

Registration (Tamil Nadu Amendment) Act, 2012

29 of 2012

[24 October 2012]

CONTENTS

1. Short title extent and commencement
2. Amendment of section 17
3. Amendment of section 28
4. Insertion of new section 34-B
5. Amendment of section 50
6. Insertion of new section 64-A

Registration (Tamil Nadu Amendment) Act, 2012

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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 Sixty-third Year of the Republic of India as follows:--

1. Short title extent and commencement :-

(1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2012.

(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. Amendment of section 17 :-

In section 17 of the Registration Act, 1908(Central Act XVI of

1908) (hereinafter referred to as the principal Act),--

(1) in sub-section (1), for clause (f), the following clauses shall be substituted, namely:--

"(f) instruments of agreement relating to construction of building as referred to in clause (i) under Article 5 of Schedule I to the Indian Stamp Act, 1899 (Central Act II of 1899);

(g) instruments of agreement relating to sale of immovable property of the value of one hundred rupees and upwards;

(h) instruments of Power of Attorney relating to immovable property other than those executed outside India;

(i) instruments evidencing an agreement relating to the deposit of title deeds:";

(2) in sub-section (2), the Explanation shall be omitted.

3. Amendment of section 28 :-

In section 28 of the principal Act,--

(1) in clause (a), for the expression "clauses (a), (b), (c), (d) and (e)," the expression "clauses (a), (b), (c), (d), (e), (f), (g), (h) and (i)" shall be substituted;

(2) to clause (a), as so amended, the following proviso shall be added, namely:-

"Provided that every document mentioned in clause (h) of sub-section (1) of section 17 may also be presented for registration in the office of the Sub-Registrar within whose jurisdiction the principal ordinarily resides;"

4. Insertion of new section 34-B :-

After section 34-A of the principal Act, the following section shall be inserted, namely:--

"34-B. Procedure for Registration of document of Power of Attorney relating to immovable property.--

Subject to the provisions of this Act, no document of Power of

Attorney relating to immovable property shall be registered, unless passport size photographs and finger prints of the principal, the agent and of the identifying witnesses are affixed to the document and the agent has also signed such document."

5. Amendment of section 50 :-

In section 50 of the principal Act, in sub-section (1), for the expression "clauses (a), (b), (c) and (d) of section 17", the expression "clauses (a), (b), (c), (d), (f), (g), (h) and (i) of section 17" shall be substituted.

6. Insertion of new section 64-A :-

After section 64 of the principal Act, the following section shall be inserted, namely:--

"64-A. Procedure where instrument of Power of Attorney presented in office of Sub-Registrar relates to immovable property not situate in sub-district.--

Every Sub-Registrar on registering an instrument of Power of Attorney including instrument of revocation or cancellation of such Power of Attorney relating to immovable property not situate in his own sub-district, shall make a copy and send the same together with a copy of the map or plan (if any) mentioned in section 21, to every other Sub-Registrar in whose sub-district the whole or any part of such property is situate and such Sub-Registrar shall file the same in his Book No. 1:

Provided that where such instrument relates to immovable property in several districts, shall forward the same to the Sub-Registrars concerned, under intimation to the Registrar of every district in which any part of such property is situate."