

**Tamil Nadu Land Reforms (Fixation Of Ceiling On Land)
Second Amendment Act, 1994**

11 of 1996

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**Tamil Nadu Land Reforms (Fixation Of Ceiling On Land)
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PREAMBLE

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

B E it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fifth Year of the Republic of India as follows:--

1. Received the assent of the President on the 2nd May 1996 and first published in Part IV-- Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 10th May 1996.

1. Short title :-

(1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1994.

2. Declaration :-

It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles laid down in clauses (b) and (c) of Article 39 of the Constitution.

3. Definition :-

In this Act, "principal Act" means the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified.

4. Tamil Nadu Act 58 of 1961, as subsequently modified, to have effect subject to modifications :-

The principal Act shall, on and from the 6th day of April 1960, have effect, as if, section 22 had been renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section had been added, namely:--

"(2) For the purpose of sub-section (1), if any transfer or partition has the effect of reducing the extent of surplus land in excess of the ceiling area, such transfer or partition, whether bona fide or not, shall be construed as defeating the provisions of this Act".

5. Validation :-

Notwithstanding anything contained in any law for the time being in force or in any judgment, decree or order of any Court or other authority, all acts done or proceedings taken in respect of cases falling under section 22 of the principal Act by the authorised officer before the date of the publication of this Act in the Tamil Nadu Government Gazette, which are in conformity with the provisions of section 22 of the principal Act, as amended by section 4 of this Act shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law, as if section 22 of the principal Act as amended by section 4 of this Act had been in force at all material times when such acts or proceedings were done or taken.

6. Reopening of certain cases :-

Notwithstanding anything contained in any law for the time being in force or in any judgment, decree or order of any Court or other authority, but subject to the provisions of section 21-A of the principal Act, any proceeding taken or order passed under the principal Act which has been disposed of before the date of the publication of this Act in the Tamil Nadu Government Gazette, contrary to the provisions of section 22 of the principal Act, as amended by section 4 of this Act shall be reopened and disposed of in accordance with the provisions of section 22 of the principal Act as so amended:

Provided that no such proceedings or order shall be reopened under this section after the expiry of a period of five years from the date of the publication of this Act in the Tamil Nadu Government Gazette:

Provided further that no such proceeding or order shall be reopened unless the person affected has had a reasonable opportunity of being heard.