
Tamil Nadu Hindu Religious And Charitable Endowments (Third Amendment) Act, 2003

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An Act further to amend the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. 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: Statement of Objects and Reasons2 Section 109 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), provide that nothing contained in the law of limitation for the time being in force shall be deemed to vest in any person, the property or funds of any religious institution, which had not vested in such person or his predecessor-in-title before the 30th September 1951. The purpose for which this Section was enacted is to safeguard the properties of the religious institutions from being acquired by others by prescriptive rights, adverse possession and the like under the law of limitation. The reason for fixing the date as 30th September 1951 is that the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1951 (Tamil Nadu Act XIX of 1951) which was repealed by the said Tamil Nadu Act 22 of 1959 came into force on that date. With a view to protect the property or funds of the institutions and its title from being lost by adverse possession, the Government have decided to totally exclude the suit for possession of immovable properties of the religious institutions from the purview of the Limitation Act, 1963 (Central Act 36 of 1963) by amending the said Tamil Nadu Act 22 of 1959 suitably on the lines of Section 107 of the Wakf Act, 1995 (Central Act 43 of 1995). 2. The Bill seeks to give effect to the above decision. 1. Received the assent of the

President on the 25th August, 2003 - Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Page 135, dated 1st September, 2003 2. T.N. Bill No. 12 of 2003.

1. Short Title And Commencement :-

(1) This Act may be called the Tamil Nadu Hindu Religious And Charitable Endowments (Third Amendment) Act, 2003.

(2) It shall come into force at once.

2. Amendment Of Section 109 :-

For Section 109 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), the following Section shall be substituted, namely:

"109. Central Act 36 of 1963 not to apply for recovery of properties of religious institution: Nothing contained in the Limitation Act, 1963 (Central Act 36 of 1963) shall apply to any suit for possession of immovable property belonging to any religious institution or for possession of any interest in such property."