



## The Tamil Nadu Civil Courts Act, 1873

Act 3 of 1873

**Keyword(s):**

Consolidate and Amend the Law relating to Civil Courts, District Court,  
Pendency of Cases

Amendments appended: 34 of 1980, 28 of 1995, 18 of 1996, 1 of 2004

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ACT No. III OF 1873<sup>1</sup>.[THE<sup>2</sup>(TAMIL NADU) CIVIL COURTS ACT, 1873.]

[21st January 1873.]

An Act to consolidate and amend the law relating to the Civil Courts of the<sup>3</sup>(State of Tamil Nadu) subordinate to the High Court.

Preamble.

WHEREAS it is expedient to consolidate and amend the law relating to the Civil Courts of the<sup>3</sup>[State of Tamil Nadu] subordinate to the High Court; It is hereby enacted as follows :—

## PART I.

## PRELIMINARY.

Short title.

1. This Act may be called “The<sup>2</sup>(Tamil Nadu) Civil Courts Act, 1873”.

Local extent,

<sup>4</sup>[It extends to the whole of the State of Tamil Nadu.]

<sup>1</sup> For Statement of Objects and Reasons, see *Gazette of India*, 1873, Part V, page 173; for Report of the Select Committee see *ibid*, page 695; for Proceedings in Council relating to the Bill, see *ibid*, Supplement, 1870, page 900 and *ibid*, 1873, pages 3, 16 and 153.

This Act was extended to the merged State of Pudukkottai by section 3 of, and the First Schedule to, the Tamil Nadu Merged States (Laws) Act, 1949 (Tamil Nadu Act XXXV of 1949).

This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the Schedule to, the Tamil Nadu (Transferred Territory) Extension of Laws Act, 1957 (Tamil Nadu Act XXII of 1957), repealing the corresponding law in force in that territory.

This Act was extended to the added territories by section 3 of, and the First Schedule to, the Tamil Nadu (Added Territories) Extension of Laws Act, 1962 (Tamil Nadu Act 14 of 1962), which came into force on the 1st day of December 1962.

<sup>2</sup> These words were substituted for the word “Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

<sup>3</sup> This expression was substituted for the expression “Madras Presidency” by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

<sup>4</sup> This paragraph was substituted for the original second paragraph by *ibid*.

And it shall come into force on the 1st day of <sup>Commence-</sup> March 1873. <sub>ment.</sub>

2. [*Repeal of certain enactments. Repealed by the Repealing Act, 1873 (Central Act XII of 1873).*]

## PART II.

### ESTABLISHMENT AND CONSTITUTION OF CIVIL COURTS.

3. The number of District (heretofore designated <sup>Number of</sup> Zila) Courts to be established or continued under <sup>District</sup> this Act, shall be fixed, and may from time to <sup>Courts.</sup> time be altered, by the <sup>1</sup>[State Government :]

<sup>2</sup>[ \* \* \* \* \* ]

<sup>3</sup>[3-A. When in the opinion of the High Court, <sup>Appointment</sup> the state of business pending before the Judge of <sup>of Additional</sup> any District Court (hereinafter called the 'District <sup>District</sup> Judge') so requires, the <sup>1</sup>(State Government) may <sup>Judges.</sup> appoint one or more Additional District Judges to that Court for such period as they may deem necessary.]

The Additional District Judges so appointed shall discharge all or any of the functions of the District Judge under this Act or any other law for the time being in force which the District Judge may assign to them, and, in the discharge of those functions, they shall exercise the same powers as the District Judge.]

1 The words " Provincial Government " were substituted for the words " Local Government " by the Adaptation Order of 1937 and the word " State " was substituted for " Provincial " by the Adaptation Order of 1950.

2 The words " Provided that no increase to the number of such Courts shall be made by such Government, without the previous sanction of the Governor-General in Council " were repealed by the Decentralization Act, 1914 (Central Act IV of 1914), Sch., Pt. I.

3 Section 3-A was inserted by section 2 of the Madras Civil Courts (Amendment) Act, 1931 (Madras Act II of 1931).

Number of  
Subordinate  
Judges and  
District  
Munsifs.

