



**The Tamil Nadu Legislature (Prohibition of Simultaneous Membership) Act,
1950**

Act 20 of 1950

Keyword(s):
Assembly, Council, House

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¹[TAMIL NADU] ACT No. XX OF 1950.²

[THE ¹[TAMIL NADU] LEGISLATURE (PROHIBITION OF SIMULTANEOUS MEMBERSHIP) ACT, 1950]

(Received the assent of the Governor on the 27th September 1950 ; first published in the Fort. St. George Gazette on the 3rd October 1950).

An Act to provide for the vacation by a person who is chosen a member of both Houses of the State Legislature of his seat in one House or the other.

WHEREAS it is necessary to provide for the vacation by a person who is chosen a member of both Houses of the State Legislature of his seat in one House or the other ; It is hereby enacted as follows :—

I. This Act may be called the ¹[Tamil Nadu] Legislature (Prohibition of Simultaneous Membership) Act, 1950. Short title.

2. In this Act, unless there is anything repugnant in the Definitions, subject or context—

(1) “ Assembly ” means the Legislative Assembly of the ²[State of Tamil Nadu].

(2) “ Council ” means the Legislative Council of the ³[State of Tamil Nadu]

(3) “ House ” means the Assembly or the Council.

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 28th March 1950, Part IV-A, page 220.

³ 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.

Vacation of seat by a person who is a member of one House chosen member of the other House. 3. (1) If a person is chosen a member of the Council after he has taken his seat in the Assembly and while he continues to be a member thereof, his seat in the Assembly shall become vacant on the date on which he is chosen a member of the Council.

(2) If a person is chosen a member of the Assembly after he has taken his seat in the Council and while he continues to be a member thereof his seat in the Council shall become vacant on the date on which he is chosen a member of the Assembly.

Vacation of seat by a person who is chosen member of both the Assembly and the Council. 4. (1) In cases not governed by section 3, any person who is chosen a member of both the Assembly and the Council may, within fifteen days from the date on which he is so chosen, or if he is so chosen on different dates, then, within fifteen days from the later of such dates—

(a) take his seat in either Houses, whereupon his seat in the other House shall become vacant ; or

(b) by notice in writing signed by him and delivered to the Secretary of each of the Houses or to any person authorized by the Governor in this behalf intimate in which of the Houses he wishes to serve, whereupon his seat in the other House shall become vacant.

(2) If the seat of such person in one of the Houses does not become vacant in pursuance of clause (a) or clause (b) of sub-section (1), then, upon the expiry of the time specified in that sub-section, his seat in the Assembly shall become vacant.