



**The Tamil Nadu (Transferred Territory) Thiruppuvaram Payment Abolition  
Act, 1964**

Act 32 of 1964

**Keyword(s):**

Assistant Settlement Officer, Fasli Year, Financial Year, Thiruppuland,  
Holder, Settlement Officer, Thiruppuholder, Thiruppuvaram, Transferred  
Territory

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[TAMIL NADU] ACT NO. 32 OF 1964<sup>2</sup>.THE [TAMIL NADU] (TRANSFERRED TERRITORY) THIRUPPU-  
VARAM PAYMENT ABOLITION ACT, 1964.

*[Received the assent of the President on the 5th November 1964, first published in the Fort St. George Gazette on the 18th November 1964 (Kartika 27, 1886).]*

*An Act to provide for the extinguishment of the right to receive, and the liability to pay, thiruppuvaram in the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.*

BE it enacted by the Legislature of the <sup>3</sup>[State of Tamil Nadu] in the Fifteenth Year of the Republic of India as follows :—

## CHAPTER I.

## PRELIMINARY.

Short title,  
extent and  
commencement

1. (1) This Act may be called the <sup>4</sup>[Tamil Nadu] (Transferred Territory) Thiruppuvaram Payment Abolition Act, 1964.

(2) It extends to the whole of the transferred territory.

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

<sup>1</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.

<sup>2</sup> For Statement of Objects and Reasons, see *Fort St. George Gazette* Extraordinary, dated the 26th March 1964, Part IV—Section 3, page 111; for Report of Select Committee, see *Fort St. George Gazette* Extraordinary, dated the 17th July 1964, Part IV—Section 3, pages 225-249.

<sup>3</sup> 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.

2. In this Act, unless the context otherwise requires,— Definitions.

(1) "appointed day" means the date appointed by the Government under sub-section (3) of section 1 ;

(2) "Assistant Settlement Officer" means an Assistant Settlement Officer appointed under section 6 and having jurisdiction ;

(3) "Director" means the Director of Settlements appointed under section 4 ;

(4) "fasli year" means the year commencing on the first day of July ;

(5) "financial year" means the year commencing on the first day of April ;

(6) "Government" means the State Government ;

(7) "thiruppu-land-holder" means any person liable to pay thiruppuvaram in respect of any land ;

(8) "Settlement Officer" means a Settlement Officer appointed under section 5 and having jurisdiction ;

(9) "thiruppuholder" means any religious, educational or charitable institution or individual entitled to receive thiruppuvaram in respect of any land immediately before the appointed day ;

(10) "thiruppuvaram" means an assignment of revenue or of rent payable in money or in kind or in both in respect of any land or a portion of such revenue or rent, made in favour of any religious educational or charitable institution, or individual, and—

(i) entered as thiruppuvaram in the revenue accounts in force on the appointed day ; or

(ii) recognised by customary law as thiruppuvaram, and subsisting immediately before the appointed day.

*Explanation.*—For the purposes of this clause, “revenue accounts” means the approved jamabandi accounts and includes the settlement register ;

(11) “transferred territory” means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district ;

(12) “Tribunal” means a Tribunal constituted under section 8 and having jurisdiction.

## CHAPTER II.

### ABOLITION OF THIRUPPUVARAM.

Thiruppuvaram to be abolished. 3. (1) With effect on and from the appointed day, no thiruppuholder shall have the right to receive payment of thiruppuvaram and no thiruppuland-holder shall be liable to pay thiruppuvaram to the thiruppuholder ; and the right to receive payment of, and the liability to pay, thiruppuvaram shall stand extinguished.

(2) With effect on and from the appointed day and save as otherwise expressly provided in this Act, any rights and privileges which may have accrued in respect of thiruppuvaram to any person before the appointed day against the thiruppuholder shall cease and determine and shall not be enforceable against the Government or against the thiruppuholder and every such person shall be entitled only to such rights and privileges as are recognised or conferred on him by or under this Act.

Appointment and functions of the Director of Settlements.

4. As soon as may be, after the publication of this Act in the *Fort St. George Gazette*,\* the Government shall appoint a Director of Settlements to carry out the functions and duties assigned to him by or under this Act. The Director shall be subordinate to the †Board of Revenue.

