

## **Registration (Tamil Nadu Amendment) Act, 2009**

**02 of 2009**

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## **Registration (Tamil Nadu Amendment) Act, 2009**

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An Act further to amend the Registration Act, 1908, in its application to the State of Tamil Nadu. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on January 29, 2009 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No.34, pages 3-4, dated February 5, 2009.

### **1. Short Title, Extent And Commencement :-**

- (1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2008.
- (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. Substitution Of Section 22-A :-**

For Section 22-A of the Registration Act, 1908 (Central Act 16 of 1908), the following Section shall be substituted, namely:--

"22-A. Refusal to register certain documents.-- Notwithstanding anything contained in this Act, the registering officer shall refuse to register any of the following documents, namely:--

- (1) instrument relating to the transfer of immovable properties by way of sale, gift, mortgage, exchange or lease,--
  - (i) belonging to the State Government or the local authority or Chennai Metropolitan Development Authority established under Section 9-A of the Tamil Nadu Town and Country Planning Act,

1971 (Tamil Nadu Act 35 of 1972);

(ii) belonging to, or given or endowed for the purpose of, any religious institution to which the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959) is applicable;

(iii) donated for Bhoodan Yagna and vested in the Tamil Nadu State Bhoodan Yagna Board established under Section 3 of the Tamil Nadu Bhoodan Yagna Act, 1958 (Tamil Nadu Act 15 of 1958); or

(iv) of Wakfs which are under the superintendence of the Tamil Nadu Wakf Board established under the Wakf Act, 1995 (Central Act 43 of 1995), unless a sanction in this regard issued by the competent authority as provided under the relevant Act or in the absence of any such authority, an authority so authorised by the State Government for this purpose, is produced before the Registering Officer;

(2) instrument relating to the transfer of ownership of lands converted as house sites without the permission for development of such land from Planning Authority concerned:

Provided that the house sites without such permission may be registered if it is shown that the same house site has been previously registered as house site.

Explanation I.-- For the purpose of this Section local authority means,--

(i) any Municipal Corporation constituted under any law for the time being in force; or

(ii) a Municipal Council constituted under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act 5 of 1920); or

(iii) a Panchayat Union Council or a Village Panchayat constituted under the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994); or

(iv) any other Municipal Corporation, that may be constituted under any law for the time being in force.

Explanation II.--For the purpose of this Section planning authority means the authority constituted under Section 11 of, and includes the Chennai Metropolitan Development Authority established under Section 9-A of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972);

(3) instrument relating to cancellation of sale deeds without the consent of the person claiming under the said sale deed."