



The Madras City Civil Court Act, 1892

Act 7 of 1892

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THE MADRAS CITY CIVIL COURT ACT, 1892.

CONTENTS.

SECTIONS.

- 1 Title.
- 2 Definitions.
- 3 Constitution of the City Court.
- 3-A Power of State Government to enhance the jurisdiction of the City Court.
- 4 Powers of Judges of City Court.
- 5 Judge of City Court to be Judge of Small Cause Court.
- 6 [Repealed.]
- 7 Ministerial Officers.
- 8 Questions arising in suits, etc., under Act to be dealt with according to law administered by High Court.
- 9 [Repealed.]
- 10 Process-fees.
- 11 Appointment of Receivers.
- 12 [Repealed.]
- 13 [Repealed.]
- 14 Allowance for fees paid in City Court in cases removed to High Court.
- 15 Appeals.
- 16 Saving of original civil jurisdiction of High Court.
- 17 Seal to be used.
- 18 Holidays and vacations.

ACT No. VII OF 1892¹.

[THE MADRAS CITY CIVIL COURT ACT, 1892.]²

[12th August 1892.]

An Act to establish an additional Civil Court for the City of Madras.

WHEREAS it is expedient to establish an additional Civil Court for the City of Madras; It is hereby enacted as follows :—

1. (1) This Act may be called the Madras City Title Civil Court Act, 1892.

3[* * * * *]

2. In this Act, unless there is something repugnant in the subject or context,—

(1) "City Court" means the Court established under the next following section ;

(2) "City of Madras" means the area within the local limits for the time being of the ordinary original civil jurisdiction of the High Court :

(3) "High Court" means the High Court of Judicature at Madras ; and

(4) "Small Cause Court" means the Court of Small Causes of Madras.

¹ For Statement of Objects and Reasons, see *Gazette of India*, 1891, Pt. V, P. 144 ; for Preliminary Report of the Select Committee, see *Gazette of India*, 1892, Pt. V, p. 9 ; for Further Report, see *ibid*, p. 49 ; and for the Final Report, see *ibid*, p. 59 ; for Proceedings in Council, see *ibid*, 1891, Pt. VI, p. 119 ; and *ibid*, 1892, Pt. VI, pp. 6, 13, 20, 23, 37, 57 and 61.

² See also the Madras City Civil Court and Presidency Small Cause Courts (Amendment) Act, 1916 (Tamil Nadu Act V of 1916).

³ The word "and" sub-section (2) were repealed by the Repealing and Amending Act, 1914 (Central Act XVII of 1914), s. 3 and Sch. II.

Constitution
of the City
Court.

3. The ¹[State Government] may, by notification in the Official Gazette, establish a Court, to be called the Madras City Civil Court, with jurisdiction to receive, try and dispose of all suits and other proceedings of a civil nature not exceeding two thousand five hundred rupees in value and arising within the City of Madras, except suits or proceedings which are cognizable—

(a) by the High Court as a Court of Admiralty or Vice-Admiralty or as a Colonial Court of Admiralty, or as a Court having testamentary, intestate or matrimonial jurisdiction, or

(b) by the Court for the relief of insolvent debtors, or

(c) by the Small Cause Court.

Power of
State
Government to
enhance the
jurisdiction of
the City Court.

²[3-A. Subject to the exceptions specified in section 3, the ¹[State Government] may, by notification in the Official Gazette, invest the City Court with jurisdiction to receive, try and dispose of all suits and other proceedings of a civil nature arising within the City of Madras and of such value not exceeding ³[fifty thousand rupees] as may be specified in the notification.]

Powers of
Judges of City
Court.

⁴[4. (1) The City Court shall consist of a Principal Judge and such number of Additional or Assistant Judges as the State Government may from time to time appoint.

¹ The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

² Section 3-A was inserted by section 2 of the Madras City Civil Court (Amendment) Act, 1934 (Madras Act I of 1935).

³ These words were substituted for the words "ten thousand rupees" by section 2 of the Madras City Civil Court (Amendment) Act, 1955 (Tamil Nadu Act X of 1955), which was brought into force on the 1st July 1955.

⁴ This section was substituted for the original section by section 3, *ibid.*

(2) Subject to the provisions of section 15, each of the Judges may exercise all or any of the powers conferred on the Court by this Act or any other law for the time being in force.

