

# Rules Under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948

TAMILNADU

India

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### Rule

### **RULES-UNDER-THE-TAMIL-NADU-ESTATES-ABOLITION-AND-CONVE** **of 1948**

- Published on 25 June 1949
- Commenced on 25 June 1949
- [This is the version of this document from 25 June 1949.]
- [Note: The original publication document is not available and this content could not be verified.]

Rules Under the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948Published vide Notification No. G. O. No. 1685, Revenue, dated 25th June 1949Last Updated 22nd May, 2019Rules For Determination of Inam Estates and Date of Creation of Under-Tenure Estates[G. O. No. 1685, Revenue, dated 25 June 1949] [Published in the Rules Supplement to Part I (page 207) of the Fort St. George Gazette Extraordinary, dated the 5th July 1949.] - In exercise of the powers conferred by section 67 read with section 10 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 [Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

### **1.**

Every application under section 10(1) shall be in writing, shall be signed and verified by the applicant, and shall be stamped with Court-fee stamp of the value of seventy-five paise.

**2.**

Every such application shall be restricted to a single under-tenure estate.

**3.**

Where the application is made by any person other than the landholder, the landholder shall be made a respondent to the application.

**4.**

Every such application shall contain the following particulars, namely:-(a)Name of the under-tenure estate.(b)Name of the applicant and whether he is the landholder or other person interested.(c)Nature of the interest which the applicant has in the under-tenure estate, if he is other than the landholder.(d)Name of the principal estate of which the under-tenure estate originally formed part.(e)The circumstances (in brief) under which and the date on which the under-tenure estate was created.

**5.**

(1)On receipt of the application, if the Settlement Officer is satisfied that the applicant is either the landholder of the under-tenure estate or a person interested, he shall cause a notice to be served on the landholder, and also on the applicant if he is not the landholder, specifying the date on which he proposes to hear the parties and examine the documents and asking them to produce the documents in their possession.(2)Such service shall be effected by giving or tendering the notice to the person concerned or if it cannot be so effected, by sending the same to him by post registered.(3)A copy of the notice shall also be sent to the Collector of the district concerned for producing the documents in the possession of the Government, if any, before the Settlement Officer through a responsible revenue subordinate deputed for the purpose.(4)The notice shall be in the form given below: -Form of NoticeTo.....Take notice that an application has been filed before me under section 10(1) of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Tamil Nadu Act XXVI of 1948), for a decision whether under-tenure estate was createdthe date on which the principal estate of..... was permanently settled,\_\_\_\_\_ before or after the date on which the principal estate of..... was temporarily settled\_\_\_\_\_ the 13th July 1802The matter will be taken up on.....(day of the week)..... (date) at.....camp at.....a.m./p.m. You are hereby required to file before the undersigned any statements bearing on the question to adduce oral or documentary evidence and be present at the hearing. If you fail to avail yourself of this opportunity of appearing before the undersigned or adducing such evidence as is necessary or producing the relevant documents, no further opportunity will be given and the matter will be disposed of on merits.Office:Station:Date:Settlement Officer.

**6.**

The Settlement Officer shall communicate a copy of his decision under section 10(2) to the applicant to the landholder if the applicant is a person other than the landholder, to the Collector of the district concerned, to the Director of Settlements and also to the Government.

**7.**

The Settlement Officer shall send a copy of his decision under section 10(2) to the applicant and the landholder, if the applicant is a person other than the landholder, free of cost by registered post, acknowledgment due.

**8.**

Every appeal to the Tribunal preferred under section 10(3) shall be stamped with Court-fee stamp of value of two rupees and shall be accompanied by a copy of the order appealed against.

**9.**

The Tribunal shall communicate a copy of its decision under section 10(3) to the appellant, to the landholder if the appellant is a person other than the landholder, to the Collector of the district concerned, to the Director of Settlements and also the Government. [This rule was Inserted in the year 1952 and further amended in the year 1959]. Rules Regarding Payment of Compensation (G. O. No. 3246, Revenue, dated 21st December 1949) In exercise of the powers conferred by section 40(1) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 [Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules, the same having been approved by the [State] [Substituted for the word 'Provincial' by the Adaptation of Order, 1950.] Legislative Assembly as required by section 40(2) of the Act.

**1. The compensation payable in respect of every estate shall be paid in cash or partly in cash and partly in bonds issued by the Government. (As amended by G. O. No. 3344, Revenue, dated the 18th December 1952).**

**2. In the case of an estate not being an inam estate which was held immediately before the notified date by a religious, educational or charitable institution,-**

(i)if the basic annual sum in respect of the estates does not exceed Rs. 3,000, the compensation shall be paid in one lump sum;(ii)if the basic annual sum in respect of the estates exceeds Rs. 3,000 but does not exceed Rs. 50,000 the compensation shall be paid in equal annual instalments not exceeding three in number; and(iii)if the basic annual sum in respect of the estate exceeds 50,000, the compensation shall be paid in equal annual instalments not exceeding five in number.

**3. The compensation in respect of the estate where it is payable in one lump sum, and the first instalment of the compensation where it is payable in instalments shall be paid not later than nine months from the date on which the settlement operations in respect of the estate are completed or where the date is earlier than the date of expiry of the three fasli years referred to in section 30 of the Act or section 34 thereof, as the case may be, not later than nine months from the latter date:.**

Provided that in the case of any estate where the settlement operations are completed in fasli 1365, the Government may postpone the deposit of the whole or part of the compensation due in respect of that estate by a further period not exceeding six months.(G. O. P. No. 1507, Revenue, Dated The 9th April 1956)Provided that where the amount of total compensation stands altered as a result of any order under section 39 of the Act or otherwise, after the payment or payments referred to have been made, the amount or the amounts of any deficiency in the payments already made may be paid at any time and as soon as may be after the said alteration, and the amount or amounts of any excess in the payment or payments already by way of deposit under rule 5 may be withdrawn at any time and as soon as may be after the said alteration.(G. O. P. No. 165, Revenue, dated the 10th January 1957)Provided further that in the case of 506 Kannakulam inam Estate, Ram-anathapuram district, where the settlement operations have been completed in fasli 1368, the Government may postpone the deposit of the whole or part of the compensation due in respect of the estate by a further period not exceeding six months.(G. O. MS. No. 3444, Revenue, Dated The 2nd September 1960)Explanation. - The date of completion of the settlement operations in respect of Zamindari estate, the assets of which consisted immediately before the notified date, entirely of jodi, kattupadi or other amount, if any, payable to the landholder thereof whether in cash or in kind, or in both cash and kind, by the landholders of inam villages or under-tenure estates, shall be deemed to be the date on which the settlement operations are completed in respect of all the said under-tenure estates and such of the said inam villages as have been notified under the Act as inam Estates.(G. O. P. No. 3169, Revenue, Dated The 5th August 1957)

**4. Where compensation is payable in instalments under rule 2, interest shall accrue at 3 per cent, per annum on the portion of the compensation still remaining to be paid on the date of payment of the first instalment from the date up to the date of payment of the second instalment; and the interest which so accrues shall be paid on the date of payment of the second instalment. Likewise, interest shall accrue at the same rate on the portion of**

**the compensation still remaining to be paid on the date of payment of the second or a subsequent instalment, from that date up to the date of payment "of the third or the next succeeding instalment, as the case may be; and the interest which so accrues shall be paid on the date of payment of the third or the next succeeding instalment, as the case may be.**

**5. Every payment referred to in the foregoing rules shall be made by way of deposit in the office of the Tribunal under section 41(1) of the Act.**

**6.**

(1)Any sum payable to a religious, educational or charitable institution under sub-section (1) of section 38 as a tasdik allowance or under sub-section (2) of that section to make good the deficiency referred to in that sub-section in respect of any fasli year commencing from the fasli year in which the basic annual sum referred to in the said sub-section (1) is finally determined, shall be made in cash direct from the sub-treasury of the taluk in which the village is situated, disbursement from the beriz being permitted only in cases where the disbursing officer, deems it expedient to direct the disbursement from the beriz of the village in consideration of the smallness of the amount involved, or for any other adequate reason: [As amended by G. O. Ms. No. 2217, Revenue, dated the 27th June 1966].(2)The payments referred to in sub-rule (1) shall be subject to adjustment as provided in section 54(2) of the Act, and shall be made before the end of the fash year to which they relate. These rules shall be deemed to have taken effect on the 19th April 1949. Rules For The Taking Possession of The Estate by the Officer Authorised by The Government (Fort St. George, dated the 10th August 1949) In exercise of the powers conferred by section 67 read with section 3 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 [Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of Tamil Nadu hereby makes the following rules: -

**1. The officer authorised by the Government to take possession of an estate on their behalf, under section 3(d) of the said Act, shall take charge of only such of the accounts, registers, pattas, muchilikas, maps, plans and other documents relating to the estate, as are in his opinion necessary for the administration of the estate. He shall prepare a detailed inventory of those documents in the presence of the landholder or any person deputed, in writing, by the landholder in that behalf, and give a copy of such inventory to the landholder or his deputy. Certified copies of the documents shall be made and given, free of cost, to the landholder if so required by him.**

**2. Where the officer referred to in rule 1 has reason to believe that there are other documents in the possession or custody of the landholder and is of opinion that such documents are essential for the administration of the estate, he may summon the landholder to adduce all such documents and the landholder shall be bound to produce them.**

Authorities or Officers by Whom Powers Under Various Sections of The Act Shall be Exercised (G. O. No. 2043, Revenue, dated the 5th August 1949) In exercise of the powers conferred by section 67(1) and (2) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] Act XXVI of 1948), His Excellency the Governor hereby makes the following rule: -The powers specified in column (2) of the Schedule below which are conferred on the Government by the sections of the Act specified in the corresponding entry in column (1) of the said Schedule may be exercised also by any of the authorities or officers specified in the corresponding entry in column (3) and also subject to revision by the Government: Provided that in the case of appeals against orders passed under section 3(d), proviso, any order passed in appeal by the Revenue Divisional Officer shall be subject to revision by the District Collector and any order passed in appeal by District Collector shall be subject to revision by [Board of Revenue.] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.]

## Schedule

Section (1)	Power (2)	Authorities or officers by whom the powers shall be exercised (3)
3(d)	Power to take possession of estate	District Collector or such one of the following officers as may be specified by the District Collector: -Revenue Divisional Officer, Manager, Tahsildar, Independent Deputy Tahsildar and any other officer of the Government including employees of the estates taken over by the Government not below the rank of Lower Division Clerk.
3(d), proviso	Power to decide whether a ryot or a landholder is prima facie entitled to a ryotwari patta or not.	Manager of the estate but if the Manager is of the status of a Revenue Inspector, the Tahsildar or Deputy Tahsildar in whose jurisdiction the estate concerned is situated, an appeal shall lie to - (i) the Revenue Divisional Officer of the division concerned, against an order of a Tahsildar, Deputy Tahsildar or a Manager of the same status, (ii) the District Collector, against an order of a Manager of the status of a Deputy Collector; and (iii) the Board of Revenue against an order of a Manager of the status of a District

		Collector. [Note.- If the Manager is of the status of a Deputy Collector, the power may be exercised by a Special Tahsildar or a Special Deputy Tahsildar working under the Manager. An appeal against the orders of such Special Tahsildar shall lie to the Manager, and any orders passed in appeal by the Manager shall be subject to revision by the District Collector.]
6	Power to appoint Managers of estates	Collectors in the case of posts carrying a pay below Rs. 100 per mensem. The Board of Revenue in the case of posts carrying a pay of Rs. 100 and above but not exceeding Rs. 400.
11, proviso	Power to direct that a person admitted to possession of any land on or after the 1st July, 1945, be entitled to a ryotwaripatta in respect of such land.	Settlement Officers or Board of Revenue. The Settlement Officers shall exercise the delegated powers subject to the following restrictions: -(a) They cannot dispose of cases of assignment made by a landholder to any member of his family or other relatives. (b) They cannot dispose of cases in which the extent involved is more than five acres of wet or garden land or ten acres of dry land. (c) Where the lands involved are partly wet or garden and partly dry, the limit of their powers should be determined on the basis of a rough formula that one acre of wet or garden land is equal to two acres of dry land. (d) In all cases which, in their opinion, involve any important or difficult issue, they should obtain the orders of the Commissioner for Settlement of Estates: Provided that the powers delegated to the Settlement Officer under this rule shall be exercised by the District Collector or the District Revenue Officer, as the case may be, of the district, in which the land is situated, after any Settlement Officer ceases to have jurisdiction over the area. Revision petition against the orders of the Settlement Officer or the Director of Settlements or the Board of Revenue (Settlement of Estates) shall be presented to the Government within thirty days of date of communication of the respective orders as prescribed: Provided that in respect of orders passed prior to the publication of this rule in the Fort St. George Gazette, the thirty days' time shall be reckoned from the date of publication of this rule in the Fort St. George Gazette.
18(6)	Power to decide whether any building or land falls or does not fall within the scope of sub-sections (1) to (5).	Board of Revenue
19, second proviso	Power to specify rights which a person admitted into	Settlement Officers or the Director of Settlements or Board of Revenue. The Settlement Officers shall exercise the delegated power, subject to the following restrictions, namely: -(a) They

possession of any ryot land for a non-agricultural purpose on or after the 1st day of July 1945 shall be entitled to. shall not dispose of cases of assignments made by a landholder to any member of his family or other relatives. (b) They shall not dispose of the following cases, namely: -I. In town areas (including [Chennai] City) - (i) where land granted as house-site, exceeds fifty cents in extent; (ii) where land granted for other non-agricultural purposes exceeds one acre in extent. II. In non-town areas - (i) where land granted as house-site exceeds one acre in extent; and (ii) where land granted for other non-agricultural purposes exceeds two acres in extent. (c) They shall obtain the orders of the Director of Settlements in the all cases which, in their opinion, involve any important or difficult issue: Provided that the power delegated to the Settlement Officer under this rule shall be exercised by the District Collector or the District Revenue Officer, as the case may be, of the District in which the land is situated, after any Settlement Officer ceases to have jurisdiction over the area. (d) The Board of Revenue (Settlement of Estates) shall have original powers to pass orders either suo motu or on any application under section 19. (e) The Board of Revenue Settlement of Estates shall have power to revise any order passed by the Director of Settlements or a settlement Officer either suo motu or on application. The revision petitions shall be presented to the Board of Revenue 'Settlement of Estates) or the Government within thirty days of the date of communication of the orders sought to be revised: Provided that in respect of orders passed prior to the publication of this rule in the Fort. St. George Gazette, the thirty days' time-limit shall be reckoned from the date of publication of these rules in the Fort. St. George Gazette.