4. The number of Subordinate Judges and District Munsifs to be appointed under this Act for each district, shall be fixed, and may from time to time be altered, by the <sup>1</sup>[State Government].

<sup>2</sup>[ \* \* \* \* ]

<sup>3</sup>[The <sup>1</sup>(State Government) may after consultation with the High Court, fix and from time to time vary by notification the number of Subordinate Judges to be appointed for a Subordinate Judge's Court or the number of District Munsifs to be appointed for a District Munsif's Court.]

[4-A. When more than one Subordinate Judge is appointed to a Subordinate Judge's Court or more than one District Munsif to a District Munsif's Court, one of the Subordinate Judges or the District Munsifs shall be appointed the Principal Subordinate Judge or Principal District Munsif and the others Additional Subordinate Judges or Additional District Munsifs, as the case may be.

Each of the Judges appointed to a Subordinate Judge's Court or a District Munsif's Court may exercise all or any of the powers conferred on the Court by this Act or any other law for the time being in force.

Subject to the general or special orders of the District Judge, the Principal Subordinate Judge or the Principal District Munsif may, from time to time,

<sup>1</sup> The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>2</sup> The words "Provided that no addition to the number of such officers shall be made by such Government without the previous sanction of the "Governor-General in Council" were repealed by the Decentralization Act, 1914 (Central Act IV of 1914), Sch., Pt. I.

<sup>3</sup> This paragraph was added by section 2 of the Madras Civil Courts (Amendment) Act, 1925 (Madras Act III of 1925).

<sup>4</sup> Section 4-A was inserted by section 3, *ibid.*

make such arrangements as he thinks fit for the distribution of the business of the Court among the various Judges thereof.]

5. The place at which any Court under this Act shall be held may be fixed, and may from time to time be altered, <sup>Court's locality.</sup>

in the case of a District Court or a Subordinate Judge's Court, by the <sup>1</sup>[State Government],

in the case of a District Munsif's Court, by the High Court.

<sup>2</sup>[The places fixed for any Court under this section shall be deemed to be within the local jurisdiction of that Court.]

<sup>3</sup> 6. [\* \* \* \*]

<sup>3</sup> 7. [\* \* \* \*]

8. The present Zila Courts, Principal Sadr Amins, and District Munsifs, shall be respectively the first "District Courts," "Subordinate Judges," and "District Munsifs" under this Act, <sup>District Courts, Subordinate Judges and District Munsifs,</sup>

9. Every Court under this Act shall use a seal of such form and dimensions as are, for the time being, prescribed by the <sup>1</sup>[State Government]. <sup>Seal of Court.</sup>

<sup>1</sup> The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>2</sup> This sentence was added by section 2 of the Madras Civil Courts Act, 1885 (Central Act XXI 1885).

<sup>3</sup> These sections were omitted by the Adaptation Order of 1937.

## PART III.

## JURISDICTION.

Local limits of jurisdiction of District Court or Subordinate Judge.

10. The <sup>1</sup> [State Government] shall fix, and may from time to time vary, the local limits of the jurisdiction of any <sup>2</sup> [District Court or Subordinate Judge's Court] under this Act ;

3 \* \* \* \*

The present local limits of the jurisdiction of every Civil Court (other than the High Court) shall be deemed to have been fixed under this Act.

Local jurisdiction of District Munsifs.

11. The High Court shall fix, and may from time to time modify, the local jurisdiction of District Munsifs.

4 [\* \* \* \*].

Jurisdiction of District Judge or Subordinate Judge in original suits.

12. The jurisdiction of a District Judge or a Subordinate Judge extends, subject to the rules contained in the Code of Civil Procedure,\* to all original suits and proceedings of a civil nature.

Jurisdiction of District Munsif.

The jurisdiction of a District Munsif extends to all like suits and proceedings, not otherwise exempted from his cognizance, of which the amount or value of the subject-matter does not exceed [five thousand rupees].

<sup>1</sup> The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>2</sup> These words were substituted for the words "District Judge or Subordinate Judge" by section 4 (a) of the Madras Civil Courts (Amendment) Act, 1925 (Madras Act III of 1925).