Appointment and functions of Settlement Officers.

5. (1) As soon as may be, after the publication of this Act in the *Fort St. George Gazette*,\* the Government shall appoint one or more Settlement Officers to carry out the functions and duties assigned to them by or under this Act.

\*Now the *Tamil Nadu Government Gazette*.

†By virtue of section 10 (1) of the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980), any reference to the Board of Revenue shall be deemed to be a reference to the State Government.

(2) Every Settlement Officer shall be subordinate to the Director and shall be guided by such lawful instructions as he may issue from time to time ; and the Director shall also have power to cancel or revise any of the orders, acts or proceedings of the Settlement Officer, other than those in respect of which an appeal lies to the Director under sub-section (6) of section 14.

6. (1) As soon as may be after the publication of this Act in the *Fort St. George Gazette*\*, the Government may appoint one or more Assistant Settlement Officers to carry out the functions and duties assigned to them by or under this Act.

Appointment  
and functions of  
Assistant  
Settlement  
Officers.

(2) Every Assistant Settlement Officer shall be subordinate to the Settlement Officer and shall be guided by such lawful instructions as he may issue, from time to time, and the Settlement Officer shall also have power to cancel or revise, within such period as may be prescribed, any of the orders, acts or proceedings of the Assistant Settlement Officer, other than those in respect of which an appeal lies to the Tribunal.

7. The †Board of Revenue shall have power—

(a) to give effect to the provisions of this Act ;  
(b) to issue instructions for the guidance of the Director, Settlement Officers and Assistant Settlement Officers ;

(c) to cancel or revise, within such period as may be prescribed, any of the orders, acts or proceedings of the Director or the Settlement Officers.

Powers of  
control of the  
†Board of  
Revenue.

8. (1) The Government shall constitute as many Tribunals as may be necessary for the purposes of this Act.

Constitution of  
Tribunals.

(2) Each Tribunal shall consist of one person only who shall be a judicial officer not below the rank of Subordinate Judge.

\* Now the *Tamil Nadu Government Gazette*.

† By virtue of section 10 (1) of the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980) any reference to the Board of Revenue shall be deemed to be a reference to the State Government.

(3) Each Tribunal shall have such jurisdiction as the Government may, by notification from time to time determine.

(4) Every Tribunal shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act V of 1908), when trying a suit or when hearing an appeal.

### CHAPTER III.

#### ENQUIRY INTO CLAIMS RELATING TO THIRUPPUVARAM.

Enquiry into  
thiruppuvaram  
claims.

9. (1) (a) The Assistant Settlement Officer shall, subject to the provisions of sub-section (2), inquire into the claims of any person entitled to thiruppuvaram immediately before the appointed day and decide which claim should be allowed or rejected, or which claim stands escheated or lapsed.

(b) When giving a decision under clause (a), the Assistant Settlement Officer shall have regard to the following matters, namely:—

(i) whether the conditions, if any, subject to which the grant of thiruppuvaram was made, are complied with,

(ii) whether the purpose, if any, for which such grant was made, subsists,

(iii) such other matters as may be prescribed.

(2) (a) Before holding the enquiry under sub-section (1), the Assistant Settlement Officer shall give notice in the prescribed manner to the thiruppuholder, to the thiruppuland-holder, to the Tahsildar of the taluk in which the land is situated, and to such other persons as may be specified in the rules made by the Government in this behalf.

(b) The Assistant Settlement Officer shall also publish in the prescribed manner in the village the notice referred to in clause (a) and after giving the parties who appear before him an opportunity to be heard and to adduce their evidence, give his decision.

(3) Against a decision of the Assistant Settlement Officer under sub-section (2), the Government may, within one year from the date of the decision and any person aggrieved by such decision may, within three months of the said date, appeal to the Tribunal:

Provided that the Tribunal may, in its discretion, allow further time not exceeding two months for the filing of any such appeal:

Provided further that the Tribunal may, in its discretion, entertain an appeal by the Government at any time if it appears to the Tribunal that the decision of the Assistant Settlement Officer was vitiated by fraud or by mistake of fact.