19-A Power to issue directions under the section

Settlement officers or the Director of Settlements or Board of Revenue l. The Settlement Officers shall exercise the delegated power subject to the following restrictions, namely: - (a) They shall not dispose of cases of assignments made by a landholder to any member of his family or other relatives. (b) they shall not dispose of the following cases, namely: - I. In town areas (including [Chennai] City) - (i) where land granted as house-site, exceeds fifty cents in extent; and (ii) where land granted for other non-agricultural purposes exceeds one acre in extent. II. In non-town areas - (i) where land granted as house-site exceeds one acre in extent; and (ii) where land granted for other non-agricultural purposes exceeds, one acre in extent. (c) They shall obtain the orders of the Director of Settlements in all cases which, in their opinion, involve any important or difficult issue; and (d) The Board of Revenue (Settlement of Estates) shall have original powers to pass orders either suo motu or on any



application under section 19-A.(e) The Board of Revenue (Settlement of Estates) shall have power to revise any order passed by the Director of Settlement for a Settlement Officer either suo motu or on application. The revision petition shall be presented to the Board of Revenue (Settlement of Estates) or the Government within thirty days of the date of communication of the orders sought to be revised: Provided that in respect of orders passed prior to the publication of this rule in the Fort. St. George Gazette, the thirty days' time-limit shall be reckoned from the date of publication of these rules in the Fort St. George Gazette. (f) the Government shall have power to review at any time either suo motu or on application, the order passed by them earlier under section 19-AJ

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|---|---|-------------------------|
| 20(2)(a)  | Power to terminate any right created before the 1st day of July, 1945 for a period exceeding one year.  | Board of Revenue l.     |
| 20(3)   | Power to impose reasonable restrictions on the exercise of any right continued under section 20.        | Do.                     |
| 22(2)(b)  | Power to consider which settlement notification is most appropriate to each case.                       | Do.                     |
| 23(b)   | Power to determine the rate or rate at which land revenue shall be calculated.                          | Do.                     |
| 27(ii)(b),<br>27(iii)(b),<br>31(ii)(b)<br>and<br>31(ii)(b)      | Power to decide which lands are sufficiently permanent.   | Director of Settlements |
| 28(2),<br>Second<br>proviso<br>and 32(2),<br>Second<br>Proviso. | Power to fix the extent of reduction in the percentage of deduction for maintenance of irrigation works | Do.                     |

	incases where landholders share responsibility with the Governmentor with the landholder of some other estate.	
	Power to deposit or withdraw the compensationand to deduct the amounts mentioned in the first proviso tosection 41(1).	Director of Settlements
41(1)		
	Power to determine on a rough calculation thebasic annual sum	Do.
50(3)		
	Power to revise the amount to be paid withreference to data available for the better calculation of thebasic annual sum.	Do.
50(4) and 54(l)(b)		
	Power to deposit or withdraw interim payment	Do.
50(5)		
	Power to ascertain the aggregate interimpayment, and to deposit the balance of interim payment withinterest	Do.
50(7)		
	Power to estimate and deposit advancecompensation and to deduct the amounts mentioned in the provisoto section 54-AQ) and to withdraw or deposit any amount undersection 54-A	Do.
54-A		
	Power to terminate the services of	Employees drawing paynot exceeding Rs. 100 per mensem at the time of discharge -Manager of theestate, but if the manager
60(1)		

estate employees.

is of a status lower than that of a Deputy Collector, the Revenue Divisional Officer of the division in which the estate is situated. Employees drawing pay exceeding Rs. 100 but not exceeding Rs. 250 per mensem - Manager of the estate where he is of the status of a District Collector and the District Collector in other cases. Employees drawing a pay of over Rs. 250 per mensem - Board of Revenue. An appeal shall lie to - (i) the District Collector against an order either of a Manager of the status of a Deputy Collector or of the Revenue Divisional Officer; and (ii) the Board of Revenue against an order either of a Manager of the status of a District Collector or of the District Collector.

G. O. No. 39, Revenue, dated the 7th February, 1950. In exercise of the powers conferred by section 67 read with sections 10, 27, 35, 36, 39, 58 and 63 of the [Tamil Nadu] [The Board of Revenue was abolished. 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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [The Board of Revenue was abolished. 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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [The Board of Revenue was abolished. 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.] hereby makes the following rules: -

**1. Section 10. - Any person interested in an enquiry under section 10 shall, on satisfying the office of the Government having possession or custody of a document that such document has a bearing on the claim of the person aforesaid, be entitled to examine the document and take a copy of it. Copies of that document and of the other documents which are relied on by the Settlement Officer in arriving at a decision on the subject-matter of the enquiry shall form part of the records of the inquiry.**

**2. Section 27(a), 35(b) and 36. - The quantity of anything deliverable in kind annually to the landholder of an estate by the landholder of an inam village or under-tenure estate in addition to the jodi kattubadi or other amount of a like nature payable in cash shall be ascertained with reference to custom or documentary evidence available. For purposes of computation of the value of such quantity into cash, the taluk price tables (wholesale prices) for the time of the year when payment was normally due or if that was not specified, for the time of the year when the jodi, kattubadi or other amount of a like nature was payable, shall be adopted.**

**3. Section 39(2). - An application for a copy of the data on the basis of which the Director proposes to determine the basic annual sum shall be made by the landholder or other person interested within two months from the date notified by the Director in this behalf.**

**4. Section 39(5). - Every appeal to the [Board of Revenue] [Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] shall be stamped with a Court-fee label of Rs. 2 and shall be accompanied by the original or a duly stamped and authenticated copy of the order appealed against. Any person who has appealed to the [Board of Revenue] [Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] may be represented by a duly authorized agent or legal practitioner at the hearing of the appeal.**

**5. Section 58, proviso - Every payment on account of jodi, kattubadi or other amount of a like nature made before the notified date by the landholder of an inam village which is not an inam estate, to the landholder of notified estate in respect of the fasli year in which the estate is notified, shall, for the purpose of the proviso to section 58 be authenticated as specified hereunder: -**

(a) In cases where the landholder of the inam village produces a receipt in token of payment of such amount, such receipt shall have been signed by the landholder of the notified estate or his duly authorised agent acting on his behalf; and (b) in cases where the landholder of the inam village does not produce such a receipt, he shall produce a certificate signed by the landholder of the notified estate or his duly authorised agent acting on his behalf in token of the payment of such amount.

**6. Section 63 - Every appeal to the Director against the decision of the Settlement Officer under section 63 shall be made within thirty days from the date of such decision and every revision petition to the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] shall be made within thirty .days from the date of the decision sought to be revised.**

**7. Every appeal under section 63 to the Director shall be stamped with a court-fee label of one rupee and every revision petition under the said section to the Board of Revenue shall be stamped with a court-fee label of one rupee and fifty paise.**

**8. Section 67(h) - Proceedings pending before any tribunal, authority or officer may be transferred to any other tribunal, authority or officer, as the case may be, by the authority to whom appeals or revision petitions lie against the decisions of such tribunal, authority or officer, or where there is no appellate or revisional authority, by the Government.**

**9. General - Subject to the provisions of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948) and the Rules made thereunder (hereinafter referred to as the said Act and rules), every application made and every appeal and revision petition presented to the authorities or officers having jurisdiction under the said Act and rules after the period of limitation prescribed therefor in the relevant sections of the said Act and rules shall be dismissed, although limitation has not been set up as a defence.**

Notification, dated the 7th January 1950. In exercise of the powers conferred by section 67 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. Every Tribunal constituted under section 8(1) and every Special Tribunal constituted under section 51(1) of the Act shall have all the powers exercisable by a Civil Court in the trial of suits and in appeals.**

**2. The proceedings of a Tribunal shall be summary and shall be governed as far as practicable by the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), particularly in regard to -**

(a)the issue and service of summons;(b)the examination of parties and witnesses;(c)the production of documents;(cc)the payment of compensation or any other money to one person on behalf of another under-disability and in particular to a guardian on behalf of a minor; and(d)the passing of orders.

**2.**

-A. - In cases where the Tribunal does not order the payment of compensation or any other money to one person on behalf of another under disability or to a guardian on behalf of a minor, the Tribunal shall invest the money in any one of the securities specified in the Appendix to Chapter IV-Part II of the Civil Rules of Practice and Circular Orders, Volume I.

**3. Every payment of rent made by a ryot to the landholder before the notified date in respect of the fasli year in which the estate is notified shall, for the purpose of section 23, clause (a), first proviso, be authenticated as hereunder:**

(a)in cases where the ryot produces a receipt in token of payment of rent to the landholder, such receipt shall have been signed by the landholder or his duly authorised agent on his behalf;(b)in cases where it does not produce such a receipt, he shall produce a certificate signed by the landholder or his duly authorized agent, on his behalf, in token of the payment of rent to the landholder.G. O. Ms. No. 1500, Revenue, dated the 24th May, 1950.In exercise of the powers conferred by section 67 read with section 23 of the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 ( [Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -In cases falling under section 23(a)(h) of the Act, where the rent which will have been payable to the landholder in respect of the fasli year in which the estate is notified is in kind or is a share of the produce, the quantity of such rent shall be determined by the District Collector or any officer authorised by him, on local enquiries and with reference to village accounts.

**2. The rent so determined shall be commuted into cash in accordance with the prices notified by the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] and prevailing on the date on which the land revenue became payable:**

Provided that, where no such price has been notified, the rent shall be computed in accordance with the price which the District Collector may, after making such local enquiry as he deems fit, fix as the price prevailing on the date on which the land revenue became payable. Rule Published In Rules Supplement To Part I of The Fort. St. George Gazette, Dated 30th June, 1950 and 29th December, 1954 In exercise of the powers conferred by sections 67(1) and 67(2) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency, the Governor of [Tamil Nadu] [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.] hereby makes the following rules: The Settlement Officer may, by order in writing, delegate all or any of the powers conferred on him by or under the Act to any Assistant Settlement Officer or the Final Settlement Enquiry Tahsildar within his jurisdiction. The exercise of such powers by the Assistant Settlement Officer or the Final Settlement Enquiry Tahsildar shall be subject to revision by the Settlement Officer of any order passed by the Assistant Settlement Officer or the Final Settlement Enquiry Tahsildar. [G. O. Ms. No. 2096, Revenue, dated the 31st July 1950] [Published in the Rules Supplement to Part 1 of the Fort St. George Gazette, dated 31st October, 1950.] In exercise of the powers conferred by section 67 read with section 18(3)(b) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1940), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -For the purposes of section 18(3) of the Act, the value of a building shall be assessed by the Tribunal in the following manner: -Where the building has been rented -(a) The value of the building shall be assessed by capitalising its net annual rent at a certain number of years' purchase as specified below. (b) The net annual rent of the building shall be ascertained by deducting from the gross annual rent obtained for the building: -(i) the taxes and land revenue charges payable annually in respect of the building; and (ii) one month's rent towards the annual cost of ordinary repairs to the building. (c) (i) If the superstructure is in a reasonably good condition, the number of years' purchase at which the net annual rent shall be capitalised shall be determined with reference to the average rate of interest on long-term gilt-edge securities having a currency of 30 to 35 years. If particulars regarding such securities are not available, the average rate of interest on medium term gilt-edged securities having a currency of 15 to 20 years together with an addition of one year per cent, shall be taken as the average rate of interest. (ii) If the superstructure is not in a reasonably good condition, the net annual rent shall be capitalised at such smaller number of years' purchase as the Tribunal may deem fit, regard being had, in each case to the age and condition of the superstructure and any other relevant factor. (d) A building which has not been rented for a period of 12 months prior to the date of assessment of its value by the Tribunal or which in the opinion of the Tribunal has been rented only for a nominal rent shall be dealt with under clause

(2).(2)Where the building has never been rented -(a)Where the building has never been rented, its value shall be assessed on the basis of sales of similar buildings in the neighbourhood.(b)If there has been no sale of any similar building in the neighbourhood, the Tribunal shall first enquire into the original cost of construction of the superstructure, have regard to the age and condition of the superstructure and any other relevant factor make due allowance for depreciation and then ascertain the value of the superstructure. For this purpose, the Tribunal shall not only make its own enquiries but shall also supplement them by obtaining an estimate of the original cost of construction of the superstructure from the Public Works Department. Such estimate shall be taken only as a guide and not as the sole determining factor in arriving at the value of the superstructure. To the value of the superstructure so ascertained, the Tribunal shall add the value of the land on which the superstructure stands, on the basis of the value of similar land in the neighbourhood.[Notification] [Published in the Rides Supplement to Part I of the Fort St. George Gazette, dated the 31st October 1950.]In exercise of the powers conferred by section 67 read with section 15 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. In the following rules, the term 'Settlement Officer' shall include an Assistant Settlement Officer, if the powers of the Settlement Officer under section 15 have been delegated to him.**

**2. (a) Every landholder claiming a ryotwari patta under sections 12,13 or 14, as the case may be, shall apply in writing to the Settlement Officer within six months from the notified date or within two months from the date of publication of this notification whichever is later.**

[Subject to the provisions of the Act and these rules, every application made to the Settlement Officer under this rule, after the period of limitation prescribed therefor, shall be dismissed although limitation has not been set up as a defence.No such application made shall be admitted after the period of limitation prescribed therefor in this rule on the ground that the applicant had sufficient cause for not preferring the application within such period.] [Inserted by G.O. Ms. No. 1393, Revenue, dated the 14th July 1969.][\*\*\*] [Explanation was omitted by G.O. Ms. No. 1393, Revenue, dated the 14th July 1969.](b)Every such application shall -(i)be in Form No. I appended hereto;(ii)be signed and verified by the applicant and shall bear a Court-fee stamp of the value of seventy-five paise;(iii)be restricted to a singly village; and(iv)be submitted in person or by registered post acknowledgement due.