<sup>3</sup> The proviso to section 10 was omitted by section 4 (b), *ibid.*

<sup>4</sup> The second paragraph of section 11, which was added by section 3 of the Madras Civil Courts Act, 1885 (Central Act XXI of 1885), was omitted by section 5 *ibid.*

<sup>5</sup> These words were substituted for the words "three thousand rupees" by section 2 (i) of the Tamil Nadu Civil and Village Courts (Amendment) Act, 1951 (Tamil Nadu Act XVI of 1951), which came into force on the 19th May 1955.

\* See now Central Act V of 1908.

13. Regular or special appeals, <sup>1</sup>[ . . . ] shall, Appeals from decrees and orders of a District Court to the High Court. when such appeals are allowed by law, lie from the decrees and orders of a District Court to the High Court.

Appeals from the decrees and orders of Subordinate Judges and District Munsifs shall, when such appeals are allowed by law, lie to the District Court, except when the amount or value of the subject-matter of the suit exceeds <sup>2</sup>[rupees ten thousand] in which case the appeal shall lie to the High Court. Appellate jurisdiction of District Court.

Provided that, whenever a Subordinate Judge's Court is established in any district at a place remote from the station of the District Court, the High Court may, with the previous sanction of the <sup>3</sup>[State Government], direct that appeals from the decrees or orders of District Munsifs within the local limits of the jurisdiction of such Subordinate Judge be preferred in the Court of the latter : Appellate jurisdiction of Subordinate Judge.

Provided also, that the District Judge may remove to his own Court, from time to time, so preferred, and dispose of them himself, or may, subject to the orders of the High Court, refer any appeals from the decrees and orders of District Munsifs, preferred in the District Court, to any Subordinate Judge within the district. Disposal of appeal by District Judge.

<sup>1</sup> The words and figures "or appeals under Madras Regulation XI of 1832, section 9," were repealed by the Repealing and Amending Act, 1891 (Central Act XII of 1891).

<sup>2</sup> These words were substituted for the words "rupees five thousand" by section 2 of the Tamil Nadu Civil Courts (Amendment) Act, 1956 (Tamil Nadu Act XVII of 1956), which was brought into force on the 1st April 1957.

<sup>3</sup> The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937, and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>1</sup>[Provided further that when the District Court or the Subordinate Judge's Court to which appeals lie is adjourned under <sup>2</sup>[sub-section (1) of section 30], the High Court shall have power to receive such appeals.]

<sup>3</sup> 14. [\* \* \* \*].

Power to require witness or party to make oath or affirmation.

15. Every Court under this Act may require a witness or party to any suit or other proceeding pending in such Court to make such oath or affirmation as is prescribed by the law for the time being in force.

Law administered by Courts to natives.

<sup>4</sup>16. Where, in any suit or proceeding, it is necessary for any Court under this Act to decide any question regarding succession, inheritance, marriage, or caste, or any religious usage or institution,

(a) the Muhammadan law in cases where the parties are Muhammadans and the Hindu law in cases where the parties are Hindus, or,

(b) any custom (if such there be) having the force of law and governing the parties or property concerned,

shall form the rule of decision, unless such law or custom has, by legislative enactment, been altered or abolished,

(c) in cases where no specific rule exists, the Court shall act according to justice, equity, and good conscience.

<sup>1</sup> This proviso was added by section 2 of the Madras Civil Courts (Amendment) Act, 1945 (Madras Act XXII of 1945). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. 1) Act, 1948 (Tamil Nadu Act VII of 1948).

<sup>2</sup> These words, brackets and figures were substituted for the word and figures "section 30" by section 2 of the Tamil Nadu Civil Courts (Amendment) Act, 1959 (Tamil Nadu Act 17 of 1959).

<sup>3</sup> This section was repealed by section 84 of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955), which came into force on the 19th May 1955.

<sup>4</sup> The provisions of this section in so far as they are inconsistent with the provisions of the Muslim Personal Law (Shariat) Application Act, 1937 (Central Act XXVI of 1937), have been repealed—See section 6 of that Act.



17. <sup>1</sup>[No District Judge, Vacation Civil Judge, Subordinate Judge or District Munsif] shall try any suit to or in which he is a party or personally interested, or shall adjudicate upon any proceeding connected with, or arising out of, such suit.