10. Where in any case the grant of thiruppuvaram is subject to any condition or performance of any service, and where at any time before the appointed day the grantee has failed to comply with such condition or has ceased to perform such service, the thiruppuvaram in such case shall be deemed to have lapsed with effect from the date of such failure to comply with the condition or from the date of such cessation of service. Lapse of thiruppuvaram in certain cases.

#### CHAPTER IV.

##### DETERMINATION AND PAYMENT OF COMPENSATION.

11. (1) Where a thiruppuholder is a religious, educational or charitable institution or an individual entitled to thiruppuvaram on condition of rendering service to a religious, educational or charitable institution, the Government shall pay to the institution every fasli year commencing with the fasli year in which the appointed day falls, an amount equal to the tasdik allowance as calculated under sub-section (2). Payment of tasdik allowance to religious, educational or charitable institution.

(2) The tasdik allowance shall be a sum equal to the aggregate of the annual amount of thiruppuvaram payable to the religious, educational or charitable institution or the individual referred to in sub-section (1).

(3) The payment shall be made to the institution under this section so long as it exists.

Service-thirup-  
puholders

12. (1) The provisions of this section shall apply to a thiruppuholder entitled to thiruppuvaram immediately before the appointed day on condition of rendering service to a religious, educational or charitable institution (hereinafter referred to in this Act as the service-thiruppuholder).

(2) The service-thiruppuholder shall be bound to continue to render the service after the appointed day.

(3) (a) For so long as the service-thiruppuholder renders the service, the institution shall pay to the service-thiruppuholder the tasdik allowance paid by the Government under section 11 in respect of that thiruppuholder.

(b) If the service-thiruppuholder fails to render the service, the prescribed officer shall, after such inquiry and after such notice to the service-thiruppuholder as may be prescribed in this behalf, notify such failure in such manner as may be prescribed. He shall then declare that the tasdik allowance payable to the institution in respect of that thiruppuholder for the period subsequent to the failure shall be the absolute property of the institution and the institution shall be at liberty to make such arrangements as it thinks fit for the performance of the service.

*Explanation.*—For the purposes of this section,—

(i) service-thiruppuholder includes his heirs,

(ii) non-performance of the service due to illness or other temporary disability shall not be deemed to be failure to render service, provided that the service-thiruppuholder makes alternative arrangements for rendering the service during the period of such illness or of other temporary disability.

Sale of compensation to thirup-  
puholder not  
governed by  
section 11.

13. In the case of any thiruppuholder (not being a religious, educational or charitable institution or a service-thiruppuholder) the Government shall pay to the thiruppuholder concerned as compensation an amount equal to sixteen and two-thirds times the aggregate of the annual amount of thiruppuvaram payable to such thiruppuholder.



14. (1) The Settlement Officer shall, by order in writing, determine in respect of each thiruppuholder the tasdik allowance payable under section 11 or, as the case may be, the compensation payable under section 13. Determination of tasdik allowance and compensation.

(2) Any thiruppuholder or other person interested, may within such time as may be prescribed or such further time as the Settlement Officer may, in his discretion allow, apply in writing to that officer for a copy of the data on the basis of which he proposes to determine the tasdik allowance or compensation payable.

(3) On receipt of such application, the Settlement Officer shall furnish the data aforesaid to the applicant; and he shall also, before passing any order under sub-section (1), give the applicant a reasonable opportunity of making his representations in regard thereto, in writing or orally.

(4) A copy of every order passed under sub-section (1), shall be communicated to the thiruppuholder and also to every applicant under sub-section (2).

(5) (i) The Settlement Officer may, at any time, either *suo motu* or on the application of any person, review an order passed by him under sub-section (1) on any one or more of the following grounds, namely:—

(1) that the said order is vitiated by any clerical or arithmetical mistake or error apparent on the face of the record, or

(2) that subsequent to the passing of the said order, data for the better calculation of the tasdik allowance or compensation have become available, or

(3) that the said order requires to be modified in pursuance of the final order of any competent authority or court :

Provided that the Settlement Officer shall not exercise the powers under this sub-section without giving the thiruppuholder concerned and every applicant under this sub-section and sub-section (2), a reasonable opportunity of being heard.