(3) The Principal Judge may from time to time make such arrangements as he may think fit for the distribution of the business of the Court among the various Judges thereof.]

5. (1) Every person appointed a Judge of the City Court shall be, by virtue of his office, a Judge of the Small Cause Court with respect to cases cognizable by that Court. Judge of City Court to be Judge of Small Cause Court.

(2) Every such Judge shall be liable to perform any duties of a Judge of the Small Cause Court which the Chief Justice of the High Court may require him to perform.

6. ¹[]

²[7. (1) There shall be appointed to the City Court as many clerks, bailiffs and other Ministerial Officers as the ³[State] Government may from time to time consider necessary. Ministerial Officers.

(2) The clerks, bailiffs and other Ministerial officers so appointed shall exercise such powers and discharge such duties of a ministerial nature as [] the Principal Judge, may from time to time direct.]

8. All questions which arise in suits or other proceedings under this Act in the City Court shall be dealt with and determined according to the law for the time being administered by the High Court in the exercise of its ordinary original civil jurisdiction. Questions arising in suits, etc., under Act to be dealt with according to law administered by High Court.

¹ This section was omitted by section 4 of the Madras City Civil Court (Amendment) Act, 1955 (Tamil Nadu Act X of 1955).

² This section was substituted for the original section 7 by the Adaptation Order of 1937.

³ This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

⁴ The words "the Judge or, when the Court consists of more than one Judge," were omitted by section 5 of the Madras City Civil Court (Amendment) Act, 1955 (Tamil Nadu Act X of 1955).

9. ¹[]

Process-fees.

10. Fees ² chargeable for serving or executing processes issued by the City Court, or served or executed under its direction or control, shall be such as the High Court may prescribe with the approval of the ³[State Government] * * * * *

Appointment of Receivers.

11. The powers conferred by Chapter XXXVI of the Code of Civil Procedure⁵ on High Courts and District Courts as to the appointment of Receivers, may be exercised by the City Court or any Judge thereof. Central Act XIV of 1882.

12. [*Amendment of Central Act XV of 1882, section 31. Repealed by the Repealing Act, 1938 (Central Act I of 1938).*]

13. ¹[]

Allowance for fees paid in City Court in cases removed to High Court.

14. When, under section 13 of the Letters Patent for the High Court, dated the twenty-eighth day of December, 1865, or under section 25 of the Code of Civil Procedure,⁵ the High Court has removed for trial by itself any suit from the City Court, fees on the scale for the time being in force in the High Court as a Court of ordinary original civil jurisdiction shall be payable in that Court in respect of the suit and proceedings therein : Central Act XIV of 1882.

¹ Sections 9 and 13 were omitted by section 86 of the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955), which came into force on the 19th May 1955.

² For fees prescribed for serving and executing processes issued by the Madras City Civil Court, see *Port St. George Gazette* 1892, Pt. I, p. 1553.

³ This expression was substituted for the expression "State Government of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

⁴ The words "and the sanction of the Governor-General in Council" were omitted by the Decentralization Act, 1914 (Central Act IV of 1914), s. 2 and Schedule.

⁵ See now the Code of Civil Procedure, 1908 (Central Act V of 1908).

Provided that, in the levy of any such fees which, according to the practice of the Court, are credited to the Government, credit shall be given to the plaintiff in the suit for any fee which in the City Court he has already paid under the Court-fees Act, 1870*, on the plaint.

Central Act VII of 1870.

¹[15. (1) An appeal shall lie to the High Court ^{Appeals.} from any decree or order appealable under the provisions of the Code of Civil Procedure, 1908, in any suit or proceeding where the amount or value of the subject-matter exceeds ²[ten thousand rupees] or where the decree or order appealed from was passed by the Principal Judge or an Additional Judge.

Central Act V of 1908.

³[(2) An appeal shall lie to the Principal Judge from any decree or order appealable under the provisions of the Code of Civil Procedure, 1908 passed in any suit or proceeding—

Central Act V of 1908.

(a) where the amount or value of the subject-matter does not exceed five thousand rupees—

(i) by a Judge other than the Principal Judge before the 1st July 1955 ; or

(ii) by an Assistant Judge on or after the 1st July 1955 ; or

(b) where such amount or value does not exceed ten thousand rupees, by an Assistant Judge, on or after the date of the commencement of the Madras City Civil Court (Amendment) Act, 1971.]