Judges not to try suits in which they are interested; not to try appeals from decrees passed by them in other capacities.

<sup>2</sup>[No District Judge, Vacation Civil Judge or Subordinate Judge] shall try any appeal against a decree or order passed by himself in another capacity.

When any such suit, proceeding or appeal comes before any such officer, he shall report the circumstances to the Court to which he is immediately subordinate.

Mode of disposing of such suits and appeals.

The superior Court shall thereupon dispose of the case in the manner prescribed by the Code of Civil Procedure, section 6.<sup>3</sup>

Nothing in the last preceding clause of this section shall be deemed to affect the extraordinary original civil jurisdiction of the High Court.

#### <sup>4</sup> [PART IV.]

#### PART V.

#### MINISTERIAL OFFICERS.

<sup>5</sup>22. [\* \* \* \* \* \*].

<sup>6</sup>23. [\* \* \* \* \* \*].

<sup>1</sup> These words were substituted for the words "No District Judge, Subordinate Judge or District Munsif" by section 3 of the Tamil Nadu Civil Courts (Amendment) Act, 1959 (Tamil Nadu Act 17 of 1959).

<sup>2</sup> These words were substituted for the words "No District Judge or Subordinate Judge" by *ibid.*

<sup>3</sup> See now the Code of Civil Procedure, 1908 (Central Act V of 1908), section 24.

<sup>4</sup> The whole of Part IV which contained sections 18 to 21 was omitted by the Adaptation Order of 1937.

<sup>5</sup> These sections were omitted by *ibid.*

Duties of  
Ministerial  
Officers.

<sup>1</sup>[24. The Ministerial Officers of a Court shall perform such duties as may from time to time be imposed upon them by the presiding officer of the Court.]

<sup>2</sup>24-A. [\* \* \* \* \*].

## PART VI.

### MISCELLANEOUS.

Appointment  
of Subordinate  
Judge for two  
or more  
districts.

<sup>3</sup>[24-A. (1) Notwithstanding anything contained in this Act, a Subordinate Judge may, where the [State] Government so direct, be appointed for the area comprised within the local limits of the jurisdiction of two or more District Courts.

(2) A Subordinate Judge so appointed shall hold his Court at such place within the jurisdiction of each of the said District Courts and for such period as the High Court may from time to time fix.

(3) The local limits of the jurisdiction of the Subordinate Judge's Court, when it is held at any such place, shall be the same as those of the District Court concerned, but the Subordinate Judge's Court shall not entertain any original suit or proceeding and shall try or dispose of only such suits, appeals and other proceedings as may be transferred to it by the District Court under this Act or any other law.

(4) Appeals from the decrees and orders of the Subordinate Judge in suits or proceedings so transferred shall, where they lie to a District Court, lie to the District Court which transferred the suits or proceedings.]

<sup>1</sup> This section was substituted for the original section by the Adaptation Order of 1937.

<sup>2</sup> This section was omitted by *ibid.*

<sup>3</sup> This section was inserted by section 2 of the Madras Civil Courts (Amendment) Act, 1948 (Madras Act X of 1948).

<sup>4</sup> This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

25. In the event of the death of the District Judge, Temporary discharge of duties of District Judge.

or of his being incapacitated by illness or otherwise for the performance of his duties,

or of his absence from the station in which his Court is held,

<sup>1</sup>[the senior Additional District Judge or the Additional District Judge as the case may be or if there is no Additional District Judge], the senior Subordinate Judge of the District shall, without interruption to his ordinary duties, assume charge of the District Judge's office, and shall discharge such of the current duties thereof as are connected with the filing of suits and appeals, the execution of processes and the like,

and shall continue in charge of the office until the same is resumed or assumed by an officer duly appointed thereto.

<sup>2</sup>26. [ \* \* \* \* ].

27. Subject to the other provisions of this Act and to the rules for the time being in force and prescribed by the High Court in this behalf, the general control over all the Civil Courts under this Act in any district is vested in the District Judge. District Judge to control Civil Courts of District.

<sup>3</sup> 28. The <sup>4</sup>[High Court] may, by notification in the official Gazette, invest within such local limits as it shall from time to time appoint, Investiture of District or Subordinate Judge with Small Cause Jurisdiction.