(ii) A copy of every order passed under this sub-section shall be communicated to the \*Board of Revenue and also to the thiruppuholder concerned and every applicant under this sub-section and sub-section (2).

(6) Any person deeming himself aggrieved by an order made under sub-section (1) or sub-section (5), may, within one month from the date of the order or such further time as the Director may, in his discretion, allow, appeal to the Director; and the Director shall, after giving the applicant a reasonable opportunity of being heard, pass such orders on the appeal as he thinks fit.

(7) The \*Board of Revenue may, in its discretion, at any time, either *suo motu* or on the application of any person, call for and examine the record of any order passed, or proceeding taken, by the Director or the Settlement Officer under this section, for the purpose of satisfying itself as to the legality, regularity, or propriety of such order or proceeding and pass such order in reference thereto as it thinks fit :

Provided that the tasdik allowance or the compensation payable to a thiruppuholder shall not be altered by the Board without giving him and every person who has made an application under this sub-section and sub-section (2) a reasonable opportunity of being heard.

(8) Notwithstanding anything contained in sub-section (6) or sub-section (7), the \*Board of Revenue may, on application made to it by the Director or the Settlement Officer or by any other person in that behalf, review any order passed by it under sub-section (7), if it is of the opinion that the said order is vitiated by an error in the decision on a point of law or by a mistake and may make such order on the application as it thinks fit :

Provided that no application for review shall be granted by the \*Board of Revenue without previous notice to the thiruppuholder, and to the applicant, to enable them to appear and be heard in support of the order, a review of which is applied for.

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\*By virtue of section 10 (1) of the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980) any reference to the Board of Revenue shall be deemed to be a reference to the State Government.

(9) No order passed by the Settlement Officer under sub-section (1) or sub-section (5) shall be liable to be cancelled or modified except by the Director or the Board of Revenue\* as aforesaid; no order passed by the Director under sub-section (6) shall be liable to be cancelled or modified except by the \*Board of Revenue as aforesaid; and no order passed by the \*Board of Revenue under sub-section (7) or sub-section (8) shall be liable to be cancelled or modified by the Government or any other authority.

15. The compensation and the annual tasdik allowance payable under this Act shall be paid in cash and in one lumpsum.

Manner of payment of compensation and tasdik allowance.

16. For the purposes of calculating the tasdik allowance or the compensation payable under this Chapter, the paddy portion of thiruppuvaram shall be commuted into money at the rate of one rupee and twenty-five paise per standard *para*.

Commutation of paddy portion of thiruppuvaram.

*Explanation.*—For the purposes of this section, “standard *para*” means a measure equivalent to 13.11 litres.

17. (1) The amount of compensation finally determined as payable to the thiruppuholder (not being a religious, educational or charitable institution or a service—thiruppuholder) and the interim payments under section 24 shall, on application by the thiruppuholder concerned to such authority and within such period as may be prescribed, be paid to him.

Payment of compensation.

(2) In disposing of an application under sub-section (1), the prescribed authority shall follow such procedure as may be prescribed.

(3) Where it is alleged that the interest of the thiruppuholder entitled to receive payment of the compensation has devolved on any other person or persons, whether by act of parties or by operation of law, the prescribed authority shall determine whether there has been any devolution of the interest, and if so, on whom it has devolved, and the amount of compensation shall be paid to the persons on whom such interest has devolved.

\*By virtue of section 10 (1) of the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980) any reference to the Board of Revenue shall be deemed to be a reference to the State Government.

Appeal.

18. Any person aggrieved by the decision of the prescribed authority under section 17 may, within three months from the date of the decision, appeal to the Tribunal :

Provided that the Tribunal may, in its discretion, allow further time not exceeding two months for the filing of such appeal.

Revision by High Court.

19. The Tribunal shall be deemed to be a Court subordinate to the High Court for the purposes of section 115 of the Code of Civil Procedure, 1908 (Central Act V of 1908) and its orders shall be liable to revision by the High Court under the provisions of that section.

Unclaimed and undisbursed amounts how dealt with.