### 3.

(1) On receipt of the application, the Settlement Officer shall cause a notice requiring all persons who have any objection to the landholder's claim being allowed, to file before the Settlement Officer statement of objections, if any, and fixing the date and place of enquiry. (2) The notice aforesaid shall be published - (i) by affixture in the village chavadi or if there is no village chavadi, in some other conspicuous public place in the village; (ii) by beat of tom-tom in the village; and (iii) by affixture on the notice board of the Settlement Officer. (3) A copy of the notice shall be served on the applicant and a copy shall be sent to the Manager of the estate. (4) The notice shall be in the form given below: -

**Form of Notice** Notice is hereby given to all those whom it may concern that the landholder of Jamin/Under-tenure/Inam/Estate has claimed ryotwari patta in respect of the lands noted in the Schedule. The Settlement Officer/Assistant Settlement Officer.....proposes to examine ..... the nature and history of these lands in order to decide in respect of which land the claim should be allowed. Any person who has any objection to the landholder's claim being allowed may do so in writing before the Settlement Officer/Assistant Settlement Officer within fifteen days from the date of this notice. The objections should be supported by a summary of evidence and all available documents. The claim of the landholder and the objections will be heard by the Settlement Officer/Assistant Settlement Officer .....at ..... a.m./p.m. on.....Office:Station:Date:Settlement Officer.Assistant Settlement Officer.

### Schedule 2

Description of .....

Name of Taluk	Name of Village	Land/Local names	S. No. etc.	Wet	Area	Boundaries	Remarks
				or dry			
(1)	(2)	(3)		(4)	(5)	(6)	(7)

To the applicant in duplicate through the Tahsildar of (Manager of Estates.....) for causing service fifteen days prior to the date of hearing, obtaining the acknowledgment and returning the original before the date of hearing. In dupliance through the Tahsildar of.....for causing publication in the village of fifteen days prior to the date of hearing and for returning the original with the certificate of publication by a beat of tom-tom and by affixture in the village chavadi or any conspicuous public place in the village furnished by the village [headman or kamam.] [These posts were abolished by the-Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil now Act 3 of 1981). Now they are called as Village Administrative Officer.]

**4. The date of enquiry shall not be earlier than fifteen days from the date of publication of the notice, referred to in rule 3.**

**5. The Settlement Officer shall make a summary enquiry into the claims put forward by each landholder. He shall hear the parties and afford them a reasonable opportunity of adducing all such evidence, either oral or documentary, as they may desire and give his decision in writing.**

**6. (a) Every decision of the Settlement Officer under section 15(1) shall be published in the village in Form No. II appended hereto (Appendix-B) in the manner prescribed in rule 3(2).**

(b) A copy of the decision in full shall be delivered to the landholder if he is present or sent to him free of cost by registered post acknowledgment due, and a copy shall be sent to the Manager of the estate. Copies of orders passed by an Assistant Settlement Officer should be submitted to the Settlement Officer and of those passed by the Settlement Officer to the Director of Settlements.

**7. Every appeal to the Tribunal under section 15(2) shall bear a court-fee label of the value of Rs. 2 and shall be accompanied by an authenticated copy of the order appealed against duly stamped.**

**8. (a) On receipt of an appeal referred to in rule 7, the Tribunal shall cause a notice to be published in the manner prescribed in rule 3(2) requiring all persons who have applied to the Settlement Officer under section 15(1) or filed statements before him in the course of the enquiry under that section to appear before it.**

(b) A copy of the notice shall be served on the applicant, the Manager of the estates and every other person affected by the appeal as seen from the records of the case, by sending it to the individual concerned by registered post acknowledgement due (As amended in the year 1960). (c) The notice shall be in the form given below: -Form of Notice  
Notice is hereby given that an appeal from the decision of the Settlement Officer under section 15(1) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), has been presented by and admitted by this Tribunal and has been posted for hearing on day of ..... 20 ..... at ..... (place). All persons who have applied to the Settlement Officer under section 15(1) or filed statements during the enquiry before him are hereby called upon to appear before this Tribunal on the date and at the place specified above and file their further statements, if any, in the matter. A copy of the appeal petition is appended hereto. Chairman of the Tribunal  
To the applicant in duplicate through the Tahsildar of ..... Manager of Estates ..... for causing service fifteen days prior to the date of hearing, obtaining the acknowledgement and returning the original before the date of hearing. In duplicate

through the Tahsildar.....for causing publication in the ..... village of.....fifteen days prior to the date of hearing and for returning, the original with the certificate of publication by beat of tom-tom and by affixture to the village chavadi or any conspicuous public place in the village furnished by the village [headman or kamam] [These posts were abolished by the Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981). Now they are called as Village Administrative Officer.].

## **9. A copy of the final order of the Tribunal shall be communicated to the Manager of the estate.**

Appendix A Form No. I Form of Applications Under Section 15(1) Name of estate. Whether the estate is Zamin, under-tenure or inam. Name of the landholder. Address of landholder. Form Note. - A separate form should be used for each village in the estate. List of Lands in Respect of Which Landholder Claims Ryotwari Patta

1. Serial Number.
2. Name of district.
3. Name of taluk.
4. Name of village.
5. Local name, if any, of the land.
6. Survey number and sub-division (If surveyed).
7. Extent (in acres and cents or local measures).
8. Whether wet or dry.
9. Name or survey numbers of adjacent lands -

North

East South West

10. Provision of law under which the claim is preferred.
11. Summary of the evidence proposed to be adduced.
12. Remarks.

Place: Date: Signature of landholder. Appendix B Form No. II Decision of Settlement Officer on An Application Under Section 15 (1) It is hereby notified for the information of all concerned that under section 15(1) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Settlement Officer/Assistant Settlement Officer has decided that in respect of lands mentioned in the Schedule, the landholder is entitled to a ryotwari patta. If any person deems himself aggrieved-by this decision, he may appeal to the Estates Abolition Tribunal,.....within two months from the date of the decision. Office: Station: Date: Settlement Officer. Assistant Settlement Officer.

## Schedule 3

Name of the Estate	Name of the district	Name of the Taluk	Name of the Village	Particulars of lands for which landholder is entitled to ryotwari patta
1	2	3	4	5

In duplicate through the Tahsildar, ..... for causing publication in the ..... village of ..... and for returning the original with the certificate of publication by beat of tom-tom and by affixture in the village chavadi or any conspicuous public place in the village furnished by the village [headman] [These posts were abolished by the Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981). Now they are called as Village Administrative Officer.] or karnam.[Notification] [Published in the Rules Supplement to Part I of the Fort St. George Gazette, dated the 31st October, 1950.]In exercise of the powers conferred by section 67 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -In respect of any land falling under sub-section (1) of section 17 of the said Act, the Settlement Officer having jurisdiction shall be the authority to determine whether the land falls under clause (a) or clause (b) of the said sub-section.[Notification] [Published in the Rules Supplement to Part I of the Fort St. George Gazette, dated 28th October, 1950.]In exercise of the powers conferred by section 67 read with section 44(2)(b) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), and all other powers hereunto enabling, His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. In the case of an estate not being an impartible estate governed by section 45, the value of the respective interests in the estate of the principal landholder and the other persons mentioned in section 44(1) shall be ascertained in accordance with the following provisions.**

## 2.

(1) In the case of any such estate in which there are darmila inams, the Tribunal shall first determine the compensation payable to each darmila inamdar on the one hand and the principal landholder or landholders in the estate on the other and then proceed, in accordance with rule 3 or rule 4, as the case may be, in respect of the compensation payable to the principal landholders. (2) Rules 3 and 4 as applicable to partible estate shall mutatis mutandis apply to the compensation payable in respect of each darmila inamdar.

## 3.

(1) In the case of a partible estate which, immediately before the notified date, was the property of a joint Hindu family, the Tribunal shall determine the aggregate compensation payable to all the following persons, considered as a single group:—(i) the members of the joint Hindu family who, immediately before the notified date, were entitled to a share in the estate (who are hereunder called "sharers"); and (ii) other persons who, immediately before the notified date, were entitled to maintenance out of the estate and its income either under the Hindu law or under any decree or order of a Court, award or other instrument in writing or contract or family arrangement which is binding on the principal landholder (who are hereinafter called "maintenance-holders"): Provided that no such maintenance-holder shall be entitled to any portion of the aggregate compensation aforesaid, if, before the notified date, his claim for maintenance, or the claim of his branch of the family for maintenance had been settled or discharged in full. (2) The Tribunal shall next determine which creditors, if any, are lawfully entitled to have their debts paid from and out of the assets of the estate and the amount to which each of them is entitled; and only the remainder of the aggregate compensation shall be divisible among the sharers and maintenance-holders as hereinafter provided. (3) (a) The Tribunal shall, in determining the amount of the compensation payable to the maintenance-holders and apportioning the same among them, have regard, as far as possible, to the following considerations, namely:—(i) the compensation payable in respect of the estate; (ii) the number of persons to be maintained out of the estate; (iii) the nearness of relationship of the person claiming to be maintained; (iv) the other sources of income of the claimant; and (v) the circumstances of the family of the claimant. (b) For the purpose of securing that the amount of compensation payable to the maintenance-holders is apportioned among them on an equitable basis, the Tribunal shall have power, wherever necessary, to reopen any arrangement already made in respect of maintenance, whether by a decree or order of a Court, award or other instrument in writing or contract or family arrangement. (4) The balance of the aggregate compensation shall, subject to the provisions of section 46, be divided among the sharers, as if they owned such balance as a joint family and a partition thereof had been effected among them on the notified date.

## 4.

(1) In the case of (i) a partible estate other than that specified in rule 3 or (ii) an impartible estate not governed by section 45, the Tribunal shall determine the aggregate compensation payable to all the following persons considered as a single group:—(i) the persons who, immediately before the notified date, owned the estate (who are hereinafter called "owners"); (ii) other persons who, immediately

before the notified date, were entitled to maintenance out of the estate and its income either under the law governing the parties or under any decree or order of a Court, award or other instrument in writing or contract or family arrangement which is binding on the owners (such other persons being hereinafter called "maintenance-holders"): Provided that no such maintenance-holder shall be entitled to any portion of the aggregate compensation aforesaid, if before the notified date, his claim for maintenance, or the claim of his branch of the family for maintenance had been settled or discharged in full. (2) The Tribunal shall next determine which creditors, if any, are lawfully entitled to have their debts paid from and out of the assets of the estate and the amount to which each of them is so entitled; and only the remainder of the aggregate compensation shall be divisible among the owners and maintenance-holders as hereinafter provided. (3) (a) The Tribunal shall, in determining the amount of the compensation payable to the maintenance-holders and apportioning the same among them, have regard, as far as possible, to the following considerations, namely: - (i) the compensation payable in respect of the estate; (ii) the number of persons to be maintained out of the estate; (iii) the nearness of relationship of the person claiming to be maintained; (iv) the other sources of income of the claimant; and (v) the circumstances of the family of the claimant. (b) For the purpose of securing that the amount of compensation payable to the maintenance-holders is apportioned among them on an equitable basis, the Tribunal shall have power, wherever necessary, to reopen any arrangement already made in respect of maintenance, whether by a decree or order of a Court, award or other instrument in writing or contract or family arrangement. (4) The balance of the aggregate compensation shall, subject to the provisions of section 46, be divided among the owners in proportion to their respective interests in the estates, immediately before the notified date. [Notification] [G.O. No. 135, Revenue, 18th January, 1951 as subsequently amended.] In exercise of the powers conferred by section 67(1) read with section 55(1) of the [Tamil Nadu] [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.] (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. The Manager of an estate shall, from time to time, and in accordance with the instructions issued by the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] submit proposals to the Collector of the district in which the estate or the major portion of it lies, for the payment to the landholder of the amount due to him from out of the collections made under section 55(1) of the Act.**

**2. The Collector or the Personal Assistant to the Collector may, at any time in a fasli year, pay to the landholder an amount not exceeding one-half of what remains of the arrears of rent collected up to that time after deducting therefrom the aggregate of the following items, namely: -**

(1) Collection charges, (2) the amount already paid to the landholder by the Collector and the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] in the fasli year, and (3) such portion of the arrears of peshkash, quit-rent, jodi or other amount, if any, of a like nature due from the landholder to the State Government as is proportionate to the total collections made up to the time of payment by the Collector or the Personal Assistant to the Collector. The Collector or the Personal Assistant to the Collector may do this as often as he thinks fit in the fasli year.