<sup>1</sup> These words were inserted by section 6 of the Madras Civil Courts (Amendment) Act, 1931 (Madras Act II of 1931).

<sup>2</sup> This section was omitted by the Adaptation Order of 1937.

<sup>3</sup> See section 2 (2) of the Tamil Nadu Civil and Village Courts (Amendment) Act, 1951 (Tamil Nadu Act XVI of 1951), which came into force on the 19th May 1955.

<sup>4</sup> These words were substituted for the words "Local Government" by the Decentralization Act, 1914 (Central Act IV of 14), Sch., Pt. I.

any <sup>1</sup>[District or] Subordinate Judge with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts upto the amount of <sup>2</sup>[two thousand rupees],

Investiture of District Munsif with similar jurisdiction.

and any District Munsif with the same jurisdiction upto the amount of <sup>3</sup>[.....] <sup>4</sup>[five hundred rupees],

and may, by like notification, whenever it thinks fit, withdraw such jurisdiction from the <sup>1</sup>[District or] Subordinate Judge or Munsif so invested.

Exercise by Subordinate Judge of jurisdiction of District Judge in certain proceedings.

<sup>5</sup>[29. (1) The High Court may, by general or special order, authorize any Subordinate Judge to take cognizance of, or any District Judge to transfer to any Subordinate Judge under his control, any proceedings under the Indian Succession Act, 1925, which cannot be disposed of by District Delegates.

Central Act XXXIX of 1925.

(2) The District Judge may withdraw any such proceedings taken cognizance of by, or transferred to, a Subordinate Judge, and may either himself dispose of them or transfer them to a Court under his control competent to dispose of them.

(3) Notwithstanding anything contained in section 13, proceedings taken cognizance of by, or transferred to a Subordinate Judge under the provisions of this section shall be disposed of by him subject to the law applicable to like proceedings when disposed of by the District Judge.]

<sup>1</sup> These words were inserted by section 5 of the Madras Civil Courts Act, 1885 (Central Act XXI of 1885).

<sup>2</sup> These words were substituted for the words "rupees one thousand" by section 2 (2) of the Tamil Nadu Civil and Village Courts (Amendment) Act, 1951 (Tamil Nadu Act XVI of 1951), which came into force on the 19th May 1955.

<sup>3</sup> The words "rupees fifty or on the recommendation of the High Court upto any amount not exceeding" were repealed by the Decentralization Act, 1914 (Central Act IV of 1914), Sch., Pt. I.

<sup>4</sup> These words were substituted for the words "rupees three hundred" by section 2 (2) of the Tamil Nadu Civil and Village Courts (Amendment) Act, 1951 (Tamil Nadu Act XVI of 1951), which came into force on the 19th May 1955.

<sup>5</sup> This section was inserted by section 2 of the Madras Civil Courts (Amendment) Act, 1926 (Central Act XIV of 1926).

30. <sup>1</sup>[(1)] The High Court may permit the Civil Courts under its control to adjourn from time to time for periods not exceeding in the aggregate two months in each year.

Central  
Act V of  
1908.

<sup>2</sup>[(2)] Notwithstanding anything contained in this Act or in the Code of Civil Procedure, 1908, the State Government may, in consultation with the High Court, for the duration of the adjournment of any District Court in summer, appoint for such District Court a Subordinate Judge to be designated the Vacation Civil Judge.

(3) (a) The local limits of the jurisdiction of the Vacation Civil Judge shall be the same as those of the District Court concerned.

(b) The jurisdiction of the Vacation Civil Judge shall extend to all suits, appeals and other proceedings pending in, or cognizable by, any Civil Court (whether a District Court, a Subordinate Judge's Court or a District Munsif's Court) in the district concerned when such Court is adjourned for summer vacation.

(4) The place, at which the Court of the vacation Civil Judge shall be held, shall be the same as the place at which the District Court concerned may be held. The Vacation Civil Judge shall have such administrative control over the staff of the several Civil Courts in the district, as the High Court may, by general or special order, determine.

(5) Notwithstanding the appointment of the Vacation Civil Judge, every Civil Court in the district shall, during the period it is adjourned for summer vacation, be deemed to be closed for the purposes of section 4 of the \*Indian Limitation Act, 1908.