20. (1) (a) All amounts remaining unpaid and with reference to which no application for payment has been made within the time prescribed under section 17; and

(b) all amounts remaining unpaid after the expiry of a period of six months from the date of disposal of the application under section 17 or from the date of the decision on appeal or revision under section 18 or 19, as the case may be,

shall be deposited in the District Court having jurisdiction and in cases falling under clause (b) in the name of the person or persons in whose favour an order for payment has been made by the prescribed authority, or the Tribunal, or the High Court, as the case may be.

(2) All amounts deposited in the District Court under sub-section (1) shall be dealt with by the District Court in accordance with such rules as may be made by the Government in this behalf.

(3) Every person making a claim to, or enforceable against, any amount held in deposit under sub-section (1) shall apply to the District Court in the prescribed form setting forth his claim.

(4) The District Court shall, after giving notice to all persons who have applied under sub-section (3) and to any others whom it considers to be interested, make inquiry into the validity of the claims received by it and subject to the provisions of sub-section (5) determine the persons who are entitled to the amount held in deposit and the amount to which each of them is entitled.

(5) Every order for payment made by the prescribed authority, the Tribunal or the High Court in favour of any person shall be binding on the District Court.

21. Where any payment made to any person is subsequently found to be not due to him or to be in excess of the amounts due to him, the amount which is found to be not due or which is in excess, as the case may be, with interest thereon at three per cent per annum, or any portion thereof which cannot be otherwise adjusted by deduction from any amount due to such person shall be recoverable as if it were an arrear of land revenue.

22. In respect of the compensation finally determined under section 14 and the interim payments made under section 24, the jurisdiction of the prescribed authority, the Tribunal and the High Court shall be limited to the determination of the persons who will be entitled to the compensation or the interim payments, and the prescribed authority, the Tribunal or the High Court shall not have jurisdiction to go into the question of the correctness of the determination or the adequacy of the compensation or of the interim payments.

23. (1) In cases falling under section 11, if the tasdik allowance payable under that section is not finally determined and paid in pursuance of this Act before the close of the fasli year in which the appointed day falls, interim payments shall be made by the Government every fasli year prior to the fasli year in which the tasdik allowance as finally determined is paid.

(2) In respect of the fasli year in which the appointed day falls, the interim payment to be made shall be the tasdik allowance payable under section 11 as roughly estimated by the Government after deducting therefrom the thiruppuvaram actually derived by the thiruppuholder before the appointed day in respect of the financial year concerned.

(3) In respect of each of the subsequent fasli years, the interim payment to be made shall be the tasdik allowance payable under section 11 roughly estimated as aforesaid.

(4) After the tasdik allowance has been finally determined, the Government shall ascertain the aggregate interim payment which would have been made under sub-sections (2) and (3) for the fasli years concerned if the tasdik allowance as finally determined had been adopted instead of the tasdik allowance as roughly estimated.

(5) If the aggregate interim payment determined under sub-section (4) exceeds the aggregate interim payment already made, the balance shall be paid by the Government.

(6) If the aggregate interim payment determined under sub-section (4) is less than the aggregate interim payment already made, the excess amount paid shall be deducted from the tasdik allowance payable in any subsequent fasli year or years as the Government may direct.

Interim pay-  
ments to thirup-  
puholders.

24. (1) In cases falling under section 13, if the compensation payable is not finally determined before the close of the fasli year in which the appointed day falls, interim payments shall be made by the prescribed authority every fasli year prior to the fasli year in which the compensation is so determined.

(2) In respect of the fasli year in which the appointed day falls, the interim payment to be made shall be the aggregate of the annual amount of thiruppuvaram as roughly estimated by the prescribed authority after deducting therefrom the thiruppuvaram actually derived by the thiruppuholder before the appointed day in respect of the financial year concerned.

(3) In respect of each of the subsequent fasli years, the interim payment to be made shall be the aggregate of the annual amount of thiruppuvaram, roughly estimated as aforesaid.

(4) After the compensation has been finally determined, the prescribed authority shall ascertain the aggregate interim payment which would have been due under sub-sections (2) and (3) for the fasli years concerned, if the thiruppuvaram as finally determined had been adopted instead of the thiruppuvaram as roughly estimated.

(5) If the aggregate interim payment thus determined exceeds the aggregate interim payment already made, the balance with interest thereon at three per cent per annum shall be paid along with the compensation as finally determined.