**3. The Collector may submit to the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.], from time to time, proposals for further payments to be made to the landholder. On receipt of the proposals, the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] shall determine the amount that should be paid to the landholder out of the collections and shall authorize the Collector to pay it. The amount so ordered to be paid shall not exceed the balance left of the collections after deducting therefrom (a) 10 per cent, thereof on account of collection charges, (b) such portion of the arrears of peshkash, quit-rent or other amount, if any, of a like nature including cess due from the landholders to the State Government as is proportionate to the total collection so far made, and (c) any amounts already paid.**

**4. If all the amounts due from the ryots in the estate had been collected, the Board of Revenue shall determine the amount payable to the landholder under section 55(1) in full settlement of accounts and the Collector shall arrange to pay the amount so determined, less any payments already made, in accordance with its instructions.**

[Notification] [Published in the Rules Supplement to Part I, page 583 of the Fort St. George Gazette, dated the 30th October, 1951, as subsequently amended.] In exercise of the powers conferred by section 67 read with section 63 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

- 1. In the following rules, the term 'Settlement Officer' shall include an Assistant Settlement Officer to whom the powers of a Settlement Officer under section 63 have been delegated.**
- 2. An enquiry under section 63 may be made by the Settlement Officer suo motu or on application.**
- 3. Any person requiring a decision under the said section shall apply in writing to the Settlement Officer.**
- 4. Every such application shall be in Form I appended to these rules, and except where it is on behalf of the Government, it shall be signed and verified by the applicant and shall bear a court-fee of the value of seventy-five paise.**
- 5. Every such application shall be restricted to lands in a single village.**
- 6. (a) Every such application shall be presented in person or sent by registered post, acknowledgment due.**

(b) As many copies of the application as there are respondents with one additional copy for the Manager of the estate, in which the land is situated shall be filed with the application for transmission to them. (c) The process fees prescribed in rule 9 shall be deposited along with each application, or within such time as the Settlement Officer may, in his discretion, allow and the application shall be liable for summary rejection for failure to do so: Provided that no process fees shall be payable where the application is made on behalf of the Government.
- 7. On receipt of the application, the Settlement Officer shall fix a date of hearing and issue notices to the parties, the Manager of the estate and the respondents in Form II appended to these rules and cause it to be served in person, if possible, or by affixture, or by registered post, acknowledgement due. A copy of the application shall be sent to each respondent and the Manager of estate with the notice.**



**8. (a) The Settlement Officer shall make a summary enquiry into the application and after giving the parties a reasonable opportunity for adducing all evidence, either oral or documentary, as they may desire, give his decision in writing.**

(b) A copy of the order shall be delivered to the petitioners and each respondent, if they are present, or sent to them by registered post, acknowledgment due free of cost. A copy shall also be sent to the immediate Superior Officer of the Officer making the enquiry, if the officer making the enquiry is an Assistant Settlement Officer, to the Director of Settlement and to the Manager of the estate concerned.

**9. The rates of process fees leviable for service of notices and summons on respondents and witnesses and for production of records shall be calculated as follows: -**

(a) for service of notices or summons on a single person-Fifty Paise (b) for service of notices or summons on every additional person residing in the same village if applied for at the same time. Twenty-five Paise.

**10. Every appeal to the Director of Settlements against an order of the Settlement Officer shall bear a Court-fee label of the value of rupee one and shall be accompanied by an authenticated copy of the order appealed against duly stamped. No court-fee need be paid in the case of an appeal filed on behalf of the Government.**

**11. On receipt of an appeal, the Director of Settlements shall fix a date of hearing and give notice in Form III appended to these Rules to the parties concerned and give them a reasonable opportunity to be heard before passing orders.**

**12. The Director of Settlements shall send a copy of his orders under section 63 to the petitioner and each respondent or to their counsel, if they are represented by Counsel, free of costs, by registered post acknowledgement due.**

Appendix Form I Form of Application Under Section 63 of The [Tamil Nadu] [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.] Act XXVI of 1948

- 1. Name of the applicant and his address.**
- 2. Name of the estate in which the land or forest in dispute lies**
- 3. Name of the taluk.**
- 4. Name of the district.**
- 5. Local name, if any, of the land or forest in dispute.**
- 6. Nature of the dispute and relief sought.**

Place:Date:Signature of the Applicant.  
Form II  
Form of Notice Under Section 63 of [Tamil Nadu Act XXVI of 1948] [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.]

Before the| Settlement OfficerAssistant Settlement Officer.

Name and address of petitioner.Name and address of respondent.Petition dated.....Take notice that the petitioner mentioned above has applied to me for a decision under section 63 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), in respect of the land mentioned in the copy of the application which is sent herewith. The application is posted for hearing to .....(dated) ..... at ..... a.m./p.m. at (place) You are hereby required to appear before me in person or by pleader on the date and at the time and place aforesaid failing which orders are liable to be passed ex parte.Date:Place:Settlement Officer. Assistant Settlement Officer.  
Form III  
Form of Notice Under Section 63 of [Tamil Nadu] [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.] Act XXVI of 1948  
Before The Director of Settlements  
Name of the petitioner.Name of the respondent.  
Notice is hereby given that an appeal from the decision of the Settlement Officer/Assistant Settlement Officer, ..... under section 63 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948) has been presented by and admitted by the Director of Settlements and has been posted for hearing on day ..... of ..... 20 .....at place.All persons who have applied to the Settlement Officer/Assistant Settlement Officer under section 63 of the [Tamil Nadu] [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.] Act XXVI of 1948 or filed statements during the enquiry before him are

hereby called upon to appear before the Director of Settlements on the date and at the place specified above and file their further statement, if any, in the matter. Office: Station: Date: Seal: Director of Settlements. [G. O. No. 2714, Revenue, dated the 18th October 1951] [Published in the Rules Supplement to Part I of the Fort St. George Gazette, dated the 30th October, 1951.] In exercise of the powers conferred by section 67(2) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rule: - Every Settlement Officer and every Assistant Settlement Officer to whom the Settlement Officer has delegated the powers conferred on him by or under the Act shall have power to issue summons to any person either for appearance or for production of documents in connection with the enquiries into question pending, before such officer under the Act and such person shall be bound to obey such summons. The form of summons shall be that used by Revenue Courts. Memorandum No. 47194 - J/51, Revenue, [dated the 31st January 1952] [Published in the Rules Supplement to Part I of the Fort St. George Gazette, dated 12th February, 1952.] (as subsequently amended) Notification In exercise of the powers conferred by sections 38(2) and 67 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

- 1. The Director of Settlements shall submit to the Government, through the [Board of Revenue,] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] proposals for payment to be made under sub-section (2) of section 38 for making good the deficiency referred to in that sub-section to any religious, educational or charitable institution in respect of an inam estate or part thereof that was held by it immediately before the notified date.**
- 2. The trustee, manager or other person in charge of every religious, educational or charitable institution which held an inam estate or part thereof immediately before the notified date shall, within 90 days from the notified date and, in the case of an inam estate already notified, within 90 days from**

**the date of publication of these rules of such further time as the Manager of Estate may, in his discretion allow, furnish the Manager of Estate in respect of that estate or part thereof with the following particulars for each of the five faslis referred to in clause (a) of section 38(2) in Form A, in respect of each such fasli.**

Particulars(1)Miscellaneous items of revenue.(a)Source of Revenue.(b)Amount collected under each source.

**2. Jodi or like amounts, if any, payable to a landholder of some other estate.**

**3. Jodi or like amounts, if any, payable to the Government.**

Form AStatement showing the particulars of ryoti lands in the occupation of ryots.....in the estate of.....or part thereof held by ..... in ..... taluk in.....district in ..... fasli.

Patta Number and name and address of the registered holder	Serial No. or Paimash No.	Extent	Classification	Rate of rent	Amount of rent at the rate in column (5)	Extent, if any, left waste in the fasli	Remission, if any, the ryot is entitled to get on each land by virtue of contract or custom
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

**3. The Manager of the estate shall check the particulars including those in Form A furnished under rule 2 and furnish the Director of Settlements with the correct data on the basis of which the latter shall work out the compensation payable under sub-section (2) of section 38. He shall also submit at the same time the particulars and the statement in Form A received by him under rule 2 to the Director of Settlements.**

**4. For the purposes of calculating the compensation amount,- the difference between the average net annual income derived by the institution from all sources in the estate or part thereof referred to in clause (a) of sub-section (2) of section 38 and the income which the institution may be expected to receive from the lands in respect of which it is entitled to a ryotwari patta referred to in clause (b) of that sub-section shall be taken to be the difference between the following items of income and expenditure in the estate or part thereof in the relevant faslis: -**

## Income

1. Rent on ryoti lands in the occupation of ryots.
2. Miscellaneous items of revenue.
3. Land Cess and education cess payable by the ryots to the landholder under the second proviso to section 88 of the Madras Local Boards Act.

## Expenditure

1. Administrative charges.
2. Cess payable for the whole estates or part thereof, as the case may be, by the landholder.
3. Jodi or like amounts, if any, payable to the landholder of some other estate.
4. Jodi or like amounts, if any, payable to the Government.

**5. For the purpose of rule 4, the administrative charges shall be taken as 10 per cent, of the income referred to in that rule.**

**6. When the trustee, manager, or other person in charge of the institution does not furnish the particulars in accordance with rule 2, the Director of Settlements shall work out the compensation payable to the institution, after causing such local enquiry and scrutiny of records, as he may deem fit, through the Managers of the Estates, who shall furnish the information required for this purpose when called for.**

[G. O. No. 915, Revenue, dated the 27th March 1952] [Published in the Rules Supplement to Part I, page 223 of the Fort St. George Gazette, dated the 23rd April, 1952.] In exercise of the powers conferred by section 67, sub-sections (1) and (2)(c) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -Every Manager and every Assistant Manager of an estate, every Taluk Officer and every Assistant Taluk Officer working under a Manager and every officer working under the Settlement Officer or the Assistant Settlement Officer, of and above the rank of Deputy Tahsildar shall have power to issue summons to any person either for appearance or for production of documents in connection with the enquiries into (questions pending before such Officer under the Act and such person shall be bound to obey such summons. The form of summons shall be that used by Revenue Courts.[G.O. No. 1432, Revenue, dated the 12th May 1952] [Published in the Rules Supplement to Part I, page 250, of the Fort St. George Gazette, dated the 21st May 1952.] In exercise of the powers conferred by section 67(1) read with section 55(1) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), His Excellency the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. Every landholder shall, not later than one month from the date of publication of these rules, or the notified date, whichever is later, submit to the Manager of the estate, correct and true accounts of the arrears of rent which were outstanding on the notified date in respect of every holding in each village in his estate.**

**2. If the landholder does not furnish the particulars as required in rule 1, the Manager shall serve a notice on him to the effect that, if he does not furnish the particulars within a specified time, it will be assumed that there are no arrears of rent to be collected by the Government on his behalf. In the following cases, namely: -**

(a)where it has been assumed that there are no arrears of rent to be collected, and(b)where the landholder pleads that he has no accounts, or that he has not kept any accurate accounts,if it is found that an excess payment has been made by a ryot in respect of his holding for any fasli year, the land revenue as determined under section 23(a) of the Act in respect of that holding shall, for the purpose of adjusting the excess payment, be taken to be the rent due on that holding for that fasli year. The Manager shall also, in every case coming under clause (b) above, if he is satisfied that the landholder's plea is genuine, adopt the said land revenue in respect of any holding to be the rent to be collected for that holding in respect of any fasli year prior to the notified date.[Rules Relating to Procedure Before a Special Tribunal Constituted Under the Act] [Published in the Rules Supplement to Part I, the Fort St. George Gazette, dated the 8th October 1952.]G. O. Ms. No. 2583, Revenue, dated the 17th September 1952.In exercise of the powers conferred by section 67(1) and (2)(b) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules in regard to the procedure before a Special Tribunal constituted under section 51 of that Act or the judge nominated by the Chief Justice under the same section: -

## 1.

(1) Every appeal to the Special Tribunal shall be in the form of a memorandum as set out in the annexure to these rules and shall be signed by the appellant or his advocate and presented by such appellant or his advocate or the registered clerk of the advocate at the office of the Registrar, High Court, during working hours. (2) The memorandum shall set forth briefly the grounds of objection to the decision appealed from. (3) The memorandum shall be accompanied by a vakalatnama duly executed if the appellant\* appears by advocate, by a certified copy of the order appealed from and by as many authenticated copies of the memorandum as there are respondents to be served, together with the process-fee prescribed for service of process on the Appellate Side of the High Court: Provided that in the case of a Memorandum of Appeal presented under sub-rule (1) of rule 2, the process-fee shall be paid within three days after the delay is excused under that rule. (2)(i) When an appeal is presented after the period of limitation prescribed therefor in section 51(1) of the Act, it shall be accompanied by a petition for excusing the delay. The petition shall be supported by an affidavit setting forth the facts on which the applicant relies to satisfy the Court that he had sufficient cause for not preferring the appeal within such period. (ii) The petition shall then be posted for orders before the Judge nominated for the purpose under section 51(1) of the Act.

