

Tamil Nadu Civil Courts And The Chennai City No.1/2004 Civil Court (Amendment) Act, 2004

CONTENTS

1. Short Title And Commencement
2. Amendment Of Central Act Iii Of 1873
3. Amendment Of Central Act Vii Of 1892
4. Transitory Provision

Tamil Nadu Civil Courts And The Chennai City No.1/2004 Civil Court (Amendment) Act, 2004

An Act further to amend the Tamil Nadu Civil Courts Act, 1873 and the Chennai City Civil Court Act, 1892. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fourth Year of the Republic of India as follows:- 1. Received the assent of the Governor on the 29th December, 2003 - Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Issue No.7, Page 1, dated 8th January, 2004.

1. Short Title And Commencement :-

- (1) This Act may be called the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003.
- (2) It shall come into force at once.

2. Amendment Of Central Act Iii Of 1873 :-

In the Tamil Nadu Civil Courts Act, 1873 (Central Act III of 1873),-

(1) in Section 12,-

(a) for the first paragraph, the following paragraph shall be substituted, namely:-

"The jurisdiction of a District Judge extends, subject to the rules contained in the Code of Civil Procedure, to all original suits and proceedings of a civil nature, of which the amount or value of the subject matter exceeds five lakh rupees. The jurisdiction of a Subordinate Judge extends, subject to the rules contained in the Code of Civil Procedure, to all like original suits and proceedings, of which the amount or value of the subject matter exceeds one lakh rupees but does not exceed five lakh rupees";

(b) in the second paragraph, for the expression "thirty thousand rupees" the expression "one lakh rupees", shall be substituted:

(2) after Section 13, the following Section shall be inserted, namely: -

"13-A. Appeals from decrees of Subordinate Courts-Appeals from the decrees and orders of Subordinate Judges, if passed on or after the date of the commencement of the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003, shall, when such appeals are allowed by law, lie to the District Court.

Appeals from decrees of District Munsif.--Appeals from the decrees and orders of District Munsifs, if passed on or after the date of the commencement of the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003, shall, when such appeals are allowed by law, lie to the Subordinate Court."

3. Amendment Of Central Act Vii Of 1892 :-

In the Chennai City Civil Court Act, 1892 (Central Act VII of 1892),-

(1) in Section 4, for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) The jurisdiction of an Assistant Judge extends to all suits and proceedings of a civil nature not otherwise exempted from his cognizance, of which the amount or value of the subject matter does not exceed five lakh rupees. The jurisdiction of the Principal Judge and Additional Judge extends to all like suits and proceedings, of which the amount or value of the subject matter exceeds five lakh rupees but does not exceed ten lakh rupees."

(2) in Section 15,-

(a) in sub-section (1), the expression "where the amount or value of the subject matter exceeds three lakh of rupees or" shall be omitted;

(b) after sub-section (2-B), the following sub-section shall be inserted, namely:-

"(2-C) An appeal shall lie to the Principal Judge from any decree or order, appealable under the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), if passed in any suit or proceeding by an Assistant Judge on or after the date of the commencement of the Tamil Nadu Civil Courts and Chennai City Civil Court (Amendment) Act, 2003."

4. Transitory Provision :-

(1) All suits pending in a Subordinate Court or District Court on the date of the commencement of this Act and which would be within the cognizance of the District Munsifs Court, Subordinate Court or District Court, under the provisions of the Tamil Nadu Civil Courts Act, 1873 (Central Act III of 1873), as amended by this Act, shall stand transferred to the Court having jurisdiction over the subject matter.

(2) All suits pending before an Assistant Judge, an Additional Judge or a Principal Judge or in the High Court on the date of the commencement of this Act, and which would be within the cognizance of the Chennai City Civil Court under the provisions of the Chennai City Civil Court Act, 1892 (Central Act VII of 1892), as amended by this Act, shall stand transferred to the Assistant Judge, Additional Judge or the Principal Judge, having jurisdiction over the subject matter.