¹ This section was substituted for the original section by section 6 of the Madras City Civil Court (Amendment) Act, 1955 (Tamil Nadu Act X of 1955).

² These words were substituted for the words "five thousand rupees" by the Madras City Civil Court (Amendment) Act, 1971 (Tamil Nadu Act 18 of 1971).

³ This sub-section was substituted for the original sub-section by *ibid.*

* Repealed in its application to the State of Tamil Nadu by Tamil Nadu Act XIV of 1955.

(3) A second appeal shall lie to the High Court from any decree passed by the Principal or an Additional Judge in the exercise of his appellate jurisdiction on all or any of the grounds mentioned in section 100 of the Code of Civil Procedure, 1908.

Central
Act V of
1908.

(4) Subject in other respects to the provisions of the *Indian Limitation Act, 1908 (Central Act IX of 1908), the period of limitation for an appeal from a decree or order in any of the cases specified in sub-sections (1) and (3) shall be ninety days and in any of the cases specified in sub-section (2) shall be thirty days.

(5) The Principal Judge may from time to time transfer for disposal appeals preferred under sub-section (2), to any Additional Judge and may at any time withdraw such transferred appeals and dispose of them himself.]

16. Nothing in this Act contained shall affect the original civil jurisdiction of the High Court :

Saving of
original civil
jurisdiction
of High
Court.

Provided that—

(1) if any suit or other proceeding is instituted in the High Court which, in the opinion of the Judge who tries the same (whose opinion shall be final), ought to have been instituted in the City Court, no costs shall be allowed to a successful plaintiff and a successful defendant shall be allowed the costs ¹[at the maximum admissible under the Madras High Court Fees Rules for suits set down for final disposal];

(2) in any suit or other proceeding pending at any time in the High Court, any Judge of such Court may, at any stage thereof make an order transferring the same to the City Court if in his opinion such suit or proceeding is within the jurisdiction of that Court and should be tried therein ;

¹ These words were substituted for the words "as between attorney and client", by section 2 of the Madras City Civil Court and Presidency Small Cause Courts (Amendment) Act, 1945 (Madras Act I of 1945). This was permanently re-enacted by section 2 of, and the First Schedule to, the Tamil Nadu Re-enacting and Repealing (No. 1) Act, 1948 (Tamil Nadu Act VII 1948).

* See now the Limitation Act, 1963 (Central Act 36 of 1963.)

(3) in any suit or other proceeding so transferred. the Court-fees Act, 1870,* shall apply, credit being given for any fees levied in the High Court.

Central
Act VII
of 1870.

17. The City Court shall use a seal of such form and dimensions as may be for the time being prescribed by the ¹[State Government]. Seal to be used.

18. (1) The ²[***] Principal Judge, shall, at the commencement of each year, draw up a list of holidays and vacations to be observed in the Court, and shall submit the same for the approval of the ¹[State Government]. Holidays and vacations.

(2) Such list, when it has received such approval, shall be published in the Official Gazette, and the said holidays and vacations shall be observed accordingly.

¹ The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

² The words "Judge of the City Court, or, when the Court consists of more than one Judge, the" were omitted by section 7 of the Madras City Civil Court (Amendment) Act, 1955 (Tamil Nadu Act X of 1955).

* Repealed in its application to the State of Tamil Nadu by section 87 of the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955).

742 *City Civil Court and Presidency [1916:T.N. Act V
Small Cause Courts (Amendment)*

¹[TAMIL NADU] ACT No. V OF 1916².

[THE MADRAS CITY CIVIL COURT AND PRESIDENCY
SMALL CAUSE COURTS (AMENDMENT) ACT,
1916.]

(Received the assent of the Governor on the 12th December 1916 and that of the Governor-General on the 30th December 1916 ; the assent of the Governor-General was first published in the Fort St. George Gazette of the 23rd January 1917.)

An Act to amend the Presidency Small Cause Courts Act, 1882, and the Madras City Civil Court Act, 1892.

Preamble.

Whereas it is expedient to amend the Madras City Civil Court Act, 1892, and as to the ³[State of Tamil Nadu], the Presidency Small Cause Courts Act, 1882, in certain particulars and whereas the previous sanction of the Governor-General required by section 79, sub-section (2), of the Government of India Act, 1915, has been obtained so to amend the said Acts ; It is hereby enacted as follows :—

Short title.