## 3.

(1) As soon as the appeal is numbered, it shall be placed before the Registrar for orders as to issue of notice and the preparation of the record for the hearing of the appeal. (2) The record of the case for the use of the Special Tribunal shall consist of all material papers on which either party proposes to rely at the hearing of the appeal. (3) Unless otherwise ordered by the Judge or Registrar at the instance of a party, the record shall be translated, if need be, and typed at the office of the Registrar and the charges therefor shall be calculated at the rates prescribed in the rules of the High Court, Appellate Side. (4) In case the record is to be prepared at the office of the Registrar, the appellant shall, within two weeks after the receipt of an Office Memorandum to that effect, pay into the Registrar's office such charges as may be specified in the said Office Memorandum. (5) The respondent shall, within three weeks from the date of service of the notice of appeal on him, obtain the directions of the Registrar as to the preparation of the record and shall pay the charges therefor within such time as may be fixed by the Registrar. Annexure Form of Memorandum of Appeal Before the Special Tribunal under the [Tamil Nadu] [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.] Estates Abolition and Conversion Into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948) Appeal No.... of..... 20.....

A. B..... Appellant.

C. D. and others..... Respondents

The above named appeals to the Special Tribunal from the decision of the Estates Abolition Tribunal, Chittoor/Madurai/Visakhapatnam, dated and in Application/Petition No ..... of

..... 20..... and sets forth the following grounds of objections to the said decision appealed from, viz., -(Here set out the grounds.)[G. O. No. 2856, Revenue, dated the 2th October\$\$\$ 1952] [Published in the Rules Supplement to Part I, page 441 of the Fort St. George Gazette, dated 5th of November 1952.]In exercise of the powers conferred by section 67 read with sections 29 and 33 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -Sections 29(l)(a) proviso and 33(1) (a) proviso. - In the case of lanka lands to which section 29(l)(a) or section 33(l)(a) applies, if the particulars necessary to compute the average net annual income referred to in that section are not available for the full period, or where the particulars available appear in material respects to be incorrect, the computation of such average net annual income shall be made with reference to the accounts maintained by the lessee or lessees of the lanka lands for the whole or any portion of the period. If such accounts are not available or if the lanka lands have not been leased at all, the average net annual income derived by the Government, during the period from similar lanka lands in the nearest ryotwari village shall be adopted as the basis for arriving at the average net annual income derived from the lanka lands in the estate. If there is no ryotwari village nearby, the average net annual income derived by the Government during the period from similar lanka lands in the ryotwari area in the district in which the estate is situated shall be adopted as the basis.Sections 29(l)(b) and 33(l)(b). - In the case of lanka lands which have not been in existence for a period of five complete fasli years, the average net annual income referred to in section 29(l)(b) or section 33(l)(b) shall be computed in accordance with the provisions of rule 1 and with reference to the lease rent derived from the lanka land for the complete fasli years in which the lankas had been in actual existence.

### 3.

Sections 29(2) and 33(2). - The amount of deduction to be made in the case of lanka lands referred to in section 27, clause (iii), on account of remission for bad seasons and the like shall be such amount as may be determined in the following manner:-The Settlement Officer shall find out, with reference to the Government records, the years in which remission was granted for "serious loss" of crop in Government lankas owing to "abnormal floods or adverse seasonal conditions or pests". The nature of the remission granted for Government lankas in such cases shall be ascertained and compared with the remission, if any, granted or the rent, if any, foregone by the landholder in these years. The landholder shall be given a reasonable opportunity to produce any evidence to prove that he had given remission in any particular year. If the landholder had granted remission or suffered deficit in collection, corresponding more or less to the remission granted by Government, no further deduction need be made. If it is found that the landholder had not granted remission, or had not suffered deficit in collection roughly, proportionate to the remission granted by the Government for Government lankas, and if the other attendant circumstances (e.g., abnormally high rentals) indicate the necessity for making a deduction, the Settlement Officer shall report the facts of the



case to the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] through the Director of Settlements and obtain its order. In passing orders, the Board shall adopt, as far as may be, the same standards as those adopted for Government lankas. In particular, no deduction shall be allowed if -(i)the total loss suffered by a lessee was below Rs. 50; and(ii)the monetary value of the loss was less than one-third of the year's rental. With reference to the orders of the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.], the Director of Settlements shall determine the total amount to be deducted on account of - remissions for bad seasons and the like from the average net annual income for the lanka lands referred to in section 27, clause (iii). [G. O. No. 357, Revenue, dated the 16th February 1954.] [Published in the Rules Supplement to Part I page 92 of the Fort St. George Gazette, dated the 3rd March 1954.] In exercise of the powers conferred by section 67, read with section 38(l)(b) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. The following procedure shall be adopted for calculating the tasdik allowance payable under section 38(l)(b) to any religious, educational or charitable institution in respect of a part of an inam estate held by such institution immediately before the notified date.**

**2. (i) Where the part of the inam estate held by a religious, educational or charitable institution is distinguishable separately on ground by metes and bounds, the allowance payable shall be the aggregate of the sums specified in section 31, in respect of that part less the deductions specified in sections 32, 33 and 35 relating to that part.**

(ii) The deduction on account of the maintenance of irrigation works referred to in section 32(2) shall be made from the portion of the gross annual ryotwari demand relating to the part of the estate held by the institution. No deduction shall be made if the irrigation works do not actually serve such part. (iii) Where the sources specified in section 3, clause (b), namely, waste lands, pasture lands, forests, mines and minerals, quarries, rivers and streams, tanks and irrigation sources, fisheries and ferries), from which miscellaneous revenue is derived, are not held separately by an institution and any other landholder or landholders, the average net annual miscellaneous revenue calculated for the estate as a whole, as prescribed in section 34, shall be apportioned between the institution and the other landholder or landholders in proportion to the shares held by them. (iv) The deductions specified in section 35 shall be apportioned between the institution and the other landholders in the

proportion in which the obligation to pay the amounts specified in that section was shared between them by contract, custom or usage.

**3. (i) Where the part of the inam estate held by a religious, educational or charitable institution is not distinguishable separately on ground by metes and bounds, and the total income from the inam estate is shared between such an institution and other landholders, the tasdik allowance payable to the institution shall bear to the total basic annual sum, the same proportion as the share of the income derived by the institution bears to the total income from the inam estate.**

(ii) In cases falling under sub-rule (i), the share held by the institution shall be determined with reference to the inam title deed or other records, as may be available, and where no such records are available, with reference to custom and usage.

**4. The balance of the total basic annual sum after deducting the portion to be ascribed to the institution as prescribed above, shall ' be ascribed to the remaining part of the inam estate.**

[G. O. No. 1201, Revenue, dated the 13th May 1952.] [Published in the Rules Supplement to Part I page 200 of the Fort St. George Gazette, dated the 26th May 1954.] In exercise of the powers conferred by section 67 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [Published In the Rules Supplement to Part I Fort St. George Gazette, page 53, dated the 2nd March 1955.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -The amount payable to any religious, educational or charitable institution under section 38 or 54 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), shall be paid to the trustee, manager, or other person in charge of the institution already on the records. Before making the payment, the Collector may, if he thinks it necessary, and shall, if the claim for the management of the institution or the right to receive payment of the amount on behalf of the institution is in dispute, obtain an indemnity bond from the payee, the disputants being asked to establish their claim in a competent Court of Law. [G. O. No. 367, Revenue, dated the 12th February 1955.] [Published In the Rules Supplement to Part I Fort St. George Gazette, page 53, dated the 2nd March 1955.] In exercise of the powers conferred by section 67 read with section 3 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948) and in supersession of the rule published with Revenue Department Notification, dated the 4th October 1950, at page 416, in the Rules Supplement to Part I of the Fort St. George Gazette, dated the 17th October 1950, the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. Before taking possession of any land in an estate under the proviso to section 3(d) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948) (hereinafter referred to as the Act), the Manager of the estate shall examine whether any ryot or landholder holding the land is prima facie entitled to a ryotwari patta or not.**

Note. - In the case of managers of the status of Revenue Inspectors, the examination referred to in this rule shall be made by the Tahsildar or Deputy Tahsildar in whose jurisdiction the estate concerned is situated.

**2. In cases where the manager considers that the occupant of a land on the date on which the estate was notified under section 1 (4) of the Act is prima facie entitled to a ryotwari patta, [he shall allow such occupation tentatively to continue subject to the payment of assessment on the area occupied as laid down in section 23 of the Act and subject to the condition that the payment of such assessment shall not confer any right of occupancy.**

Note. - For the purpose of this rule, occupation for apart of a fasli shall be deemed to be occupation for the whole of the fasli.

**3. (a) If the manager comes to the conclusion that a person is not prima facie entitled to ryotwari patta under the proviso to section 3(d) of the Act and that the occupation in respect of any land occupied by him is objectionable, he shall communicate a notice in Form No. I appended hereto to the person concerned calling upon him to show cause why he should not be dispossessed of the land.**

(b) The Manager shall examine the representations, if any, made on the date fixed for the enquiry and after such further enquiry as he may consider necessary, shall pass orders either holding that the occupant is prima facie entitled to a ryotwari patta or that the occupant is not prima facie entitled to a ryotwari patta in respect of the land. If the Manager considers that the occupant is not, prima facie entitled to a ryotwari patta and that the occupation is objectionable, he shall cause a notice in Form No. II appended, hereto to be served upon the person concerned. The occupant shall not be dispossessed of the land until seven days have passed after the lapse of the appeal time of 30 days' or such further time as the appellate authority specified in rule 5 may, in its discretion, allow.

**4. If the manager decides that the occupant is not prima facie entitled to a ryotwari patta under the proviso to section 3(d) of the Act but that the occupation is not objectionable, he may allow such occupation to continue subject to the payment of assessment on the land, until such time as the occupation is found to be objectionable, or the land is required by the Government, whichever is earlier. The payment of such assessment shall not confer on the occupant any occupancy right. Every decision of the manager in this regard shall be communicated to the occupant concerned in Form No. III appended hereto.**

**5. An appeal against the orders of the manager shall lie -**

(a) to the Revenue Divisional Officer of the division concerned against an order of the Tahsildar, Deputy Tahsildar or a Manager of the status of Tahsildar or Deputy Tahsildar; (b) to the District Collector against an order of a Manager of the status of a Deputy Collector; and (c) to the [Board of Revenue] [Now, Commissioner of Land Administration vide G. O. Ms. No. 2675, Revenue, dated the 1st December 1980.] against an order of a manager of the status of a District Collector. The appeals referred to in clauses (a), (b) and (c) shall be filed within thirty days from the date of the order appealed against or such further time as the appellate authority may, in its discretion, allow. Any order passed in appeal by the Revenue Divisional Officer shall be subject to revision by the District Collector and any order passed in appeal by the District Collector shall be subject to revision by the [Board of Revenue.] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] Any such revision petition shall be filed within 30 days from the date of the order sought to be revised or within such further time as the revisional authority may, in its discretion, allow. Every appeal or petition for revision under this rule shall be accompanied by a duly authenticated copy of the order appealed against or sought to be revised. Pending the disposal of the appeal or petition for revision under this rule, the authority before whom the appeal or the revision petition has been filed may suspend the execution of the order appealed against or sought to be revised.

**6. On the expiry of the period mentioned in the order passed under rule 3(b) or if an appeal or revision has been filed after the disposal of such appeal or revision, a duly authorized officer who shall not be lower in rank than a Firka Revenue Inspector, may formally enter upon the land in question and take possession of the land and record a certificate of the village officers and at least of one ryot of the village that the land had been taken possession of by the Government.**

**7. In cases in which the Settlement Officer or the Tribunal or the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] or the Director of Settlements decides that an occupant of any land is not actually entitled to a ryotwari patta, a notice shall be served by the Manager on the person in occupation of the land in Form No. IV appended hereto. The Manager shall take such further steps as are necessary to evict the occupant. Any such eviction shall be carried out in accordance with the provisions of rule 6:**

Provided that, if the occupation is unobjectionable and if the occupier states in writing that he accepts the decision of the Assistant Settlement Officer or the Settlement Officer or the Estates Abolition Tribunal or the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] or the Director of Settlements, as the case may be, that he is not entitled to a ryotwari patta in respect of the land and that he will surrender actual possession to the Government for the with, if the land is not assigned to him under the darkhast rules, his petition being treated as his darkhast application, he need not be evicted. The Manager may allow the occupation in such cases to continue subject to the payment of assessment on the land under section 23 of the Act, until such time as the occupation is found to be objectionable or the land is required by the Government for any purpose, whichever is earlier.

