



The Provincial Small Cause Courts (Tamil Nadu Amendment) Act, 1949

Act 34 of 1949

Keyword(s):

Central Act Amendment, The Provincial Small Cause Courts Act, 1887

Amendments appended: 32 of 1982, 49 of 1994, 26 of 1995

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¹[TAMIL NADU] ACT No. XXXIV OF 1949²

[THE PROVINCIAL SMALL CAUSE COURTS
¹[TAMIL NADU] AMENDMENT) ACT, 1949.]

(Received the assent of the Governor on the 20th December 1949 ; first published in the Fort St. George Gazette on the 27th December 1949.)

An Act further to amend the Provincial Small Cause Courts Act, 1887, in its application to the ³[State of Tamil Nadu].

WHEREAS it is expedient further to amend the Provincial Small Cause Courts Act, 1887, in its application to the ³[State of Tamil Nadu], for the purpose hereinafter appearing ; It is hereby enacted as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Provincial Small Cause Courts (¹[Tamil Nadu] Amendment) Act, 1949.

(2) It extends to the whole of the ⁴[State of Tamil Nadu].

(3) It shall be deemed to have come into force on the 1st day of April 1947.

Insertion of
new section
28-A in
Central
Act IX of
1887.
Vacation.

2. After section 28 of the Provincial Small Cause Courts Act, 1887, the following section shall be inserted, namely :—

“28 A. The High Court may permit a Court of Small Causes to adjourn from time to time for periods not exceeding in the aggregate two months in each year.”

¹ 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.

² For Statement of Objects and Reasons, see *Fort St. George Gazette*, dated the 6th September 1949, Part IV-A, page 358.

³ This expression was substituted for the expression “Province of Madras” by paragraph 3(2) of the Tamil Nadu Adaptation of Laws Order, 1970.

⁴ This expression was substituted for the expression “State of Madras” by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

TAMIL NADU ACT NO. 32 OF 1982.*

THE PROVINCIAL SMALL CAUSE COURTS
(TAMIL NADU AMENDMENT) ACT, 1982.

[Received the assent of the President on the 1st June 1982 first published in the Tamil Nadu Government Gazette Extraordinary, on the 5th June 1982 (Vaikasi 22, Thunthubi, Thiruvalluvar Aandu-2013).]

An Act further to amend the Provincial Small Cause Courts Act, 1887 in its application to the State of Tamil Nadu.

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

1. (1) This Act may be called the Provincial Small Cause Courts (Tamil Nadu Amendment) Act, 1982.

Short title, extent and commencement.

(2) It extends to the whole of the State of Tamil Nadu.

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

2. For section 25 of the Provincial Small Cause Courts Act, 1887 (Central Act IX of 1887) (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

Substitution of new section for section 25, Central Act IX of 1887.

“25. *Revision of decrees and orders of Courts of Small Causes.*—The District Judge, for the purpose of satisfying himself that a decree or order made in any case decided by a Court of Small Causes is according to law, may of his own motion or on the application of an aggrieved party, made within thirty days from the date of such decree or order, call for the case and pass such order with respect thereto as he thinks fit :

Provided that in relation to any case decided by a District Judge or Additional District Judge exercising the jurisdiction of a Judge of a Court of Small Causes, the power of revision under this section shall vest in the High Court.”

*For Statement of Objects and Reasons, See Tamil Nadu Government Gazette Extraordinary, dated the 4th March 1982, Part IV—Section 1, page 116.

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pecial provi-
on as to pend-
ig cases in the
igh Court.

3. All cases pending in the High Court under section 25 of the principal Act at the commencement of this Act shall stand transferred to the District Court concerned and the District Court shall have jurisdiction to hear and determine the same in accordance with the provisions of section 25 of the principal Act as substituted by section 2 of this Act and the judgments and orders of the High Court delivered or made before the commencement of this Act shall be enforceable as if they had been delivered or made by the District Court.

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 20th August 1994 and is hereby published for general information :—

ACT No. 49 OF 1994.