1. This Act may be called the Madras City Civil Court and Presidency Small Cause Courts (Amendment) Act, 1916.

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, which came into force on the 14th January 1969.

² For Statement of Objects and Reasons, see *Fort St. George Gazette*, dated the 30th May 1916, p. 929. For Proceedings in Council, see *ibid*, dated the 12th September 1916, pp. 939-945, and *ibid*, dated the 9th January 1917, p. 129.

³ This expression was substituted for the expression "Presidency of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

1916: T.N. Act V] *City Civil Court and Presidency* 743
Small Cause Courts (Amendment)

Central Act 2. Notwithstanding anything contained in the Institution in
 XV of 1882. Presidency Small Cause Courts Act, 1882, and the the Madras
 Central Act Presidency Small Cause Courts Act, 1882, and the City Civil Court
 VII of 1892. Madras City Civil Court Act, 1892, all suits cognizable of certain suits
 by the Court of Small Causes of Madras whereof the amount or value of the subject-matter exceeds one thousand rupees may at the election of the plaintiff be instituted in the Madras City Civil Court which shall have jurisdiction to try and dispose of such suits according to the provisions of the Madras City Civil Court Act, 1892.

Central Act 3. (1) Notwithstanding anything contained in the Removal of
 XV 1882. Presidency Small Cause Courts Act, 1882, and the suits instituted
 Central Act Presidency Small Cause Courts Act, 1892, where an application in the Madras
 VII of 1892. Madras City Civil Court Act, 1892, where an application is made to the High Court of Judicature at Madras Presidency
 Central Act under section 39 (1) of the Presidency Small Cause Court to the
 XV of 1882. Courts Act, 1882, in any suit referred to therein, the High Court or to
 High Court may either remove the suit to its own the Madras City
 file or transfer the same to the Madras City Civil Court.

(2) Where a suit is ordered to be transferred as aforesaid to the Madras City Civil Court, the provisions of sub-sections (2), (3) and (4) of section 39, and of section 40 of the Presidency Small Cause Courts Act, 1882, shall, *mutatis mutandis* and subject to the pecuniary limits of the jurisdiction of the Madras City Civil Court, apply.

Central Act
 XV of 1882.

922 *Madras City Civil Court and (1945 : T.N. Act 1
Presidency Small Cause Courts
(Amendment)*

¹[TAMIL NADU] ACT No. I OF 1945².

[THE MADRAS CITY CIVIL COURT AND PRESIDENCY
SMALL CAUSE COURTS (AMENDMENT) ACT, 1945.]

(Received the assent of the Governor on the 18th January
1945 ; first published in the Fort St. George
Gazette on the 23rd January 1945.)

An Act further to amend to Madras City Civil
Court Act, 1892, and the Presidency Small
Cause Courts Act, 1882, in its application to
the ³[State of Tamil Nadu].

WHEREAS it is expedient further to amend the Madras
City Civil Court Act, 1892, and the Presidency Small
Cause Courts Act, 1882, in its application to the ⁴[State
of Tamil Nadu] for the purposes hereinafter appear-
ing ; ⁴[It is hereby enacted as follows :—]

Short title.

1. This Act may be called the Madras City Civil
Court and Presidency Small Cause Courts (Amend-
ment) Act, 1945.

²[

Amendment
of section
22, Central
Act XV
of 1882.

3. In section 22 of the Presidency Small Cause
Courts Act, 1882, for the words "as between attorney
and client," the words "at the maximum admissible
under the Madras High Court Fees Rules for suits
set down for final disposal" shall be substituted.

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 31st October 1944—Part IV-A, page 106.

³ This expression was substituted for the expression "Province
of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970,
which was deemed to have come into force on the 14th January
1969.

⁴ These words were substituted for the paragraph containing the
enacting formula and the paragraph preceding that paragraph by
section 5 of the Tamil Nadu Re-enacting and Repealing (No. 1) Act,
1948 (Tamil Nadu Act VII of 1948).

⁵ This section was repealed by section 2 of, and the First Schedule
to, the Tamil Nadu Repealing and Amending Act, 1952 (Tamil Nadu
Act XI of 1952).

Central
Act VII
of 1892,
Central
Act XV
of 1882.

Central
Act XV
of 1882.

¹[TAMIL NADU] ACT No. X OF 1955².

[THE MADRAS CITY CIVIL COURT (AMENDMENT) ACT,
1955.]