**7.**

-A. - (1) In any estate where the Manager is of the status of a Deputy Collector, a Special Tahsildar or a Special Deputy Tahsildar working under the Manager may within his jurisdiction, discharge the functions and exercise the powers of the manager under these rules.(2)An appeal against the orders of such Special Tahsildar or Special Deputy Tahsildar shall lie to the manager.(3)Any order passed in such appeal by the manager, shall be subject to revision by District Collector

**8. All notices and orders under these rules shall be served on the person concerned -**

(a)personally by delivering or tendering to him the notice or order; or(b)if such person is not found, by leaving the notice or order at his last-known place of abode or business or by giving or tendering the same to some adult member of his family; or(c)if such person does not reside in the area within the jurisdiction of the Manager of the estate, by sending the same to him by registered post, acknowledgment due; or(d)if none of the aforesaid modes of service is practicable, by affixing the same in some conspicuous part of his last-known place of abode or business.

**9. Nothing contained in these rule shall be construed as exempting any person unauthorized by occupying land from liability to be proceeded against under any law for the time being in force.**

**10. The foregoing rules shall not apply to cases where the land is encroached upon after the estate has been notified. Such cases shall be dealt with under the provisions of the [Tamil Nadu] [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.] Land Encroachment Act, 1905 ([Tamil Nadu] [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.] Act III of 1905).**

Form No. 1[See rule 3 (a)]Office of the Manager of Estates.....Dated:Current  
No.ToSri.....residing at.....village.....taluk.Whereas you are reported to be in occupation of the land specified in the schedule hereunder which vests in the Government under section 3(d) of [Tamil Nadu] [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.] Act XXVI of 1948, and whereas there are grounds to believe that you are not "prima facie" entitled to a ryotwari patta and that your occupation is objectionable, you hereby given notice that if you so desire, you may appear before me on or show cause in writing why you should not be dispossessed of the land under the proviso to section 3(d) of the said Act before that date.

**Schedule 4**

District and taluk	Name of estate	Name of village	Description of the land	Classification	Nature of occupation	Name of the occupant
Survey number and sub-division number if surveyedor	Entire extent of the survey orsub-division	Occupied extent	Boundaries of land occupied-North, South, Eastand West			

local name if  
unsurveyed

(1) (2) (3) (4) (5) (6) (7) (8) (9) (10)

Note. - The date should be at least seven days after the date of service of the notice. The place of hearing to be specified. Manager. Form No. II [See rule 3(b)] Proceedings of The Manager of..... (Place To Be Specified) Estate No..... dated..... Whereas the land specified in the schedule hereunder has been under the occupation of ..... residing at..... Whereas in pursuance of the rules issued under section 67(1) read with section 3 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948). I,..... manager of estate..... do hereby consider that Sri ..... occupant of the land specified in the Schedule hereunder is not prima facie entitled to a ryotwari patta in respect of the said land; and Whereas I,....., Manager of estate ..... consider that the occupation is objectionable, the occupant will be dispossessed of the land after the lapse of the time limit specified in rule 3(b) of the said rules.

## Schedule 5

District and taluk	Name of estate	Name of village	Description of the land						
Survey number and sub-division number if surveyed or local name if unsurveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied-North, South, East and West	Classification	Nature of occupation	Name of the occupant			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Form No. III (See rule 4) Proceedings of The Manager of..... (Place To Be Specified) Estate No..... dated..... Whereas the land specified in the Schedule hereunder has been under the occupation of..... residing at..... Whereas in pursuance of the rules issued under section 67 (i) read with section 3(d) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), I, Manager of estate..... do hereby decide that the said occupant, namely,..... is not prima facie entitled to ryotwari patta in respect of the said land; And Whereas I, ..... Manager of estate consider that the occupation is not objectionable the occupant..... will be allowed to be in occupation

of the land, subject to the payment of assessment on the land, until such time as his occupation is found to be objectionable or the land is required by the Government for any purpose, whichever is earlier. Note. - The payment of the assessment shall not confer on the occupant any right of occupancy in respect of the land.

District and taluk	Name of estate	Name of village	Description of the land				
Survey number and sub-division number if surveyed or local name if unsurveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied-North, South, East and West	Classification	Nature of occupation	Assessment	Name of the occupant
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Form No. IV (See rule 7) Office of the Manager of

estate Station.....Dated.....To Sri.....residing at.....village.....taluk. Whereas it has been decided by the Settlement Officer/by the Estates Abolition Tribunal/by the [Board of the Revenue] [The Board of Revenue was abolished. New, Commissioner of Land Administration, vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] /by the Director of Settlements that you are not entitled to a ryotwari patta in respect of the land in your occupation mentioned in the Schedule hereunder, you are hereby required to vacate the land within seven days from the date of service of this notice failing which you will be evicted from the land. Take notice also that the is hereby authorized to carry out the orders of eviction and to take possession of the land.

## Schedule 6

District and taluk	Name of estate	Name of village	Description of the land				
			Survey number and sub-division number if surveyed or local name if unsurveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied-North, South, East and West	Nature of occupation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Manager. [G. O. No. 3190, Revenue, dated the 17th October, 1955.] [Published in the Rules Supplement to Part 1, page 435 of the Fort St. George Gazette, dated the 19th October, 1945.] In exercise of the powers conferred by section 67(2)(d) of the [Tamil Nadu] [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.] (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -Revision petitions against the orders of an Assistant Settlement Officer under section 11 of the said Act shall be presented to the Settlement Officer concerned within fifteen days from the date of conduct of Rough Patta Objection Hearing or the date of publication of this notification, whichever is later, in the areas where section 11, enquiries have already been conducted separately under the old procedure and within thirty days of the conduct of final settlement Enquiry or within fifteen days of the date of publication of this notification, whichever is later, in areas where section 11 enquiries are conducted with the Rough Patta Objection Hearing under the new procedure. Further, revision petitions shall lie to the Director of Settlements and the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] against the orders of the Settlement Officer and the Director of Settlements, respectively, within thirty days of the date of their respective orders.[Subject to the provisions of the Act and this rule, every revision petition presented to the authorities or officers, having jurisdiction under this rule, after the period of limitation prescribed therefor in this rule, shall be dismissed although limitation has not been a set up is a defence.No such revision petition filed shall be admitted after the period of limitation prescribed therefor in this rule on the ground that the petitioner had sufficient cause for not preferring the petition within such period.] [Inserted by G.O. Ms. No. 1393, Revenue dated the 14th July 1969.][\*\*\*] [Explanation was omitted by G.O. Ms. No. 1393, Revenue dated the 14th July 1969.][G. O. No. 760, Revenue, dated the 20th February 1956.] [Published in the Rules Supplement to Part 1 page 134 of the Fort St. George Gazette, dated the 7th March 1956.][Applications for withdrawals of the additional amount deposited by the Government may be entertained without any court-fee being affixed on them and separate vakalatnama is not necessary where one has already been filed in respect of the earlier claims.] [Inserted by G.O. Ms. No. 448, Revenue, dated the 1st March 1967.]In exercise of the powers conferred by section 67, sub-sections (1) and (2)(f) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.], hereby makes the following rules: -

**1. Every application to a Tribunal under the Act shall bear a court-fee of seventy-five paise and the vakalatnama shall bear a court-fee of rupee one and fifty paise only.**

**2. (a) Every memorandum of appeal to the Special Tribunal, under section 51 of the Act, shall bear a court-fee of Rs. 15 if the claim does not exceed Rs. 3,000, a court-fee of Rs. 100 if the claim exceeds Rs. 3,000 but is less than Rs. 10,000 and a court-fee of Rs. 500 if the claim is Rs. 10,000 or more.**

(b) All interlocutory applications made to a Special Tribunal shall bear a court-fee of Rs. 2 and the vakalatnama shall bear a court-fee of Rs. 3.

**3. In proceedings before the Tribunals under the Act, process fees shall be levied at the rates prescribed for District Courts, on processes issued at the instance of parties. In proceedings before the Special Tribunals under the Act process fees shall be levied in accordance with the Schedule of process fees prescribed under section 20 of the Court-fees Act.**

**4. (a) No costs by way of process fee, pleader's fee and witness batta shall be allowed in proceedings before the Tribunals and Special Tribunals in cases where the claim is uncontested or is decreed on admission or compromise.**

(b) Where a claim contested before a Tribunal/Special Tribunal but is allowed in whole or in part, costs shall be allowed to the claimant/appellant in proportion to his success against contest and the contesting party-respondent shall pay such costs to the claimant/appellant. (c) In the event of any claim before a Tribunal/Special Tribunal being dismissed wholly or in part, costs shall be allowed to the contesting party/respondent in proportion to his success. (d) Where costs are awarded by a Tribunal or Special Tribunal, the order for costs shall be executable by a Civil Court as if it were a decree passed by such Court. (e) In cases of frivolous or vexatious claims or defences, costs shall be allowed also by way of compensation as laid down in section 35-A of the Code of Civil Procedure, 1908 (Central Act V of 1908).

**5. The provisions of rules 2 to 4 shall apply to the proceedings before a Judge of the High Court hearing a case under section 51(2) of the Act as they apply in relation to the proceedings before the Special Tribunal.**

**6. The following principles shall be adopted in fixing the fees for pleaders for work connected with the proceedings under the Act before the Special Tribunal and the Estates Abolition Tribunals: -**

A. Fees payable to pleaders for appearance before the Special Tribunal (High Court). (i) The Special Tribunal shall, for taxation, fix the fees payable to pleaders for work connected with the proceedings before it in the same manner in which the High Court fixes advocate's fee for taxation in appeals against the orders of lower Courts, irrespective of the fact whether it allows cost to any of the contesting parties or not. (ii) In respect of a batch of connected cases in which the result is

determined by a single case, only one regulation fee shall be fixed. B. Fees payable to pleaders for appearance before the Estates Abolition Tribunals. I. (1) The Estates Abolition Tribunals shall fix the fees payable to the pleaders for work connected with the following original proceedings before them so as not to exceed Rs. 500 in ordinary cases, and Rs. 1,000 in specially difficult and important cases. (a) proceedings connected with the apportionment of compensations, under section 43 of the Act; (b) proceedings connected with the apportionment of interim payments under section 50 (5) of the Act; (c) proceedings connected with the division of the lands in respect of which a ryotwari patta has to be granted under section 47 of the Act; (d) proceedings connected with the appointment of the advance payment compensation under section 54-A(4) of the Act; and (e) proceedings connected with the apportionment of Additional Compensation under section 54B(3) of the Act. (2) In respect of a batch of connected cases in which the result is determined by a single case, only one regulation fee should be fixed. II. (1) The Estates Abolition Tribunals shall fix the fees payable to pleaders for work connected with the proceedings under the other provisions in the Act, on the following basis: - (i) For appearance before the Tribunals and preparation of the case - (a) A fixed amount of Rs. 35 for each case for work connected with appeals under section 10(3) of the Act. (b) A fixed amount of Rs. 15 for each case for work connected with appeals under section 15(2) of the Act. (ii) For attendance before the Tribunals for arguments and recording of evidence in respect of appeals under sections 10(3) and 15(2) of the Act - (a) A fixed sum of Rs. 15 for each case, if the time taken does not exceed 3 hours. (b) A fixed sum of Rs. 30 for each case, if the time taken exceeds 3 hours but does not exceed 6 hours. (c) A fixed of Rs. 50 for each case, if the time taken exceeds 6 hours. (2) In respect of a batch of connected cases under sections 10(3) and 15(2) of the Act in which the result is determined by single case, the Tribunals shall fix one regulation fee under item (ii). (3) The Tribunals shall fix the fees payable to each of the pleaders who appear before them in each case, irrespective of the fact whether they allow any costs to any of the contesting parties or not. G. O. No. 3357, Revenue, dated the 19th December 1952 In exercise of the powers conferred by section 67(2) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule: - Pending the apportionment of the amount deposited under section 54-A, subsection (1) and of that deposited in bonds in respect of an estate, the Tribunal shall adopt the following procedure: - (a) It shall set apart - (i) one-fifth of each of the said amounts for the purpose of meeting the claims of maintenance holders; (ii) such portion of each of the said amounts, as, in its opinion, may be required for the purpose of meeting the claims made, within six months from the date on which the amount was deposited in the office of the Tribunal, by the creditors and other persons (not being shares and maintenance-holders.) And apportion the balance among the sharers, as far as possible, in accordance with the value of their respective interests. The provisions of sections 44(2), 45(6), 48, 49, 51, 52 and 53 shall apply in respect of the said balance. (b) Before paying the amount due to a sharer under clause (a), the Tribunal shall require him to enter into a bond with two sureties undertaking to refund the amount, if any, which on final determination of the total amounts payable to him out of (i) the amount deposited under section 54-A, sub-sections (i) and (ii) the amount

deposited in bonds, may be found to have been paid to him in excess.[G. O. No. 3344, Revenue, dated the 18th December 1952.] [Published in the Rules Supplement to Part I of the Fort St. George Gazette, dated the 31st December 1952.]In exercise of the powers conferred by section 40(1) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([TamilNadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule, the same having been approved by the State Legislative Assembly and the State [Legislative Council] [It was abolished by Tamil Nadu Legislative Council (Abolition) Act, 1986 (Central Act 40 of 1986).] as required by section 42(2) of the said Act: -At any time after the advance payment on account of compensation referred to in section 54-A of the Act has been deposited in the office of the Tribunal in respect of any zamindari or under-tenure estate referred to in section 54-B, subsection (1), the Government may deposit in the office of the Tribunal, bonds issued by them for such amount as they may deem fit, towards the compensation payable under the Act in respect of that estate; and the bonds so deposited shall be treated in all respects as if they were part of the advance payment aforesaid.G. O. No. 485, Revenue, dated the 3rd February 1956.In exercise of the powers conferred by section 67(1) and (2)(b) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule:-In respect of any order passed under the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act 1948 (Tamil Nadu Act XXVI of 1948), which is subject to appeal or revision the appellate or revisional authority, as the case may be, may suspend the execution of the order, pending its decision on the appeal or in revision.G. O. No. 718, Revenue, dated the 16th February 1956.In exercise of the powers conferred by section 67(1) and (2-A) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -The Director of Settlements may, for good and sufficient reasons, transfer any case from the file of the Settlement Officei, of one party to that of the Settlement Officer of another party for disposal according to law.G. O. Ms. No. 3272, Revenue, dated the 16th August 1956.In exercise of the powers conferred by section 67 read with section 44(2)(a) of the [Tamil

Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), and all other powers here unto enabling, the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. In the case of an impartible estate governed by section 45 in which there are darmila mams, the value of the respective interests in the estate, of the principal landholder and each of the darmila inamdars shall be ascertained in accordance with the following provisions.**

**2. The Tribunal shall first determine the amount of compensation payable to each darmila inamdar on the one hand and principal landholder of the estate on the other, the proprietor of the impartible estate being treated as the principal landholder thereof.**

**3. After the amount of compensation payable to each darmila inamdar and the principal landholder has been determined under rule 2 above, the Tribunal shall -**

(a)in respect of the compensation payable to the principal landholder, apply the provisions contained in sections 45 to 47, and(b)in respect of the compensation payable to each darmila inamdar, apply the rules prescribed under section 45(2)(b) for partible estates.G.O. No. 1955 Revenue, dated the 11th April 1957.In exercise of the powers conferred by section 67(2) (a) read with the Explanation to sections 28 and 32 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. In these rules, unless the context otherwise requires, -**

(1)"Act" means the Tamil Nadu Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Tamil Nadu Act XXVI of 1948);(2)"Former irrigation work" in respect of a land means the irrigation work from which the land could be irrigated before the facilities for its irrigation from the Government irrigation work became available;(3)"Government irrigation work" in respect of a land means the

irrigation work (belonging to, constructed, or maintained, by or on behalf of the Government) under which the land has been registered as wet at the settlement;(4)"Person interested in a land" means any landholder of the estate in which the land is situated and includes any other person claiming an interest in the compensation payable for the estate under the Act;(5)"Rule" means one of these Rules;(6)"Section" means a section of the Act;(7)"Settlement dry assessment" in respect of a land means the dry assessment appropriate to the soil classification assigned to the land at the settlement;(8)"Settlement manavari assessment" in respect of a land means the manavari assessment appropriate to the soil classification assigned to the land at the settlement;(9)"Settlement Notification" in relation to a land means the settlement notification published imder section 22(1) in respect of the estate or portion thereof in which the land is situated;(10)"Settlement wet assessment" in respect of a land means the assessment under the settlement notification appropriate to the soil classification assigned to the land at the settlement, and the classification of the irrigation work being that of the former irrigation work as determined under rule 5.

**2. These rules shall govern the determination of the appropriate assessment under the Explanation to section 28 or the Explanation to section 32, as the case may be, in respect of any land in an estate which has been registered, in pursuance of a settlement effected imder section 22, as wet, under an irrigation work belonging to, constructed or maintained by, or on behalf of the Government, and which was liable to pay any water cess under any law governing the levy of such cess in the [State of Tamil Nadu] [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.] for irrigation from the said work before the settlement.**

**3. If, in respect of a land, there was no former irrigation work, the appropriate assessment shall be the settlement manavari assessment or the settlement, dry assessment, according, as, in the absence of facilities for irrigation from the Government irrigation work, the land would have been registered as manavari, or as dry, at the settlement.**

**4. In respect of a land which could be cultivated with wet crops in normal years with water taken from the former irrigation work and which was liable to pay any water-cess to the Government after facilities for irrigation from the Government irrigation work became available, the appropriate assessment shall be the settlement wet assessment.**

**5. In determining the appropriate assessments, under these rules, the Assistant Settlement Officer shall adopt the following procedure: -**

(1)(a)He shall first determine provisionally the appropriate assessment of the land after considering all the relevant information available in Government records and in any landholder's accounts handed over to the Government under section (3)(d).(b)In cases falling under rule 4, the Assistant Settlement Officer shall, as a preliminary to the determination of the appropriate assessment, determine the classification which would be assigned to the former irrigation work if it were classified in accordance with the settlement notification.Explanation. - For the purpose of this rule, "Government Records" includes Block Survey Registers prepared at the time of the block survey of the district in which the land is situated, the Record of Rights Register of the village in which the land is situated, the Irrigation Memoir attached to the Record of Rights Register or relating to the tract in which the land is situated, and Settlement and Resettlement Registers of ryotwari villages in the neighbourhood.(2)The Assistant Settlement Officer shall record a brief order indicating the basis on which he has determined the provisional rate of assessment of each land and the classification of each former irrigation work and specifying the record relied upon by him.(3)The Assistant Settlement Officer shall then cause to be published in the village in which the land is situated, a copy of the said order together with a notice requiring all persons interested in the land to appear before him and make any representations they may have, in regard to the provisional assessment.(4)The notice referred to in sub-rule (3) shall specify the date on which the Assistant Settlement Officer proposes to hear the parties and shall be published -(i)by affixture to the village chavadi or if there is no village chavadi, in some other conspicuous public place in the village;(ii)by beat of tom-tom in the village; and(iii)by affixture on the notice board of the Office of the Assistant Settlement Officer.(5)The notice shall be in the form given below: -Form of Notice[See rule 5(3)]Notice to persons interested in the lands specified in the order attachedNotice is hereby given that the undersigned has provisionally fixed, as specified in the order attached, the appropriate rate of assessment in respect of the said lands, under the Explanation to section 28/32 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), and the rules framed thereunder.

**2. The finalisation of the provisional assessment will be taken up by the undersigned..... on (day of the week)..... the (date) at..... (place) at..... a.m/p.m.**

**3. The persons interested are called upon to file before the undersigned on the said date, his/their representations in regard to the provisional assessment, adduce oral or documentary evidence as is necessary and be present at the hearing.**

**4. If any person interested does not avail himself of this opportunity of appearing before the undersigned or adducing such evidence as is necessary, or producing relevant document, no further opportunity will be given to him and the matter will be disposed of on merits.**

Station:Date:Assistant Settlement Officer.

**5. In duplicate through the Tahsildar of ..... for causing publication in the village of ..... and for returning with the certificate of publication by beat of tom-tom and by affixture in the village chavadi or other conspicuous public place in the village.**

**6. The publication of the notice in the village or other conspicuous public place, as the case may be, and by beat of tom-tom in the village shall be duly certified by the [Headman] [These posts were abolished by the Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981). Now they are called as Village Administrative Officer.] or [Kamam] [These posts were abolished by the Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981). Now they are called as Village Administrative Officer.] of the village.**

**7. On the day fixed for the finalisation of the appropriate assessment, the Assistant Settlement Officer shall, after hearing the parties present and considering the evidence that maybe produced, finalise the said assessment.**

**8. The Assistant Settlement Officer shall then record his final order summarising the representations, if any, made to him, and indicating the basis on which his final determination has been made and specifying the evidence relied upon by him.**

**9. The order of the Assistant Settlement Officer recorded under sub-rule (8) shall be published in the village in the manner prescribed in sub-rule (4).**

**10. Against the order of the Assistant Settlement Officer published under sub-rule (9) of rule 5, an appeal shall lie to the Settlement Officer within one month from the date of the publication of the order.**



**11. Every appeal to the Settlement Officer under rule 6 shall be stamped with Court-fee stamp of the value of two rupees and shall be accompanied by a copy of the order appealed against.**

**12. Notice of the hearing of the appeal shall be given to the appellant and to the persons interested, if any, who appeared before the Assistant Settlement Officer and shall be published in the village in the manner, specified in sub-rule (4) of rule 5.**

**13. A copy of the decision of the Settlement Officer on appeal shall be communicated to the appellant and to the other persons interested, if any, present at the hearing of the appeal, and to the Assistant Settlement Officer.**

[G.O. No. 2343, Revenue, dated the 28th July, 1955.] [Published at pages 305-306 of the Rules Supplement to Part I of the Fort St. George Gazette, dated 10th August 1955.] In exercise of the powers conferred by section 67 of the [Tamil Nadu] [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.] (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule under sections 30 and 34 of the said Act: -For the purpose of determining the net annual miscellaneous revenue referred to in sections 30 and 34 of the Act, the following deductions shall be made from the gross annual miscellaneous revenue: -(i) In the case of miscellaneous revenue derived from sources other than forests, fisheries, and ferries 10 per cent, of such miscellaneous revenue. (ii) In the case of miscellaneous revenues derived from forests -(a) When the forests are under the control of the Estate Manager alone, and not administered by the Forest department -(1) Ten per cent, of such revenue, if no special staff is employed in connection with the management of the forest; (2) The actual expenditure incurred on account of the special staff if any such staff is employed for the management of the forest or 15 per cent, of the revenue derived from the forest, whichever is less. (b) When the forests are administered by the Forest department, the actual expenditure incurred on the administration and maintenance of the forests plus 5 per cent, of the same as centage charges towards the cost of supervision of the administration by superior staffer 15 per cent, of the revenue derived from the forest, whichever is less. (iii) In respect of the forests in the estate areas which have been taken over and transferred to the control of the Forest department, the Chief Conservator of Forests, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], shall arrange to keep accounts of income and expenditure in respect of each notified estate separately, for a period of three faslis referred to in sections 30 and 34 of the Act, excepting that in cases where for any part of the relevant three fasli period, the administration of the forest vested in the Estate Manager, the Conservator of Forests may adopt the accounts maintained by the Estate Managers up to the date of such transfer.

If the forest area in such estate is not administered as a separate unit by the Forest department, the income and expenditure shall be apportioned as correctly as possible on the basis of the available data. As soon as possible after the close of each year, the Chief Conservator of Forests shall furnish to the Director of Settlements, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], the figures of actual or apportioned gross revenue, expenditure, and net income in respect of such estate. (iv) The provisions of sub-rules (ii) and (iii) shall apply mutatis mutandis to miscellaneous revenue derived from fisheries and ferries. Note. - For the purpose of this sub-rule, the function of the Chief Conservator of Forest shall be discharged by the Director of Fisheries in respect of Fisheries and by the Chief Engineer (Highways) or the Executive authority of the Local Body, in respect of ferries according as the ferry is administered by the Highways Department or by a Local Body. [G. O. No 2501, Revenue, dated the 8th July 1958.] [Published in rules Supplement to Part 1, page 277 of the Fort St. George Gazette, dated 16th July 1958.] S.R.O. No. A-4686 of 1958. - In exercise of the powers conferred by section 67(1), read with section 50(5) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. As soon as deposit on account of interim payment is made and the fact is published in the [Fort St. George Gazette] [Now, the Tamil Nadu Government Gazette.] the Tribunal shall publish on its notice board, both in English and Tamil, a copy of the notification as published in the [Fort St. George Gazette.] [Now, the Tamil Nadu Government Gazette.] If the estate in respect of which the deposit is made is situated in a district which is one over which the Tribunal has jurisdiction but different from the one in which the Tribunal has its headquarters the Tribunal shall arrange to publish the notification also on the notice board of the District Court of the district. Whenever the Government make a deposit towards an interim payment payable under section 50 in respect of an estate in the office of the Tribunal, this fact of such deposit shall be published in the District Gazette by the Director of Settlement.**

**2. The Tribunal shall pass no orders regarding the apportionment of any sum so deposited until after the expiry of one month from the date of publication of the notification in respect of the deposit on its notice board or on the notice board of the District referred to in rule 1 in respect of the deposit.**

**3. The Tribunal shall consider the apportionment of any interim payment relating to an estate only after it has apportioned the advance compensation deposited under section 54-A in respect of that estate.**

**4. No claim shall be allowed by the Tribunal except on a claim petition made to it.**

**5. Where a claim is from a person who has been held by the Tribunal to be entitled to a share of the advance compensation in respect of the estate and he has claimed the same share in the interim payment and if no objection to the claim has been received by the Tribunal, the Tribunal may admit his claim without any inquiry and order payment of his share of the interim payment to him. In respect of all other claims, the Tribunal shall give notice of the claim to all persons known to be interested in the claim petitions received by the Tribunal and the records relating to the apportionment of the advance compensation in respect of the estate and specify the date and hour when and the place at which, the claim will be disposed of after hearing them.**

**6. The claimants and other persons interested may appear before the Tribunal in person or through pleaders authorised by them in this behalf.**

[G. O. P. No. 348, Revenue, dated the 6th February 1959.] [G. O. P. No. 446, Revenue, dated the 13th February 1959.] In exercise of the powers conferred by sub-section (2) of section 16 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari), Estates Land (Reduction of Rent) and Estates (Supplementary) (Amendment) Act, 1958 ( [Tamil Nadu] [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.] Act XXXIV of 1958), the Governor of [Tamil Nadu] [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.] hereby authorises the Director of Settlements, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], to perform the functions under the said sub-section. [G. O. P. No. 349, Revenue, dated 6th the February 1959] [Published in Rules Supplement to Part I of the Fort St. George Gazette, dated the 25th February 1959.] In exercise of the powers conferred by section 67(1) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -In the calculation of the basic annual sum under section 39, of an inam estate or part thereof falling under section 38, the poruppu or other amount, if any, of a like nature, (excluding local cesses and taxes), payable annually by any darmila inamdar to the institution immediately before the notified date shall be added to the sums specified in section 31 for the institution and deducted under section 35 in determining the compensation payable to the darmila grantee: Provided that the amount deducted shall in no case exceed one half of the aggregate of the net amount computed in accordance with sections 32 and 33 in respect of the darmila portion. G. O. P. No. 446, Revenue, dated the 13th February 1959. In exercise of the powers conferred by section 67 read with sections 39 and 64-BB(I) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. The Director of Settlements shall communicate every order passed under sub-section (1) of section 39 to every landholder concerned and also to every applicant under sub-section (2) of that section, in the manner specified below: -**

(a) by sending the order free of cost, by registered post acknowledgment due; or (b) by getting the order served, through the Tahsildar or the Manager of Estates concerned.

