

Madras Rent And Revenue Sales Act, 1839

07 of 1839

[18 March 1839]

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PREAMBLE

1. The short title was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Act was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), s. 4 and the Second Schedule, to be in force in the whole of the Presidency of Madras except the territories mentioned in the Sixth Schedule to that Act.

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

1. [Repeal of Reg. XXVIII of 1802, s. 23.] :-

Rep., Central Act XIV of 1870.

2. Tahsildars empowered to sell property distrained :-

1 * * * All tahsildars within the territories subject to the Presidency of Fort, St. George shall be vested with the powers of Commissioners for the sale of property distrained for arrears of rent or of revenue, and shall be subject to all rules and provisions to which, by any law or regulation such Commissioners are subject.

1. The words " And it is hereby enacted that from the said day " were repealed by the Repealing Act, 1873 (Central Act XII of 1873).

3. Control of tahsildars in exercise of such power :-

Provided always that in respect of the exercise of those powers tahsildars shall be subject to the control and superintendence of the Collector, and shall not be subject to the authority of the Zila Judge, except in the case of any judicial proceedings.

4. Their liabilities in exercise of same power :-

Rep., by the Repealing and Amending Act, 1891 (Central Act XII of 1891).

5. Fees for selling property to be credited to Government :-

Provided also that tahsildars shall not be entitled to any fee or commission for selling such distrained property; but that all fees or commission which may be now lawfully taken by Commissioners for the sale of such distrained property shall be taken and carried to the account of Government.

6. Delegation of tahsildars powers :-

And it is hereby enacted that tahsildars shall have authority, subject to the orders of the Collector, to delegate the powers vested in them by the second section of this Act to any public servants placed under their authority; and that the provisions of ¹[sections 3 and 5] of this Act shall apply to all public servants to whom those powers shall have been so delegated in the same manner as they apply to tahsildars.

1. These words and figures have been substituted for the words " the three last preceding sections " by the Amending Act, 1891 (Central Act XII of 1891).