Central  
Act IX  
of 1908.

<sup>1</sup> The original section 30 was renumbered as sub section (1) of that section by section 4 of the Tamil Nadu Civil Courts (Amendment) Act, 1959 (Tamil Nadu Act 17 of 1959).

<sup>2</sup> Sub-sections (2) to (7) were added by *ibid.*

<sup>3</sup> See now the Limitation Act, 1963 (Central Act 36 of 1963).

(6) On the reopening of the District Court, a Subordinate Judge's Court or a District Munsif's Court after the summer vacation, all suits, appeals and other proceedings pending in the Court of the Vacation Civil Judge which, but for this section, would have been instituted or pending in such District Court, Subordinate Judge's Court or District Munsif's Court, as the case may be, shall stand transferred to such District Court, Subordinate Judge's Court or District Munsif's Court and any decree, order or proceeding passed by the Vacation Civil Judge shall, after such transfer, be deemed to be a decree, order or proceeding passed by the Court concerned.

(7) Notwithstanding the provisions of sub-section (6), any appeal from the decree or order of the Court of the Vacation Civil Judge shall, when such appeal is allowed by law, lie to the High Court.]

SCHEDULE.

[*Repealed by the Repealing Act, 1873 (Central Act XII of 1873).*]

**TAMIL NADU ACT NO. 34 of 1980.\***

**THE TAMIL NADU CIVIL COURTS AND THE  
MADRAS CITY CIVIL COURT (AMENDMENT)  
ACT, 1980.**

*[Received the assent of the President on the 16th October 1980, first published in the Tamil Nadu Government Gazette Extraordinary on the 23rd October 1980 (Aipasi 7, Rowthiri—2011—Thiruvalluvar Aandu).]*

*An Act further to amend the Tamil Nadu Civil Courts Act, 1873 and the Madras City Civil Court Act, 1892.*

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-first year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1980.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of Central Act III of 1873.

2. In the Tamil Nadu Civil Courts Act, 1873 (Central Act III of 1873),—

(1) in section 12, in the second paragraph, for the words "five thousand rupees", the words "fifteen thousand rupees" shall be substituted;

(2) in section 13, for the second paragraph, the following paragraph shall be substituted, namely:—

"Appeals from the decrees and orders of Subordinate Judges and District Munsifs shall, when such appeals are allowed by law, lie to the District Court if passed—

(i) before the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1980, except when the amount or value of the subject matter of the suit exceeds rupees ten thousand in which case the appeal shall lie to the High Court; and

\*For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 6th August 1980, Part IV—Section 1, pages 251-252.

(ii) on or after the date of the commencement of the said Act except when the amount or value of the subject matter of the suit exceeds rupees thirty thousand in which case the appeal shall lie to the High Court;”.

3. In the Madras City Civil Court Act, 1892 (Central Act VII of 1892),—

Amendment of  
Central Act  
VII of 1892.

(1) in section 3-A, for the words “fifty thousand rupees”, the words “one lakh of rupees” shall be substituted;

(2) in section 15,—

(a) in sub-section (1), for the words “ten thousand rupees”, the words “thirty thousand rupees” shall be substituted;

(b) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2-A) An appeal shall lie to the Principal Judge from any decree or order appealable under the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908) passed in any suit or proceeding by a judge other than the Principal Judge or an Additional Judge on or after the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1980, where the amount or value of the subject matter does not exceed thirty thousand rupees.”.

4. (1) All suits pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of the Madras City Civil Court Act, 1892 (Central Act VII of 1892) as amended by this Act shall stand transferred to the Madras City Civil Court.

Transitory  
provision.

(2) All suits and proceedings of which the amount or value of the subject matter exceeds rupees five thousand but does not exceed rupees fifteen thousand pending in any Sub-Court, or District Court, as the case may be, on the date of the commencement of this Act, shall stand transferred to the Court of the District Munsif having jurisdiction over the matter.





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**Part IV — Section 2**

**Tamil Nadu Acts and Ordinances.**

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 27th September 1995 and is hereby published for general information :—

ACT No. 28 OF 1995.

