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The Tamil Nadu Repealing and Amending Act, 1952

Act 11 of 1952

Keyword(s):
Repealing of Certain Laws



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[TAMIL NADU] ACT No. XI OF 1952.¹[THE ¹[TAMIL NADU] REPEALING AND AMENDING
Act, 1952.]

(Received the assent of the Governor on the 12th December 1952 ; first published in the Fort. St. George Gazette on the 17th December 1952.)

An Act to repeal certain enactments and to amend certain other enactments

WHEREAS it is expedient that the enactments specified in the First Schedule which are spent or have otherwise become unnecessary, or have ceased to be in force otherwise than by expressed specific repeal, should be expressly and specifically repealed ;

AND WHEREAS it is also expedient that certain amendments should be made in the enactments specified in the second Schedule ; It is hereby enacted as follows :—

Short title. 1. This Act may be called the ¹[Tamil Nadu] Repealing and Amending Act, 1952.

Repeal of certain enactments. 2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Amen at of certain enactments. 3. (1) The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

(2) The amendment to the ¹[Tamil Nadu] Shops and Establishments Act, 1947 (¹[Tamil Nadu] Act XXXVI of 1947), specified in the Second Schedule shall be deemed to have come into force on the 1st day of April 1951.

Savings. 4. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to ;

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

² For Statement of Objects and Reasons, see *Fort St. George Gazette*, dated the 16th July 1952, Part IV-A, pages 51-52.

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and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed ;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.



THE FIRST SCHEDULE.

REPEALS.

(See section 2).

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1940	I	The Madras Local Boards (Amendment) Act, 1940.	The whole.
1940	III	The Madras Commercial Crops Markets (Amendment) Act, 1940.	The whole.
1940	VI	The Madras Irrigation Cess (Amendment) Act, 1940.	Sections 2 and 3
1940	VII	The Madras City Police (Amendment) Act, 1940.	The whole.
1940	VIII	The Madras Suppression of Immoral Traffic (Amendment) Act, 1940.	The whole.
1940	IX	The Madras Motor Vehicles Taxation (Amendment) Act, 1940.	The whole.
1940	XIV	The Madras District Municipalities and Local Boards (Amendment) Act, 1940.	The whole.
1940	XVII	The Andhra University (Amendment) Act, 1940.	The whole.
1940	XVIII	The Madras Village Courts (Amendment) Act, 1940.	The whole.
1941	I	The Madras Hackney Carriage (Amendment) Act, 1941.	The whole.
1941	II	The Madras State Aid to Industries (Amendment) Act, 1941.	The whole.
1941	III	The Madras Electricity Duty (Amendment) Act, 1941.	The whole.



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<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1941	IV	The Madras City Municipal (Amendment) Act, 1941.	The whole.
1941	VII	The Madras City Municipal (Second Amendment) Act, 1941.	The whole.
1941	VIII	The Madras City Municipal, District Municipalities and Local Boards (Amendment) Act, 1941.	The whole.
1941	X	The Madras District Municipalities (Amendment) Act, 1941.	The whole.
1941	XII	The Madras District Municipalities and Local Boards (Amendment) Act, 1941.	The whole.
1941	XIII	The Madras City Police (Amendment) Act, 1941.	The whole.
1941	XVI	The Madras Nurses and Midwives (Amendment) Act 1941.	The whole.
1941	XVIII	The [Tamil Nadu] Proprietary Estates' Village Service and Hereditary Village-offices (Amendment) Act, 1941.	Sections 2 and 3.
1941	XIX	The Madras Public Health (Amendment) Act, 1941.	The whole.
1941	XX	The Canals and Public Ferries (Amendment) Act, 1941.	The whole.
1941	XXI	The Madras Medical Registration (Amendment) Act, 1941.	The whole.
1941	XXII	The Madras City Police (Second Amendment) Act, 1941.	The whole.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1941	XXIII	The Madras City Police and Towns Nuisances (Amendment) Act, 1941.	The whole.
1942	II	The Madras Registration of Births and Deaths (Amendment) Act, 1942.	The whole.
1942	III	The Madras University (Amendment) Act, 1942.	Section 2.
1942	VII	The Madras District Municipalities (Second Amendment) Act, 1942.	The whole.
1942	XII	The Madras District Municipalities and Local Boards (Amendment) Act, 1942.	The whole.
1942	XV	The Madras City Municipal (Amendment) Act, 1942.	The whole.
1942	XVI	The Periyar Irrigation Tanks (Preservation) Amendment Act, 1942.	The whole.
1942	XVII	The Madras Debt Conciliation (Amendment) Act, 1942.	The whole.
1942	XVIII	The Madras District Municipalities and Local Boards (Second Amendment) Act, 1942.	The whole.
1942	XIX	The Andhra University (First Amendment) Act 1942.	The whole.
1942	XX	The Madras City Police, Towns Nuisances and Prevention of Cruelty to Animals (Amendment) Act, 1942.	Sections 2 and 3.
1942	XXI	The Madras Rivers Conservancy (Amendment) Act, 1942.	The whole.
1942	XXIII	The Madras Nurses and Midwives (Amendment) Act, 1942.	The whole.