An Act further to amend the Provincial Small Cause Courts Act, 1887, in its application to the State of Tamil Nadu.

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

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Provincial Small Cause Courts (Tamil Nadu Amendment) Act, 1994.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force at once.

Amendment of
section 17.

2. In section 17 of the Provincial Small Cause Courts Act, 1887, in sub-section (1), for the proviso, the following proviso shall be substituted, namely :—

Central Act IX
of 1887.

“Provided that an applicant for a review of judgment shall, at the time of presenting his application, either deposit in the Court, the amount due from him in pursuance of the judgment or give such security for the compliance with the judgment as the Court may on a previous application made by him in this behalf, have directed.”

(By order of the Governor)

M. MUNIRAMAN,

Secretary to Government, Law Department.

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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 14th September 1995 and is hereby published for general information:—

ACT No. 26 OF 1995.

An Act further to amend the Presidency Small Cause Courts Act, 1882 and the Provincial Small Cause Courts Act, 1887, in its application to the State of Tamil Nadu.

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:—

1. (1) This Act may be called the Presidency Small Cause Courts and Provincial Small Cause Courts (Tamil Nadu Amendment) Act, 1995.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the State of Tamil Nadu.

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

2. In the Presidency Small Cause Courts Act, 1882,—

Amendment
of Central Act
XV of 1882.

(1) in section 14, for the words "twenty rupees", the words "two hundred rupees" shall be substituted;

(2) in section 18,—

(a) in the opening portion, for the words "two thousand rupees", the words "twenty thousand rupees" shall be substituted;

(b) in the Explanation 1, for the words "two thousand rupees", the words "twenty thousand rupees" shall be substituted;

Central Act
XV of 1882.

(3) in section 20, in the first paragraph, for the words "two thousand rupees" occurring in two places, the words "twenty thousand rupees" shall be substituted;

(4) in section 21, for the words "one thousand rupees", the words "ten thousand rupees" shall be substituted;

(5) in section 22,—

(i) for the words "one thousand rupees", the words "ten thousand rupees" shall be substituted;

(ii) for the words "three hundred rupees", the words "three thousand rupees" shall be substituted;

(6) in section 39, in sub-section (1), for the words "one thousand rupees", the words "ten thousand rupees" shall be substituted;

(7) in section 41, for the words "two thousand rupees", the words "five thousand rupees" shall be substituted;

(8) in section 45, in the second paragraph, for the words "ten rupees", the words "one hundred rupees" shall be substituted;

(9) in section 63, in the first paragraph, for the words "one thousand rupees", the words "two thousand and five hundred rupees" shall be substituted;

(10) in section 69, in sub-section (1), for the words "five hundred rupees", the words "two thousand and five hundred rupees" shall be substituted;

(11) in section 76, for the words "twenty rupees", the words "two hundred rupees" shall be substituted.

3. In the Provincial Small Cause Courts Act, 1887,—

(1) in section 12, in sub-section (3), for the words "twenty rupees", the words "two hundred rupees" shall be substituted;

(2) in section 15,—

(i) in sub-section (2), for the words "five hundred rupees", the words "five thousand rupees" shall be substituted;

(ii) in sub-section (3), for the words "one thousand rupees", the words "five thousand rupees" shall be substituted;

(3) in section 28, in sub-section (2), for the words "five thousand rupees", the words "thirty thousand rupees" shall be substituted.

Transitory provision.

4. (1) All suits and proceedings of which the amount or value of the subject-matter exceeds rupees two thousand but does not exceed rupees twenty thousand and pending in the Madras City Civil Court, immediately before the date of the commencement of this Act, shall be heard and disposed of by the Madras City Civil Court, as if this Act had not been passed.

(2) All suits and proceedings of which the amount or value of the subject-matter exceeds five hundred rupees but does not exceed five thousand rupees and pending in any court of the District Munsif, immediately before the date of the commencement of this Act, shall be heard and disposed of by such court of the District Munsif as if this Act had not been passed.

(By order of the Governor.)

M. MUNIRAMAN.
Secretary to Government, Law Department.

Central Act
IX of 1887.

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