(6) If the aggregate interim payment determined under sub-section (4) is less than the aggregate interim payment already made, the excess amount paid shall be deducted from the amount of compensation finally determined and the balance shall be paid to the thiruppuholder.

(7) No interim payment made under this section shall be deemed to constitute any part of the compensation which the Government are liable to pay under section 13 or to any extent to be in lieu of such compensation.

25. All payments of compensation made under section 13 and interim payments made under section 24 shall be made by the prescribed authority in accordance with its orders and decisions subject to the modifications, if any, made on appeal or on revision under this Act. Disbursement of compensation and interim payments.

## CHAPTER V.

### MISCELLANEOUS.

26. (1) All claims and liabilities enforceable immediately before the appointed day against the thiruppuholder in respect of thiruppuvaram shall, on or after that day, be enforceable against the compensation or the tasdik allowance payable to the thiruppuholder under this Act to the same extent to which such claims and liabilities were enforceable against the thiruppuvaram immediately before the appointed day. Transitional provision in regard to certain liabilities.

(2) No Court shall on or after the appointed day order or continue execution in respect of any decree or order passed against the thiruppuholder against the thiruppuvaram and execution shall be ordered or continued in such cases in conformity with the provisions of sub-section (1) only as against the compensation or tasdik allowance payable to the thiruppuholder.

(3) No Court shall in enforcing any claim or liability against the thiruppuholder in respect of any thiruppuvaram, allow interest at a rate exceeding six per cent per annum simple interest for any period after the appointed day.

Collection  
arrears.

of 27. (1) On and after the appointed day, no thiruppuholder shall be entitled to collect any thiruppuvaram, which accrued due to him from any person, before, and is outstanding on, that day ; but the Tahsildar of the taluk concerned shall, subject to the provisions of sub-sections (3) to (5), be entitled to collect all such thiruppuvaram and any interest payable thereon together with any costs which may have been decreed, as if they were arrears of land revenue ; and there shall be paid to the thiruppuholder all amounts so collected after deducting (a) two and a half per cent on account of collection charges, (b) the arrears of amount, if any, due from the thiruppuholder to the Government and (c) the thiruppuvaram, if any, collected before the appointed day by the thiruppuholder from any person in respect of the financial year in which the appointed day falls.

(2) All amounts which the Tahsildar is entitled to collect under sub-section (1) shall be a first charge upon the land in respect of which such amounts are payable.

(3) Notwithstanding anything contained in sub-sections (1) and (2), all such arrears of thiruppuvaram as are referred to in sub-section (1) shall be deemed to be discharged, whether or not a decree has been obtained therefor, if such person—

(a) has paid before the appointed day, the thiruppuvaram due for the three financial years immediately preceding that day ; or

(b) pays to the Tahsildar within three years of the appointed day and in not more than two instalments per year, an amount equal to the arrears of thiruppuvaram due for the three financial years immediately preceding the appointed day.

(4) In any suit or proceeding pending on the appointed day for the recovery of any arrears of thiruppuvaram referred to in sub-section (1), the court or authority concerned shall, upon proof by the person of the payment as specified in clause (a) or clause (b) of sub-section (3)



upon deposit in the court or before the authority of the amount equal to the arrears of thiruppuvaram for the three financial years immediately preceding the appointed day, dismiss the suit or proceeding.

(5) If before the appointed day any decree or order has been passed in any suit or proceeding for the recovery of any arrears of thiruppuvaram due from any person, which is inconsistent with the provisions of this section : the court or authority concerned shall, upon proof of the payment as specified in clause (a) or clause (b) of sub-section (3) or upon deposit in the court or before the authority, of the amount equal to the arrears of thiruppuvaram due from the person for the three financial years immediately preceding the appointed day and on the application of any person affected by such decree or order, whether or not he was a party thereto, vacate the decree or order :

Provided that nothing contained in this sub-section shall apply to any suit or proceeding in which the decree or order has been satisfied in full before the appointed day.

28. (1) The decision of a Tribunal or the High Court *Resjudicata*. in any proceeding under this Act on any matter falling within its jurisdiction shall be binding on the parties thereto and persons claiming under them, in any suit or proceeding in a Civil Court, in so far as such matter is in issue between the parties or persons aforesaid in such suit or proceeding.