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<i>Year.</i> (1)	<i>Number.</i> (2)	<i>Short title.</i> (3)	<i>Extent of repeal.</i> (4)
1942	XXV	The Madras Probation of Offenders (Amendment) Act, 1942.	The whole.
1942	XXVII	The Madras City Municipal and District Municipalities (Amendment) Act, 1942.	The whole.
1942	XXVIII	The 1[Tamil Nadu] Hereditary Village-offices (Amendment) Act, 1942.	Sections 2 and 3
1942	XXX	The Madras Prohibition (Amendment) Act, 1942.	The whole.
1942	XXXII	The Andhra University (Second Amendment) Act, 1942.	The whole.
1942	XXXIII	The Madras University (Fifth Amendment) Act, 1942.	The whole.
1942	XXXIV	The Madras Motor Vehicles Taxation (Amendment) Act, 1942.	The whole.
1942	XXXVI	The Madras City Municipal and District Municipalities (Second Amendment) Act 1942.	The whole.
1942	XXXVII	The Madras Cotton Control (Amendment) Act, 1942.	The whole.
1942	XXXVIII	The Madras District Municipalities (Third Amendment) Act, 1942.	The whole.
1943	I	The 1[Tamil Nadu] Sales of Motor Spirit Taxation (Amendment) Act, 1943.	Sections 2 and 3
1943	II	The Madras Electricity Duty (Amendment) Act, 1943.	The whole.
1943	IV	The Madras Medical Registration (Amendment) Act, 1943.	The whole.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1943	IX	The ¹ [Tamil Nadu] Debt Conciliation (Amendment) Act, 1943.	Sections 2, 3 and 4.
1943	X	The Annamalai University (Amendment) Act, 1943.	The whole.
1943	XI	The Madras City Municipal (Amendment) Act, 1943.	The whole.
1943	XIII	The Madras Local Boards (Amendment) Act, 1943.	The whole.
1943	XV	The ¹ [Tamil Nadu] Agriculturists Relief (Amendment) Act, 1943.	Sections 2, 3 and 5.
1943	XIX	The Madras Local Boards (Second Amendment) Act, 1943.	Sections 2 to 25.
1943	XXVI	The Andhra University (Second Amendment) Act, 1943.	The whole.
1943	XXVII	The Madras University (Amendment) Act, 1943.	The whole.
1943	XXVIII	The Madras Elementary Education (Amendment) Act, 1943.	Section 2.
1943	XXIX	The Criminal Tribes (Madras Amendment) Act, 1943.	The whole.
1943	XXXI	The Madras Debt Conciliation (Second Amendment) Act, 1943.	The whole.
1944	VII	The Madras City Municipal and District Municipalities (Amendment) Act, 1944.	Sections 2 and 3.
1944	VI	The Madras Local Boards (Amendment) Act 1944.	The whole.
1944	VIII	The Madras District Municipalities (Amendment) Act, 1944.	The whole.
1944	IX	The Madras Regulation of the Sale of Cloth (Repeal) Act, 1944.	The whole.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



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<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1944	XI	The Andhra University (Amendment) Act, 1944.	The whole.
1944	XV	The Andhra University (Second Amendment) Act, 1944.	The whole.
1944	XVI	The Andhra University (Third Amendment) Act, 1944.	The whole.
1944	XVIII	The Madras District Municipalities and Local Boards (Second Amendment) Act, 1944.	The whole.
1944	XIX	The Madras District Municipalities (Second Amendment) Act, 1944.	The whole.
1945	I	The Madras City Civil Court and Presidency Small Cause Courts (Amendment) Act, 1945.	Section 2.
1945	II	The Madras Estates Land (Amendment) Act, 1945.	Sections 2 and 3.
1945	III	The 1[Tamil Nadu] Irrigation Cess (Amendment) Act, 1945.	Sections 2 and 3.
1945	VI	The Malabar Tenancy (Amendment) Act, 1945.	The whole.
1945	VIII	The Madras Electricity Duty (Amendment) Act, 1945.	The whole.
1945	X	The Madras Local Boards (Amendment) Act, 1945.	The whole.
1945	XIV	The Madras Estates Land (Second Amendment) Act, 1945.	The whole.
1945	XVIII	The Madras City Municipal (Amendment) Act, 1945.	The whole.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



