

Tamil Nadu Educational Institutions (Temporary Control of Property) Amendment and Validation Act, 1975

TAMILNADU

India

Tamil Nadu Educational Institutions (Temporary Control of Property) Amendment and Validation Act, 1975

Act 46 of 1975

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Tamil Nadu Educational Institutions (Temporary Control of Property) Amendment and Validation Act, 1975(Tamil Nadu Act No. 46 of 1975)Received the assent of the President on the 29th November 1975, and published in the Tamil Nadu Government Gazette Extraordinary, dated the 21st October 1975.An Ad to amend the Tamil Nadu Educational Institutions (Temporary Control of Property) Act, 1949.Be it enacted by the Legislature of the State of Tamil Nadu in the Twenty-sixth Year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called the Tamil Nadu Educational Institutions (Temporary Control of Property) Amendment and Validation Act, 1975.(2)It shall be deemed to have come into force on the 8th September 1975.

2.

[The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Educational Institutions (Temporary Control of Property) Act, 1949 (Tamil Nadu Act XLVIII of 1949)].

3. Order to have retrospective effect in certain cases.

- Where the control of any property of any educational institution, has been taken over by Government before the 8th September 1975 under section 3 of the principal Act, the Stale

Government may issue an order continuing such control for a further period not exceeding three academic years under sub-section (7) of section 3 of the principal Act as amended by this Act and such order shall take effect from the date of the expiry of the academic year referred to in the proviso to sub-section (6) of section 3 of the principal Act.

4. Validation.

- Notwithstanding anything contained in the principal Act as amended by this Act or in any other law, if the control of any property of any educational institution, has been taken over by the State Government before the 8th September 1975 under section 3 of the principal Act, such control shall, unless sooner relinquished, remain and always be deemed to have remained with the State Government at all material times, as if an order under sub-section (7) of section 3 of the principal Act as amended by this Act continuing the control of the institution for a further period not exceeding three academic years had been issued by the State Government and remained in force at all material times and accordingly -(a)all acts or proceedings or things done or taken by the State Government or any authority or officer or servant of the State Government in connection with any property of the educational institution concerned shall, for all purposes be deemed to be, and to have always been, done or taken in accordance with law;(b)no suit or other proceeding shall lie against the State Government or any authority or officer or servant of the State Government for the release of control of any property of such educational institution solely on the ground that the control of the State Government ceased to exist under section 3 of the principal Act as in force before the 8th September 1975 and no Court shall enforce any decree or order, directing the release of any such control.

5. Repeal.

(1)The Tamil Nadu Educational Institutions (Temporary Control of Property) Amendment and Validation Ordinance, 1975 (Tamil Nadu Ordinance 14 of 1975), is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act, as if this Act had come into force on the 8th September 1975.