(2) The decision of a Civil Court (not being the Court of a District Munsif or a Court of Small Causes) on any matter falling within its jurisdiction shall be binding on the parties thereto and persons claiming under them in any proceeding under this Act before a Tribunal in so far as such matter is in issue between the parties or persons aforesaid in such proceeding.

29. (1) A copy of every decision to order in any proceeding against which an appeal or revision is provided for under this Act shall be communicated in such manner as may be prescribed.

(2) For the purpose of computing the period of limitation in respect of any appeal or application for revision against any decision or order, the date of communication of a copy of the decision or order to the appellant or applicant shall be deemed to be the date of the decision or order.

(3) The provisions of section 4 and sub-section (1) and sub-section (2) of section 12 of the Limitation Act, 1963 (Central Act 36 of 1963) shall, so far as may be, apply to any appeal or application for revision under this Act.

(4) Where under this Act an appeal or application for revision may be preferred to any authority or officer within a prescribed period or within such further time not exceeding a specified period as may be allowed by such authority or officer, the further time aforesaid shall be computed on and from the expiry of such prescribed period computed in accordance with the provisions of sub-sections (2) and (3).

Finality  
of orders  
passed.

30. (1) Any order passed by any officer, the Government or other authority or any decision of the Tribunal or the High Court under this Act in respect of matters to be determined for the purposes of this Act shall, subject to any appeal or revision provided under this Act, be final.

(2) No such order or decision shall be liable to be questioned in any court of law.

Jurisdiction  
of courts  
barred in  
certain cases.

31. (1) No suit or other proceeding shall lie against the Government for any act done or purporting to be done under this Act or any rule made thereunder.

(2) (a) No suit, prosecution, or other proceeding shall lie against any officer or servant of the Government for any act done or purporting to be done under this Act or any rule made thereunder without the previous sanction of the Government.

(b) No officer or servant of the Government shall be liable in respect of any such act in any civil or criminal proceeding if the act was done in good faith in the course of the execution of the duties, or the discharge of the functions imposed by or under this Act.

(3) No suit, prosecution or other proceeding shall be instituted against any officer or servant of the Government for any act done or purporting to be done under this Act or any rule made thereunder after the expiry of six months from the date of the act complained of.

(1) The Government may make rules to carry out the purposes of this Act. Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide

(a) all matters expressly required or allowed by this Act to be prescribed ;

(b) the time within which a claim under section 9 may be made ;

(c) the procedure to be followed by the Tribunals, authorities and officers appointed, or having jurisdiction, under this Act ;

(d) the delegation of powers conferred by this Act on the Government or any other authority, officer or person ;

(e) the time within which appeals and applications for revision may be presented under this Act in cases for which no specific provision in that behalf has been made therein ;

(f) the application of the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908) to applications, appeals and proceedings under this Act ;

(g) the fees to be paid in respect of applications and appeals under this Act ;

(h) the transfer of proceedings from one Tribunal, authority or officer to another.

(3) A rule made under clause (d) of sub-section (2) may provide for restrictions and conditions subject to which the power delegated may be exercised and also for control and revision by the delegating authority, either *suo motu* or on application, of the orders of the authority or person to whom the power is delegated.

(4) (a) All rules made under this Act shall be published in the \**Fort St. George Gazette* and unless they are expressed to come into force on a particular day shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(5) Every rule made or notification issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

Power to remove difficulties.

33. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require by order, do anything which appears to them to be necessary for the purpose of removing the difficulty.

(2) Every order issued under sub-section (1) shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Act to override contracts and other laws, etc.

34. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, custom, usage or contract.

Repeals.

35. Section 2 (i) and section 13 of the <sup>1</sup>[Tamil Nadu] (Transferred Territory) Ryotwari Settlement Act, 1964, in so far as they relate to Thiruppuvaram and section 18 of the Kanyakunari Sreepandaravaka Lands (Abolition and Conversion into Ryotwari) Act, 1964 are hereby repealed.

\**Now the Tamil Nadu Government Gazette.*

<sup>1</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.