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<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1945	XIX	The Madras Registration of Births and Deaths (Amendment) Act, 1945.	The whole.
1945	XX	The Madras District Municipalities and Local Boards (Amendment) Act, 1945.	The whole.
1945	XXI	The Madras Commercial Crops Markets (Amendment) Act, 1945.	The whole.
1945	XXII	The Madras Civil Courts (Amendment) Act, 1945.	The whole.
1945	XXIII	The Madras District Municipalities (Amendment) Act, 1945.	The whole.
1945	XXIV	The Malabar Tenancy (Second Amendment) Act, 1945.	Sections 2 and 3.
1945	XXV	The Criminal Tribes (Madras Amendment) Act, 1945.	The whole.
1946	II	The Madras Motor Vehicles Taxation (Amendment) Act, 1946.	The whole.
1946	III	The Madras Legislative Assembly (Railway Employees Removal of Disqualifications) Act, 1946.	The whole.
1946	IV	The Madras Gaming (Amendment) Act, 1946.	The whole.
1946	V	The Madras Debt Conciliation (Amendment) Act, 1946.	The whole.
1946	VI	The Madras District Municipalities (Second Amendment) Act, 1946.	The whole.
1946	VII	The Madras District Municipalities and Local Boards (Amendment) Act, 1946.	Sections 2, 3 and 4.



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<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1946	VIII	The Madras Elementary Education (Amendment) Act, 1946.	Section 2.
1947	II	The ¹ [Tamil Nadu] District Municipalities and Local Boards (Amendment) Act, 1947.	Sections 2, 3 and 4.
1947	III	The Madras City Municipal (Amendment) Act, 1947.	The whole.
1947	V	The ¹ [Tamil Nadu] Temple Entry Authorization Act, 1947.	Sections 10 and 11.
1947	VI	The Madras City Municipal (Second Amendment) Act, 1947.	Sections 2 to 12.
1947	VIII	The Madras City Police and District Police (Amendment) Act, 1947.	The whole.
1947	X	The Criminal Tribes (Madras Repeal) Act, 1947.	The whole.
1947	XI	The Madras Removal of Civil Disabilities (Amendment) Act, 1947.	The whole.
1947	XII	The Madras High Court (Jurisdictional Limits) Amendment Act, 1947.	Section 2.
1947	XIV	The ¹ [Tamil Nadu] Estates Communal, Forests and Private Lands (Prohibition of Alienation) Act, 1947.	Section 8.
1947	XVI	The ¹ [Tamil Nadu] Tuberculosis Sanatoria (Regulation of Buildings) Act, 1947.	Section 14.

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



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<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Extent of repeal.</i>
(1)	(2)	(3)	(4)
1947	XVII	The Madras Hackney Carriage (Amendment) Act, 1947.	The whole.
1947	XX	The Madras Betting Tax (Amendment) Act, 1947.	The whole.
1947	XXI	The Madras Prohibition (Amendment) Act, 1947.	The whole.
1947	XXII	The Madras Abkari (Amendment) Act, 1947.	The whole.
1947	XXIII	The Madras Places of Public Resort (Amendment) Act, 1947.	The whole.
1947	XXIV	The ¹ [Tamil Nadu] Municipal and Local Boards (Amendment) Act, 1947.	Sections 2 and 3.
1947	XXV	The Madras General Sales Tax (Amendment) Act, 1947.	The whole.
1947	XXVII	The Madras Entertainments Tax (Amendment) Act, 1947.	The whole.
1947	XXVIII	The Madras City Police (Amendment) Act, 1947.	The whole.
1947	XXIX	The ¹ [Tamil Nadu] Probation of Offenders (Amendment) Act, 1947.	Section 2.
1947	XXX II	The ¹ [Tamil Nadu] Marumakkattayam (Amendment) Act, 1947.	Sections 2 to 5.
1947	XXXIII	The Madras Prohibition (Temporary Amendment) Act, 1947.	The whole.
1947	XXXV	The Madras Suppression of Immoral Traffic (Amendment) Act, 1947.	The whole.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



