



## The Tamil Nadu Land-Revenue Assessment Act, 1876

Act 1 of 1876

**Keyword(s):**

**Permanently Settled Estate, Alienated, Land Revenue Assessment**

**Amendment appended: 2 of 1914**

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'(TAMIL NADU) ACT No. I OF 1876<sup>2</sup>.

[THE '(TAMIL NADU) LAND-REVENUE ASSESSMENT ACT, 1876.]

*(Received the assent of the Governor on the 12th February 1876, and of the Governor-General on the 3rd March 1876, and takes effect from the 1st September 1876.)*

An Act to make better provision for the separate assessment of alienated portions of permanently settled estates.

WHEREAS it is desirable to make better provision for the separate assessment to land-revenue of portions of permanently-settled estates alienated by sale or otherwise ; It is hereby enacted as follows :— Preamble.

1. The alienor or alienee of any portion of a permanently-settled estate, or the representative of any such alienor or alienee, may apply to the <sup>3</sup>[Collector] of the district in which such portion is situate for its registration in the name of the alienee and for its separate assessment in respect of land-revenue. Application for registry and separate assessment.

2. The <sup>3</sup>[Collector] shall thereupon hold an inquiry as to who is the present owner of the property in respect of which the application is made. Inquiry by Collector.

<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, which came into force on the 14th January 1969.

<sup>2</sup> Short title, "The Madras Land-revenue Assessment Act, 1876" was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

For Statement of Objects and reasons, see *Fort St. George Gazette* Supplement, dated the 2nd March 1875, page 12 ; for Report of the Select Committee, see *ibid*, dated the 16th November 1875, page 1 ; for Proceedings in Council, see *ibid*, dated the 2nd March 1875, page 4 *ibid*, dated the 22nd November 1875, page 1 and *ibid*, dated the 8th February 1876, page 2.

This Act took effect from the 1st September 1876.

<sup>3</sup> For definition of "Collector" see section 2 of Tamil Nadu Act II of 1914.

Procedure as to inquiry.

For the purposes of such inquiry the <sup>1</sup>[Collector] shall publish a notice in the <sup>2</sup>[District Gazette], in three successive issues, that the application has been made, and that, unless cause is shown to the contrary within sixty days from the date of notice, such separate assessment will be made.

He shall also cause notice of the inquiry to be given to any alienor or alienee who has not joined in the application.

In what case registry and separate assessment should be made.

If on such inquiry it appears that the alienation has taken place and that all the parties to such alienation concur in applying for the separate assessment of the portion alienated, and if objection is not taken by any person interested in the estate, or being taken is disallowed by the <sup>1</sup>[Collector], the <sup>1</sup>[Collector] shall proceed to register the alienated portion in the name of the alienee, and to apportion the assessment of such alienated portion in the manner provided in section 45 of <sup>3</sup>[Tamil Nadu Act] II of 1864\*.

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Proportion of land-revenue to be deducted.

3. Upon such assessment being declared there shall be deducted from the land-revenue payable in respect of such estate an amount equal to the sum assessed on the portion so separately assessed.

Assessed part not liable for arrears due by estate, nor arrears due by part assessed.

4. Upon such assessment being made, the portion so assessed shall no longer be liable in respect of arrears of revenue due by the estate of which it formed a part; nor shall such estate be liable in respect of the portion so assessed.

<sup>1</sup> For definition of "Collector", see section 2 of Tamil Nadu Act II of 1914.

<sup>2</sup> These words were substituted with effect from the 1st April 1937 by section 3 (1) of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1951 (Tamil Nadu Act XIV of 1951), for the words "Official Gazette" as substituted for the words "local Gazette" by the Adaptation Order of 1937.

<sup>3</sup> This expression was substituted for the expression "Madras Act" 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> The words and figures "subject to the sanction laid down in section 46 of that Act" were repealed by the Tamil Nadu Decentralization Act, 1914 (Tamil Nadu Act VIII of 1914).

\* The Tamil Nadu Revenue Recovery Act, 1864.

5. Any person aggrieved by the fact of the separate registration of such portion may sue in a Civil Court for a decree declaring that such separate registration ought not to be made.

Persons aggrieved by registration may sue in Civil Court.

6. Any person aggrieved by the Collector's refusal to register may sue in a Civil Court for a decree declaring that such separate registration ought to be made.

Persons aggrieved by refusal to register may sue in Civil Court.

7. Any person aggrieved by the apportionment of the assessment under section 2 of this Act may appeal to the Board of Revenue within ninety days from the date of the declaration of such assessment; and the order of the Board of Revenue shall be final.

Persons aggrieved by assessment may appeal to Revenue Board.

8. <sup>1</sup>[If no such appeal has been preferred, the Board of Revenue] may at any time, if it appears that there has been fraud or material error in the apportionment of such separate assessment, cause the same to be re-adjusted.

Power to re-adjust assessment.

9. [*Regulation I of 1819 repealed.*] *Rep. by the Repealing and Amending Act, 1901 (Central Act XI of 1901).*

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<sup>1</sup> These words were substituted for the words "The Governor in Council" by section 4 of the Madras Revenue (Miscellaneous Amendments) Act, 1936 (Madras Act VIII of 1936).

<sup>1</sup>[TAMIL NADU] ACT No. II OF 1914<sup>1</sup>.

[THE <sup>1</sup>(TAMIL NADU) LAND REVENUE  
ASSESSMENT (AMENDMENT) ACT, 1914.]

(Received the assent of the Governor on the 6th April 1914 and that of the Governor-General on the 22nd April 1914; the assent of the Governor-General was first published in the Fort St. George Gazette of the 12th May 1914.)

An Act to amend the <sup>1</sup>[Tamil Nadu] Land Revenue Assessment Act, 1876.

WHEREAS it is expedient that persons other than District Collectors should be authorized to exercise the powers and perform the duties referred to in the <sup>1</sup>[Tamil Nadu] Land Revenue Assessment Act, 1876; It is hereby enacted as follows :—

<sup>1</sup>(Tamil Nadu) Act I of 1876.

1. This Act may be called "The <sup>1</sup>[Tamil Nadu] Land Revenue Assessment (Amendment) Act, 1914."

2. The words "Collector of the district" and "Collector" in the <sup>1</sup>[Tamil Nadu] Land Revenue Assessment Act, 1876, shall include any officer who may hereafter be empowered by the <sup>1</sup>[State Government] to exercise the functions of a District Collector in respect of alienated portions of any permanently-settled estate and shall be deemed to have always included any officer who has heretofore exercised such functions.

<sup>1</sup>(Tamil Nadu) Act I of 1876.

<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, which came into force on the 14th January 1969.

<sup>2</sup> For Statement of Objects and Reasons see *Fort St. George Gazette*, 1914, Pt. IV, p. 1; for Report of Select Committee, see *ibid.*, p. 231; and for Proceedings in Council, see *ibid.*, pp. 138 and 638.

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

## (Amendment)

Right of suit regarding acts and orders hereby validated.

3. Notwithstanding anything in the Indian Limitation Act, 1908\*, any person aggrieved—

Central Act IX of 1908.

(a) by the fact of the separate registration between the first day of January 1912 and the commencement of this Act by an officer other than the Collector of the district of any portion of a permanently-settled estate, or

(b) by the refusal between the said dates by such officer to register any portion of a permanently-settled estate, may within 12 months after the commencement of this Act sue in a civil court for a decree that such registration ought not to be made or ought to be made, as the case may be.

\* Please see now the Limitation Act, 1963, Central Act 36 of 1963.