*An Act further to amend the Tamil Nadu Civil Courts Act, 1873 and the Madras City Civil Court Act, 1892.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows :—

- |   |  |
|---|--|
| <p>1. (1) This Act may be called the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1995.</p> <p>(2) It shall come into force on such date as the State Government may, by notification, appoint.</p> | <p>Short title and commencement.</p>         |
| <p>2. In the Tamil Nadu Civil Courts Act, 1873,—</p>  | <p>Amendment of Central Act III of 1873.</p> |

(1) in section 12, in the second paragraph, for the words “fifteen thousand rupees”, the words “thirty thousand rupees” shall be substituted ;

(2) in section 13, for the second paragraph, the following paragraph shall be substituted, namely :—

“Appeals from the decrees and orders of Subordinate Judges and District Munsifs shall, when such appeals are allowed by law, lie to the District Court, if passed—

(i) before the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1995 except when the amount or value of the subject-matter of the suit exceeds rupees thirty thousand in which case the appeal shall lie to the High Court; and

(ii) on or after the date of the commencement of the said Amendment Act except when the amount or value of the subject matter of the suit exceeds rupees one lakh in which case the appeal shall lie to the High Court.”.

(3) In section 28, -

(i) for the words “two thousand rupees”, the words “twenty thousand rupees” shall be substituted;

(ii) for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.

3. In the Madras City Civil Court Act, 1892,—

(1) in section 3-A, for the words “one lakh of rupees”, the words “ten lakhs of rupees” shall be substituted;

(2) in section 15,—

(i) in sub-section (1), for the words “thirty thousand rupees”, the words “one lakh of rupees” shall be substituted;

(ii) for sub-section (2-A), the following sub-section shall be substituted, namely:—

“(2-A) An appeal shall lie to the Principal Judge from any decree or order appealable under the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), passed in any suit or proceeding by a Judge other than the Principal Judge or an Additional Judge,—

(a) before the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1995, where the amount or value of the subject-matter does not exceed thirty thousand rupees; and

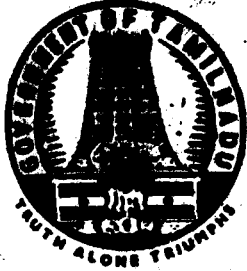
(b) on or after the date of the commencement of the said Amendment Act, where the amount or value of the subject-matter does not exceed one lakh of rupees.”.

4. (1) All suits pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of the Madras City Civil Court Act, 1892 (Central Act VII of 1892) as amended by this Act shall stand transferred to the Madras City Civil Court.

(2) All suits and proceedings of which the amount or value of the subject-matter exceeds rupees fifteen thousand but does not exceed rupees thirty thousand and pending in any Sub-Court or District Court, as the case may be, on the date of the commencement of this Act, shall stand transferred to the Court of the District Munsif having jurisdiction over the matter.

(By order of the Governor)

M. MUNIRAMAN,  
Secretary to Government,  
Law Department.



TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 322]

MADRAS, WEDNESDAY, JULY 3, 1996

Aani 19, Thadhu, Thiruvalluvar Aandu—2027

Part IV - Section 2 Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 28th June 1996 and is hereby published for general information:—

ACT NO. 18 OF 1996.

An Act further to amend the Tamil Nadu Civil Courts Act, 1873.

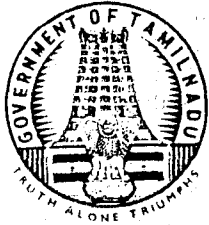
Enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows:—

- 1. (1) This Act may be called the Tamil Nadu Civil Courts (Amendment) Act, 1995. Short title and commencement. (2) It shall be deemed to have come into force on the 1st day of December 1995. 2. In the Tamil Nadu Civil Courts Act, 1873 (hereinafter referred to as the principal Act), in section 13, in the second paragraph, for clause (ii), the following clause shall be substituted, namely:— Amendment of section 13. "(ii) on or after the 1st day of December 1995 except when the amount or value of the subject matter of the suit exceeds rupees three lakhs in which case the appeal shall lie to the High Court." 3. All suits pending in High Court on the date of the publication of this Act and which would be within the cognizance of the civil courts under the provisions of the principal Act, as amended by this Act, shall stand transferred to the civil courts having jurisdiction. Transitory provisions.