(Received the assent of the Governor on the 20th April 1955 ;
first published in the Fort St. George Gazette on the
27th April 1955.)

An Act further to amend the Madras City Civil Court Act,
1892.

WHEREAS it is expedient further to amend the Madras
City Civil Court Act, 1892 (Central Act VII of 1892), for
the purposes hereinafter appearing ;

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

1. (1) This Act may be called the Madras City Civil Court (Amendment) Act, 1955. Short title
and com-
mencement.

(2) It shall come into force on * such date as the
State Government may, by notification in the *Fort
St. George Gazette*** , appoint.

2-7. [The amendments made by sections 2 to 7 have
been incorporated in Central Act VII of 1892.]

8. (1) All suits pending in the High Court on the date Transitory
provision.
of the commencement of this Act and which would be
within the cognizance of the Madras City Civil Court
³[under the provisions of the said Act as amended by
this Act] shall stand transferred to the Madras City Civil
Court.

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*,
Part IV-A, Extraordinary, dated the 24th March 1955, page 85.

³ These words were substituted for the words "under the provisions
of this Act" by section 3 (a) of the Madras City Civil Court (Second
Amendment) Act, 1955 (Tamil Nadu Act XXIX of 1955), deemed
to have come into force on the 1st July 1955.

* Came into force on the 1st July 1955.

** Now the Tamil Nadu Government Gazette.

¹[(2) All appeals against decrees or orders of any Judge of the Madras City Civil Court other than the Principal Judge pending in the High Court on the 1st July 1955 and which would be within the cognizance of the Principal Judge under the provisions of the said Act as amended by this Act shall stand transferred to the Principal Judge on the date appointed by the High Court in this behalf.]

¹ This sub-section was substituted for the original sub-section (2) by section 3(b) of the Madras City Civil Court (Second Amendment) Act, 1955 (Tamil Nadu Act XXIX of 1955), deemed to have come into force on the 1st July 1955.

25

TAMIL NADU ACT NO. 34 of 1980.*

**THE TAMIL NADU CIVIL COURTS AND THE
MADRAS CITY CIVIL COURT (AMENDMENT)
ACT, 1980.**

[Received the assent of the President on the 16th October 1980, first published in the Tamil Nadu Government Gazette Extraordinary on the 23rd October 1980 (Aippasi 7, Rowthiri—2011—Thiruvalluvar Aandu).]

An Act further to amend the Tamil Nadu Civil Courts Act, 1873 and the Madras City Civil Court Act, 1892.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-first year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1980.

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

Amendment of Central Act III of 1873.

2. In the Tamil Nadu Civil Courts Act, 1873 (Central Act III of 1873),—

(1) in section 12, in the second paragraph, for the words “five thousand rupees”, the words “fifteen thousand rupees” shall be substituted;

(2) in section 13, for the second paragraph, the following paragraph shall be substituted, namely:—

“Appeals from the decrees and orders of Subordinate Judges and District Munsifs shall, when such appeals are allowed by law, lie to the District Court if passed—

(i) before the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1980, except when the amount or value of the subject matter of the suit exceeds rupees ten thousand in which case the appeal shall lie to the High Court; and

*For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 6th August 1980, Part IV—Section 1, pages 251-252.

(ii) on or after the date of the commencement of the said Act except when the amount or value of the subject matter of the suit exceeds rupees thirty thousand in which case the appeal shall lie to the High Court;”.

3. In the Madras City Civil Court Act, 1892 (Central Act VII of 1892),—

Amendment of
Central Act
VII of 1892.

(1) in section 3-A, for the words “fifty thousand rupees”, the words “one lakh of rupees” shall be substituted;

(2) in section 15,—

(a) in sub-section (1), for the words “ten thousand rupees”, the words “thirty thousand rupees” shall be substituted;

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

“(2-A) 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) passed in any suit or proceeding by a judge other than the Principal Judge or an Additional Judge on or after the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1980, where the amount or value of the subject matter does not exceed thirty thousand rupees.”.

4. (1) All suits pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of the Madras City Civil Court Act, 1892 (Central Act VII of 1892) as amended by this Act shall stand transferred to the Madras City Civil Court.

Transitory
provision.

(2) All suits and proceedings of which the amount or value of the subject matter exceeds rupees five thousand but does not exceed rupees fifteen thousand pending in any Sub-Court, or District Court, as the case may be, on the date of the commencement of this Act, shall stand transferred to the Court of the District Munsif having jurisdiction over the matter.

