
HYDERABAD MUNICIPAL CORPORATION (REGISTRY OF THE TRANSFER OF OWNERSHIP OF PROPERTIES IN THE ASSESSMENT BOOK) RULES, 1965

CONTENTS

1. Short title and commencement
2. Definitions
3. In effecting changes in the ownership of properties in the Assessment Books on the application of any party, whether as a general revision or between one general revision and another, the Commissioner or any officer duly authorised by him, shall observe the following provisions, namely:-
4. .
5. .

HYDERABAD MUNICIPAL CORPORATION (REGISTRY OF THE TRANSFER OF OWNERSHIP OF PROPERTIES IN THE ASSESSMENT BOOK) RULES, 1965

In exercise of the powers conferred by sub-section (2) of Section 585 of the Hyderabad Municipal Corporation Act, 1955 (Act II of 1956), the Governor of Andhra Pradesh hereby makes the following rules relating to the Registry of the transfer of ownership of property in the Assessment Book of the Municipal Corporation of Hyderabad, the same having been previously published as required by sub-section (3) of Section 585 of the said Act. RULES

1. Short title and commencement :-

(a) These rules may be called the Hyderabad Municipal Corporation (Registry of the transfer of ownership of properties in the Assessment Book) Rules, 1965.

(b) They shall come into force the date of publication in the Official GAZette, (i.e., from 9-9-1965.)

2. Definitions :-

(a) In these rules, unless the context otherwise requires;

(i) "Act" means the Hyderabad Municipal Corporations Act, 1955 (Hyderabad Act II of 1956);

(ii) "Corporation" means the Municipal Corporation of Hyderabad;

(iii) "Government" means the State Government;

(iv) "Standing Committee" means the Standing Committee of the Municipal Corporation of Hyderabad constituted under section 93 of the Act.

(b) Words used not defined in these rules shall have the meaning assigned of them in the Act.

3. In effecting changes in the ownership of properties in the Assessment Books on the application of any party, whether as a general revision or between one general revision and another, the Commissioner or any officer duly authorised by him, shall observe the following provisions, namely:- :-

(1) Transfer by voluntary action of owners In all cases of absolute transfer of title, the registry of properties may be altered to correspond with the transfer of ownership of such properties on a notice given to the Commissioner or any Officer duly authorised by him in Form I prescribed in Schedule "F" to the Act by both the parties to the transfer to either of them: Provided that the notice for register of the transfer it, and given of ownership shall be in writing and signed by the party or parties giving within three months from the date of execution of the instrument of transfer or where the instrument is registered, within three months from the date of such registration. Such notice may be send by post or presented in person or by a duly authorised agent. Where such notice is given by both the parties and one of them is the registered owner, the registry of the transfer of ownership may be ordered at once. But where only one of the parties to transfer gives notice, a notice stating that one of the parties to the transfer has given notice for the registry of the transfer of ownership shall be served on the other party. Where the registered owner is not a party to the transaction, notice shall be served on the registered owner also where the transfer of registry is presented by both the parties or either of them. If the registered owner objects to the proposed registry of the transfer of ownership, no change shall be made unless the person who claims to be the owner produces evidence to the satisfaction of the Commissioner or any officer duly authorised by him. Where only one party to the transaction given notice and the other either objects to the registry of the transfer of

ownership or does not take any steps, the transaction shall be evidenced by documents regarding the genuineness of which the Commissioner shall satisfy himself before ordering the registry of the transfer of ownership. In the absence of such documents, statements of neighbours of the property, the transfer of ownership of which is sought to be registered and the tax receipts, if any, may be taken into considerations. Objection, if any, shall be filed by the parties within one month from the date of issue of the notice and shall be considered by the commissioner or any Officer duly authorised by him in this behalf.

(2) Transfer to Decree holders In every case of transfer of ownership of property in the name of decree-holder in consequence of a decree of a Civil Court or of a purchaser in auction sales held in execution of decree of a Civil Court registry of transfer of ownership may be made on a notice given in Form 2 prescribed in Schedule F' to the Act by any of the parties to the suit or by 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 registered owner and the notice for such transfer is given within three months from the date of the decree of the Civil Court or the date of grant or certificates of sale by the Court as the case may be. When the transfer is from a person who is not the registered owner notice shall be given to the registered owner in the manner provided in sub-rule (1) before a registry of the transfer of ownership is made. where, however, a certificate of delivery of possession cannot be produced, as for instance, where on a decree passed possession is ceded without execution proceedings and the decree is apparently final, the case shall be dealt with as provided in sub-rule (i) in regard to the notice or registry of transfer of ownership given only by one of the parties to the transfer.

(3) Transfers under Declaratory decrees In cases where registry of transfer is sought under a declaratory decree on which no execution can be taken out i.e., where the decree merely declares the title to be vested in a particular person, so as to entitle him to have the transfer of ownership registered, the Commissioner or any Officer duly authorised by him may, on the production of an authenticated copy of such decree, make the registry of transfer.

(4) Transfer which accrue by succession The Commissioner or any

Officer duly authorised by him may, on production of evidence to his satisfaction, order registry of transfer of ownership in every case where property vests in a person either by succession or by inheritance of request of otherwise.

Provided that the person to whom the ownership of the property shall stand transferred in any manner aforesaid shall give notice in form of Schedule "F" to the Act for such transfer to the Commissioner or any officer duly authorised by him, within one year from the date of vesting the property in him.

4. . :-

No notice referred to in sub-rule (1) of Rule 3 shall be deemed to be valid unless the property taxes due on the date of notice in respect of the property to which it relates, have been paid and unless such fee as may from time to time fixed by the Standing Committee, for the acceptance of such notice has been paid in advance.

5. . :-

Any person aggrieved by any order passed by the Commissioner or any Officer duly authorised by him appeal to the Government against such order. Such appeals shall be presented within thirty days of the receipt by him of the order appealed against.