to such owner in the manner provided in Rule 3 before alteration is made in the assessment books. Where, however, a certificate of delivery of possession cannot be produced, as for instance, where on decree passed, possession is ceded without execution proceedings and the decree is apparently final, the entries in the assessment books shall be altered as provided in Rule 3.

5. Transfer under declaratory decree.

- Where an application is made for alteration in the assessment book under declaratory decree which merely declares the title to be vested in a particular person and on which no execution can be taken so as to entitle him to alter the entries in his favour, the Commissioner may on the production of an authenticated copy of such decree, at once make such alterations.

6. Transfers which accrue by succession.

- The Commissioner may, on satisfactory proof, order alterations in the entries in the assessment book in the case of transfers accruing by succession.

7.

An appeal shall lie to the Council against the order of the Commissioner making or refusing to make alterations in the entries in the assessment books. Such appeal shall be presented within thirty days after the note of receipt of the order appealed against.