838 *Madras City Civil Court and [1982 : T.N. Act 30
Presidency Small Cause Courts
(Amendment) Repeal*

TAMIL NADU ACT NO. 30 OF 1982.*

THE MADRAS CITY CIVIL COURT AND PRESIDENCY SMALL CAUSE COURTS (AMENDMENT) REPEAL ACT, 1982.

Received the assent of the President on the 31st May 1982, first published in the Tamil Nadu Government Gazette Extraordinary, on the 5th June 1982 (Vaikasi 22, Thunthubi, Thiruvallur Aandu-2013.)

An Act to repeal the Madras City Civil Court and Presidency Small Cause Courts (Amendment) Act, 1916.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-third Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Madras City Civil Court and Presidency Small Cause Courts (Amendment) Repeal Act, 1982.

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

Repeal of Tamil Nadu Act V of 1916.

2. (1) The Madras City Civil Court and Presidency Small Cause Courts (Amendment) Act, 1916 (Tamil Nadu Act V of 1916), is hereby repealed.

(2) Notwithstanding such repeal, all suits instituted in the Madras City Civil Court under section 2 of the said Act or transferred to the said Court under section 3 of the said Act and which are pending before the said Court on the date of the commencement of this Act shall be disposed of by the said City Civil Court as if this Act had not been passed.

* For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 4th March 1982, Part IV-Section 1, page 118.

172



**TAMIL NADU
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Part IV — Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 27th September 1995 and is hereby published for general information :—

ACT No. 28 OF 1995.

An Act further to amend the Tamil Nadu Civil Courts Act, 1873 and the Madras City Civil Court Act, 1892.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1995. Short title and commencement.

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

2. In the Tamil Nadu Civil Courts Act, 1873,—

Amendment of Central Act III of 1873.

(1) in section 12, in the second paragraph, for the words “fifteen thousand rupees”, the words “thirty thousand rupees” shall be substituted ;

(2) in section 13, for the second paragraph, the following paragraph shall be substituted, namely :—

“Appeals from the decrees and orders of Subordinate Judges and District Munsifs shall, when such appeals are allowed by law, lie to the District Court, if passed—

(i) before the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1995 except when the amount or value of the subject-matter of the suit exceeds rupees thirty thousand in which case the appeal shall lie to the High Court; and

(ii) on or after the date of the commencement of the said Amendment Act except when the amount or value of the subject matter of the suit exceeds rupees one lakh in which case the appeal shall lie to the High Court.”.

(3) In section 28, -

(i) for the words “two thousand rupees”, the words “twenty thousand rupees” shall be substituted;

(ii) for the words “five hundred rupees”, the words “five thousand rupees” shall be substituted.

3. In the Madras City Civil Court Act, 1892,—

(1) in section 3-A, for the words “one lakh of rupees”, the words “ten lakhs of rupees” shall be substituted;

(2) in section 15,—

(i) in sub-section (1), for the words “thirty thousand rupees”, the words “one lakh of rupees” shall be substituted;

(ii) for sub-section (2-A), the following sub-section shall be substituted, namely:—

“(2-A) 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), passed in any suit or proceeding by a Judge other than the Principal Judge or an Additional Judge,—

(a) before the date of the commencement of the Tamil Nadu Civil Courts and the Madras City Civil Court (Amendment) Act, 1995, where the amount or value of the subject-matter does not exceed thirty thousand rupees; and

(b) on or after the date of the commencement of the said Amendment Act, where the amount or value of the subject-matter does not exceed one lakh of rupees.”.

4. (1) All suits pending in the High Court on the date of the commencement of this Act and which would be within the cognizance of the Madras City Civil Court under the provisions of the Madras City Civil Court Act, 1892 (Central Act VII of 1892) as amended by this Act shall stand transferred to the Madras City Civil Court.

(2) All suits and proceedings of which the amount or value of the subject-matter exceeds rupees fifteen thousand but does not exceed rupees thirty thousand and pending in any Sub-Court or District Court, as the case may be, on the date of the commencement of this Act, shall stand transferred to the Court of the District Munsif having jurisdiction over the matter.

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government,
Law Department.



