

The Tamil Nadu Wakf (Supplementary) Act, 1961

Act 19 of 1961

Keyword(s):

Central Act Extension, Wakf Act, 1954, Wakf



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Wakf (Supplementary)

[1961: T.N. Act 19

¹[TAMIL NADU] ACT No. 19 OF 1961².THE ¹[TAMIL NADU] WAKF (SUPPLEMENTARY)
ACT, 1961.

*[Received the assent of the Governor on the 20th April 1961,
first published in the Fort St. George Gazette on the
3rd May 1961 (Vaisakha 13, 1883).]*

An Act for extending the operation of the Wakf Act, 1954, to any Wakf created by a person professing any religion other than Islam, in the ³[State of Tamil Nadu].

WHEREAS it is expedient to extend the operation of the Wakf Act, 1954 (Central Act 29 of 1954), to any wakf created by a person professing any religion other than Islam, in the ³[State of Tamil Nadu];

BE it enacted in the Twelfth Year of the Republic of India as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the ¹[Tamil Nadu] Wakf (Supplementary) Act, 1961.

(2) It extends to the whole of the ³[State of Tamil Nadu].

(3) It shall come into force on such date as the State Government may, by notification, appoint.

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* Extraordinary, dated the 23rd February 1961, Part IV—Section 3, page 37.

³ This expression was substituted for the expression "State of 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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2. The term "wakf" defined in clause (1) of section 3 of the Wakf Act, 1954 (Central Act 29 of 1954) (hereinafter referred to as the said Act), shall include all property given or endowed by any person professing any religion other than Islam for the support of —

The term "wakf" in Central Act 29 of 1954 to include endowment.

(i) mosques, idgahs, imambaras, dargahs, khangahs or maqbaras ;

(ii) graveyards of persons professing Islam ; and

(iii) choultries for, or musafarkhanas for, the benefit of persons professing Islam :

and the term "wakf" defined in the clause aforesaid shall include any person aforesaid.

3. All the provisions of the said Act except section 62 shall apply to the property included by this Act in the definition of the term "wakf" in the said Act as they apply to the wakfs governed by the said Act.

Application of Central Act 29 of 1954.

4. (1) Any survey of properties included by this Act in the definition of the term "wakf" in the said Act, made before the date of the commencement of this Act by the Commissioner of Wakfs or Additional or Assistant Commissioner of Wakfs appointed under section 4 of the said Act, shall be deemed to have been made in accordance with the provisions of the said Act as if this Act was in force at the time such survey was made :

Validation of survey of wakfs.

Provided that nothing contained in this section shall extend, or be construed to extend, to affect any person with any punishment or penalty whatsoever by reason of non-compliance before the date of the commencement of this Act with any order or notice issued in respect of such properties by the Commissioner of Wakfs, Additional or Assistant Commissioner of Wakfs aforesaid or by the Board of Wakfs established under the said Act.

(2) The provisions of section 7 of the said Act shall apply to such survey of properties as is referred to in subsection (1) as those provisions apply to a survey of properties of wakf made under the said Act.