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Year.	Number.	Short title.	Extent of repeal.
(1)	(2)	(3)	(4)
1948	I	The Madras Home Guards Act, 1948.	Section 12.
1948	VI	The ¹ [Tamil Nadu] Restriction of Habitual Offenders Act, 1948.	Sections 17 and 18.
1948	VII	The ¹ [Tamil Nadu] Re-enacting and Repealing (No. I) Act, 1948.	Sections 2, 3, 4, 5 and 6 and the Schedules.
1948	VIII	The ¹ [Tamil Nadu] Re-enacting (No. II) Act, 1948.	Sections 2, 3, 4 and 5 and the Schedule.
1948	IX	The ¹ [Tamil Nadu] Re-enacting (No. III) Act, 1948.	Sections 2, 3 and 4 and the Schedule.
1948 ¹	X	The Madras Civil Courts (Amendment) Act, 1948.	The whole.
1948	XI	The Madras Sales of Motor Spirit Taxation (Amendment) Act, 1948.	The whole.
1948	XII	The Madras Prohibition (Amendment) Act, 1948.	The whole.
1948	XVI	The Madras General Sales Tax (Amendment) Act, 1948.	Section 2.
1948	XVIII	The Malabar Irrigation Works (Construction and Levy of Cess) (Amendment) Act, 1948.	The whole.
1948	XIX	The Madras Prohibition (Second Amendment) Act, 1948.	The whole.
1948	XXIII	The ¹ [Tamil Nadu] Agriculturists Relief (Amendment) Act, 1948.	Sections 2 to 15.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



THE SECOND SCHEDULE.

AMENDMENTS.

(See section 3)

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Amendments.</i>
(1)	(2)	(3)	(4)
1918	III	The Madras Prevention of Adulteration Act, 1918.	<p>In section 2, in the definition of "local executive officer", for clause (iii) (a), the following shall be substituted, namely :—</p> <p>"(iii) in or for other local areas—</p> <p>(a) the executive authority as defined in section 2(7) of the Madras Village Panchayats Act, 1950 (Madras Act X of 1950) of the panchayat, or if the panchayat is dissolved or superseded, any person exercising the powers and discharging the duties of the panchayat under sub-section (5) of section 48 of the Village Panchayats Act aforesaid."</p>
1920	XIV	The ¹ [Tamil Nadu] District Boards Act, 1920.	<p>In Schedule IV, in rule 10, for the words, "non-panchayat areas" in the two places where they occur, the words "non-panchayat area" shall be substituted.</p>
1923	VII	The Madras University Act, 1923.	<p>In section 4-A, clause (15), for the expression "University Training Corps" the expression "National Cadet Corps" shall be substituted.</p>

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

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Year.	Number.	Short title.	Amendments.
(1)	(2)	(3)	(4)
1926	II	The Andhra University Act, 1925.	<p>(i) In section 15, clause (5), under the heading "Class I—<i>Ex-officio Members</i>", for the words "Surgeon-General with the Government of Madras", the words "Director of Medical Services" shall be substituted.</p> <p>(ii) In section—37-A, sub-section (3), the words "in British India" shall be omitted.</p>
1947	XXXVI	The ¹ [Tamil Nadu] Shops and Establishments Act, 1947.	<p>In section 1, sub-section (3), for clause (a), the following clause shall be substituted, namely :—</p> <p>"(a) It shall come into force in the following areas on such date as the State Government may, by notification, appoint :—</p> <p>(i) the City of Madras.</p> <p>(ii) all the municipalities constituted under the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and</p> <p>(iii) all areas within the jurisdiction of panchayats which under rule 2 of Schedule III of the Madras Village Panchayats Act, 1950 (Madras Act X of 1950), should be deemed to be constituted under that Act, and which immediately</p>

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.



<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Amendments.</i>
(1)	(2)	(3)	(4)
1947— <i>cont.</i>	XXXVI— <i>cont.</i>	The ¹ [Tamil Nadu] Shops and Estab- lishments, Act, 1947— <i>cont.</i>	before the com- mencement of that Act, were classi- fied by the State Government as major panchayats and all areas within the jurisdic- tion of panchayats constituted or re- constituted under that Act which for the time being, are classified by the State Government as Class I panchayats under section 5 (1) (a) of that Act."
1950	X	The ¹ [Tamil Nadu] Village Pancha- yats Act, "1950."	In section 42, sub-section (5), in the opening paragrapah, for the ex- pression "sub-section (1)", the expression "sub-section (2)" shall be substituted. In section 132, in clause (4) (a), for the expres- sion "sections 6 to 8, 9 (2), (3), (4), (5) (a) and (7)", the expression "sections 6 to 8, 9(2), (3), (3-A), (4), (5) (a) and (7)" shall be substituted.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.