**TAMIL NADU
GOVERNMENT GAZETTE
EXTRAORDINARY** PUBLISHED BY AUTHORITY

No. 236]

CHENNAI, MONDAY, APRIL 28, 1997
CHITHIRAI 15, ISVARA, THIRUVALLUVAR AANDU—2028

Part IV — Section 2
Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 23rd April 1997 and is hereby published for general information:—

ACT No. 21 OF 1997.

An Act further to amend the Chennai City Civil Court Act, 1892.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-eighth Year of Republic of India as follows :—

1. (1) This Act may be called the Chennai City Civil Court (Amendment) Act, 1997. Short title and commencement.

(2) It shall be deemed to have come into force on the 1st day of December 1995.

Central Act 1
VII of 1892.

2. In the Chennai City Civil Court Act, 1892 (hereinafter referred to as the Principal Act), in section 15,— Amendment of section 15.

(1) in sub-section (1), for the words "one lakh of rupees", the words "three lakhs of rupees" shall be substituted:

(2) for sub-section (2-A), the following sub-sections shall be substituted, namely:—

"(2-A) 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), passed in any suit or proceeding by a Judge other than the Principal Judge or an Additional Judge,—

(a) before the 1st day of December 1995, where the amount or value of the subject matter does not exceed one lakh of rupees;

(b) on or after the 1st day of December 1995, where the amount or value of the subject matter does not exceed three lakhs of rupees; and

(c) on or after the 1st day of December 1995, except when the amount or value of the subject matter of the suit exceeds rupees three lakhs in which case appeal shall lie to the High Court.

(2-B) All appeals pending in the High Court on the date of publication of the Chennai City Civil Court (Amendment) Act, 1997 in the Tamil Nadu Government Gazette of which the amount or value or the subject matter of such appeals exceeds one lakh of rupees but does not exceed three lakhs of rupees and which would be within the cognizance of the Chennai City Civil Court under the provisions of the principal Act, as amended by this Act, shall stand transferred to the Chennai City Civil Court."

(By order of the Governor)

A. K. RAJAN,
Secretary to Government, Law Department.

சென்னை நகர சிவில் கோர்ட்டின் (திருத்த) சட்டம், 1997

சென்னை நகர சிவில் கோர்ட்டின் (திருத்த) சட்டம், 1997



(L-Lmi Short)
**TAMIL NADU
GOVERNMENT GAZETTE**

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No 7]

CHENNAI, THURSDAY, JANUARY 8, 2004
Margazhi 24, Subhanu, Thiruvalluvar Aandu-2034

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 29th December 2003 and is hereby published for general information:—

ACT No. 1 OF 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. (1) This Act may be called the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2003.

Short title and commencement.

(2) It shall come into force at once.

2. In the Tamil Nadu Civil Courts Act, 1873,—

Amendment of 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.

Central Act III
of 1873.

(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."

Amendment
of Central
Act VII of
1892.

3. 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."

Transitory
provision.

4. (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.

(By order of the Governor)

A. KRISHNANKUTTY NAIR,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 25th May 2010 and is hereby published for general information:—

ACT No. 19 OF 2010.

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 Sixty-first Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Civil Courts and the Chennai City Civil Court (Amendment) Act, 2010.

(2) It shall come into force at once.

Amendment of Central Act III of 1873.

2. In section 12 of the Tamil Nadu Civil Courts Act, 1873, in the first paragraph, for the expression "five lakh rupees", occurring in two places, the expression "ten lakh rupees" shall be substituted.

Central Act
III of 1873.

Amendment of Central Act VII of 1892.

3. In the Chennai City Civil Courts Act, 1892,—

Central Act
VII of 1892.

(1) in section 4, in sub-section (2),—

(a) for the expression "five lakh rupees" occurring in two places, the expression "ten lakh rupees" shall be substituted;

(b) for the expression "ten lakh rupees", the expression "twenty-five lakh rupees" shall be substituted;

(2) in section 15, the existing sub-section (2-C) shall be renumbered as sub-section (2-D), and before sub-section (2-D) as so renumbered, the following sub-section shall be inserted, namely:—

"(2-C) All appeals pending in the High Court of which the amount or value of the subject matter of such appeals exceeds three lakh of rupees but does not exceed five lakh of rupees shall stand transferred to the Chennai City Civil Court."

Transitory provision.

4. (1) All suits pending in a District Court on the date of the commencement of this Act and which would be within the cognizance of the Subordinate 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 Subordinate Court having jurisdiction over the subject matter.

(2) All suits pending before 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.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.