Amendment Act III of 1873.

(By order of the Governor)

S. KANNABIRAN, Additional Secretary to Government, Law Department.



(L-Lmi Short)  
**TAMIL NADU  
GOVERNMENT GAZETTE**

**EXTRAORDINARY**

PUBLISHED BY AUTHORITY

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CHENNAI, THURSDAY, JANUARY 8, 2004  
Margazhi 24, Subhanu, Thiruvalluvar Aandu-2034

**Part IV—Section 2**

**Tamil Nadu Acts and Ordinances.**

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 29th December 2003 and is hereby published for general information:—

**ACT No. 1 OF 2004.**

*An Act further to amend the Tamil Nadu Civil Courts Act, 1873 and the Chennai City Civil Court Act, 1892.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003.

Short title and commencement.

(2) It shall come into force at once.

2. In the Tamil Nadu Civil Courts Act, 1873,—

Amendment of Central Act III of 1873

(1) in section 12,—

(a) for the first paragraph, the following paragraph shall be substituted, namely:—

"The jurisdiction of a District Judge extends, subject to the rules contained in the Code of Civil Procedure, to all original suits and proceedings of a civil nature, of which the amount or value of the subject matter exceeds five lakh rupees. The jurisdiction of a Subordinate Judge extends, subject to the rules contained in the Code of Civil Procedure, to all like original suits and proceedings, of which the amount or value of the subject matter exceeds one lakh rupees but does not exceed five lakh rupees."

(b) in the second paragraph, for the expression "thirty thousand rupees" the expression "one lakh rupees", shall be substituted.

Central Act III  
of 1873.

(2) after section 13, the following section shall be inserted, namely:—

"13-A. *Appeals from decrees of Subordinate Courts.*—Appeals from the decrees and orders of Subordinate Judges, if passed on or after the date of the commencement of the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003, shall, when such appeals are allowed by law, lie to the District Court.

*Appeals from decrees of District Munsif.*—Appeals from the decrees and orders of District Munsifs, if passed on or after the date of the commencement of the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003, shall, when such appeals are allowed by law, lie to the Subordinate Court."

Amendment  
of Central  
Act VII of  
1892.

3. In the Chennai City Civil Court Act, 1892,—

Central Act VII  
of 1892.

(1) in section 4, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The jurisdiction of an Assistant Judge extends to all suits and proceedings of a civil nature not otherwise exempted from his cognizance, of which the amount or value of the subject matter does not exceed five lakh rupees. The jurisdiction of the Principal Judge and Additional Judge extends to all like suits and proceedings, of which the amount or value of the subject matter exceeds five lakh rupees but does not exceed ten lakh rupees."

(2) in section 15,—

(a) in sub-section (1), the expression "where the amount or value of the subject matter exceeds three lakh of rupees or" shall be omitted;

(b) after sub-section (2-B), the following sub-section shall be inserted, namely:—

"(2-C) An appeal shall lie to the Principal Judge from any decree or order, appealable under the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), if passed in any suit or proceeding by an Assistant Judge on or after the date of the commencement of the Tamil Nadu Civil Courts and Chennai City Civil Court (Amendment) Act, 2003."

Transitory  
provision.

4. (1) All suits pending in a Subordinate Court or District Court on the date of the commencement of this Act and which would be within the cognizance of the District Munsifs' Court, Subordinate Court or District Court, under the provisions of the Tamil Nadu Civil Courts Act, 1873 (Central Act III of 1873), as amended by this Act, shall stand transferred to the Court having jurisdiction over the subject matter.

(2) All suits pending before an Assistant Judge, an Additional Judge or a Principal Judge or in the High Court on the date of the commencement of this Act, and which would be within the cognizance of the Chennai City Civil Court under the provisions of the Chennai City Civil Court Act, 1892 (Central Act VII of 1892), as amended by this Act, shall stand transferred to the Assistant Judge, Additional Judge or the Principal Judge, having jurisdiction over the subject matter.

(By order of the Governor)

**A. KRISHNANKUTTY NAIR,**  
Secretary to Government,  
Law Department.