**2. In cases where the order is to be served on any landholder or any applicant, the Director of Settlements shall send the order in duplicate to the Tahsildar or the Manager of Estates concerned, who shall arrange to serve one copy on the person concerned, obtain his acknowledgment on the duplicate and return the duplicate copy to the Director of Settlements within fifteen days from the date of receipt of the order. Such service on the person shall be effected by giving or tendering the order to the person concerned or by affixture on his last known residence or place of business or by giving or tendering the same to some adult member of his family.**

G. O. No. 446, Revenue, dated the 13th February 1959. In exercise of the powers conferred by section 67 read with section 64-BB(I) of the [Tamil Nadu] [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.] (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -General. - A copy of an order passed by any authority or officer in any proceedings against which an appeal or revision has not been specifically provided in the [Tamil Nadu] [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.] Estates Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] XXVI of 1948), but against which an appeal or revision can be preferred, with reference to the general provisions of that Act or the rules made thereunder, should be communicated to the parties concerned, in the manner indicated below: -Any such order shall be served on the person concerned -(a)personally, by delivering or tendering to him the order; or(b)if such person is not found, by affixing the order on his last known residence or place of business or by giving or tendering the same to some adult member of his family; or(c)by sending the same to him by registered post, acknowledgement due:[Provided that orders under sections 11 (a) and 18(4) shall be published immediately after the conclusion of the proceedings in the village chavadi or if there is no chavadi in the village, in any conspicuous public place in the village and the fact of the publication in the village by beat of tom-tom.] [Proviso inserted by G. O. P. No. 1947, Revenue, dated the 3rd July 1959.]The [headman] [These posts were abolished by the Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981). Now they are called as Village Administrative Officer.] of the [village] [These posts were abolished by the Tamil Nadu Abolition of Posts of Part-Time Village Officers Act, 1981 (Tamil Nadu Act 3 of 1981). Now they are called as Village Administrative Officer.] shall certify to the place and date of publication of the order and the said date shall be deemed to be the date of communication of the copy of the decision or order.S.R.O. No. A-3993 of 1960. - In exercise of the powers conferred by section 67(2)(a) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ( [Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. The Tribunals constituted imder section 8(2) of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), are authorized to adjourn their sittings for two months in each year. Such adjournment shall**

**be simultaneous with that of the District Court of the district in which the Tribunal is situated, for Dasara, Christmas and summer vacations. There is no objection to the adding of the public holidays to the adjournment.**

**2. The date of the adjournment in each case shall be reported to the High Court, Madras, and the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.].**

**3. The officer constituting the Tribunal shall be on duty during the period of adjournment and he need not remain at his station during the said period.**

**4. The office of the Tribunal shall work during the period of adjournment.**

**5. During the adjournment, a Tribunal is at liberty to hear and determine any matter which both parties may be willing that it should so hear and determine.**

[G. O. No. 2935, Revenue, dated the 20th July 1960 as amended in 1962.] [Published at page 161 of Part V of the Fort St. George Gazette, dated the 10th August 1960.] In exercise of the powers conferred by clause (d) of sub-section (2) of section 67 read with section 19-A of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ( [Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rule:

-Applications for grant of any rights under section 19-A in respect of any land shall be made in writing to the Settlement Officer or the Assistant Settlement Officer or the Final Settlement Enquiry Officer having jurisdiction, within one month from the date of the publication in the village of the order issued after the conclusion of the final settlement enquiry in the village specifying the treatment of the land at the settlement: Provided that where the said order has already been published in the said village or where the final settlement enquiry in respect of the said village was completed prior to the 29th July, 1959, the one month's time shall be reckoned from the date of the publication of this rule in the [Fort St. George Gazette1.] [Now, Tamil Nadu Government Gazette.] Applications received after the expiry of the time allowed under this rule shall be rejected. [G. O. P. No. 2761, Revenue, dated the 5th July, 1961.] [Published at page 801 of Part V of the Fort St. George Gazette, dated the 26th July 1961.] In exercise of the powers conferred by section 67 read with sections 41, 50, 54-A and 54-B of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act,

1948 ([Tamil Nadu] [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.] Act XXVI of 1948), and in supersession of the rules published at page 194 of the Rules Supplement to Part I of the [Fort St. George Gazette] [Now, Tamil Nadu Government Gazette.] , dated the 9th May, 1950, as subsequently amended and of the rules published at page 277 of the Rules Supplement to Part I of the [Fort St. George Gazette] [Now, Tamil Nadu Government Gazette.], dated the 16th May, 1958, as subsequently amended, the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

- 1. As soon as may be after any deposit under sections 41, 50, 54-A or 54-B of the Act is made in the Office of the Tribunal, the Director of Settlements shall publish the fact of such deposit in the [Fort St. George Gazette] [Now, Tamil Nadu Government Gazette.] with particulars of the amount deposited, the date of deposit and the estate to which it relates.**
- 2. As soon as may be after such publication is made the Tribunal shall publish on its notice board, both in English and in Tamil, a copy of the notification as published in the [Fort St. George Gazette] [Now, Tamil Nadu Government Gazette.].**
- 3. The fact of deposit shall also be published on the notice board of the Taluk office of the taluk in which the estate is situated and also in the headquarters village of the estate by affixing a copy of the notice in the village chavadi or in some other prominent place in the village and also by beat of tom-tom.**
- 4. If there are persons whose claims to any amount deposited previously in respect of the same estate have been recognised by the Tribunal, it shall give notice to all such persons and the expenses for such issue of notice shall be distributed among all the claimants who are before the Tribunal within the period specified in section 42 of the Act.**
- 5. The Tribunal shall pass no orders regarding the apportionment of interim payment deposited with it until after the expiry of one month from the date of publication of the notification in respect of the deposit on its notice board.**

**6. The Tribunal shall not consider the apportionment of any interim payment relating to an estate, until it has apportioned the advance compensation deposited under section 54-A in respect of that estate.**

**7. No claim shall be allowed by the Tribunal except on a claim petition made to it.**

**8. Where a claim is from a person who has been held by the Tribunal to be entitled to a share the advance compensation in respect of the estate and he has claimed the same share in the interim payment and if no objection to the claim has been received by the Tribunal, the Tribunal may admit his claim without any enquiry and order payment of his share of the interim payment to him. In respect of all other claims, the Tribunal shall give notice of the claim to all persons known to be interested in the claim, as soon as may be, after the claim petitions are received by the Tribunal and such notice shall specify the date and hour when, and the place at which, the claim will be disposed of after hearing them or their pleaders.**

**9. The claimants and other persons interested may appear before the Tribunal in person or through pleaders authorised by them in this behalf.**

[G. O. No. 4027, Revenue, dated the 21st September 1961.] [Published at page 1154 of Part V of the Fort St. George Gazette, dated the 22nd November 1961.] In exercise of the powers conferred by section 67 read with sections 21 and 64-C of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Tamil Nadu Act XXVI of 1943), the Governor of [Tamil Nadu] [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.] hereby makes the following rule: -The extent or boundaries of the land covered by any order passed by any authority or officer in any proceedings under the provisions of this Act shall be subject to any changes consequent on the determination of the fair area and map plotting by the survey authorities. [G. O. No. 5261, Revenue, dated the 5th December 1961.] [Published at page 1269 of Part V of the Fort St. George Gazette, dated the 13th December 1961.] In exercise of the powers conferred by section 67, read with sub-section (2) of section 5, clauses (c) and (d) of section 7 and sections 18 and 19 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules:

**1. Officers to whom applications should be presented - Applications for grant of miscellaneous patta under sub-section (4) of sections 18 and 19 in respect of any land or building subjected to the payment of ground rent shall be presented to the Final Settlement Enquiry Tahsildar or the Assistant Settlement Officer having jurisdiction, as the case may be:**

Provided that no such application shall be entertained after the expiry of the date prescribed for the final settlement enquiry in respect of the village concerned.

**2. Revision petitions - Revision petitions against the orders of the Final Settlement Enquiry Tahsildar or the Assistant Settlement Officer under sub-section (4) of sections 18 and 19 shall be preferred to the Assistant Settlement Officer or the Settlement Officer concerned, respectively, within 30 days from the date of publication in the village of the order in respect of the land issued after the conclusion of the Final Settlement Enquiry in respect of the village:**

Provided that where the said order has already been published in the village or where the final settlement enquiry in respect of the village was completed prior to the publication of this rule in the [Fort St. George Gazette] [Now, the Tamil Nadu Government Gazette.] the 30 days' time shall be reckoned from the date of the publication of those rules in the [Fort St. George Gazette.] [Now, the Tamil Nadu Government Gazette.] Further revision petition shall lie to the Settlement Officer, the Director of Settlement and the Board of Revenue against the orders of the Assistant Settlement Officer, the Settlement Officer and the Director of Settlement, respectively, within 30 days of the date of communication of their respective orders as prescribed. Every petition for revision shall be accompanied by a duly authenticated copy of the order sought to be revised. [G. O. No. 139, Revenue, dated the 9th January 1963.] [Published in Part V, page 159 of the Fort. St. George Gazette, dated the 6th February 1963.] S.R.O. No. A-157 of 1963. - In exercise of the powers conferred by clause (d) of sub-section (2) of section 67 read with sub-section (2) of sections and clauses (c) and (d) of section 7 of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

## 1.

(1) Any person who objects to any of the orders, acts or proceedings of a Settlement Officer, other than those in respect of which an appeal lies to the Tribunal, may prefer a revision petition to the Director. (2) Any such petition shall be preferred within one month from the date on which these rules are published in the [Fort St. George Gazette] [Now, the Tamil Nadu Government Gazette.] or within two months from the date of communication of the order or proceeding of the Settlement Officer, whichever of the dates aforesaid is the latest: Provided that the Director may admit a petition preferred after the period aforesaid, if he is satisfied that the petitioner had sufficient cause for not preferring the petition within the said period.

## 2.

(1) Any person who objects to - (a) any of the orders, acts or proceedings of the Settlement Officer other than those in respect of which an appeal lies to the Tribunal, or of any manager; or (b) any of the orders, acts or proceedings of the Director or of a District Collector including those passed, done or taken in the exercise of revisional powers, may prefer a revision petition to the [Board of Revenue.] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O, Ms. No. 2675, Revenue, dated the 1st December 1980.] (2) Any such petition shall be preferred within one month from the date of publication of these rules in the [Fort St. George Gazette] [Now, the Tamil Nadu Government Gazette.] or within two months from the date of communication of the order or proceeding of the Settlement Officer, manager, Director or District Collector, as the case may be, whichever of the dates aforesaid is the latest: Provided that the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O, Ms. No. 2675, Revenue, dated the 1st December 1980.] may admit a petition preferred after the expiry of the periods aforesaid if it is satisfied that the petitioner had sufficient reason for not preferring the petition within the said period. [G. O. P. No. 258, Revenue, dated the 2nd February 1965.] [Published in Part V, page 207 of the Fort St. George Gazette, dated 24th February, 1965.] S.R.O. No. A-208 of 1965. - In exercise of the powers conferred by sub-section (1) of section 67 read with sub-sections (2) and (3) of section 54-CC of the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948), the Governor of [Tamil Nadu] [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.] hereby makes the following rules: -

**1. Publication by Tribunal - As soon as any amount is withdrawn by the Tribunal from its Personal Deposit Account and deposited in the District Court having jurisdiction under sub-section (1) of section 54-CC, the Tribunal shall publish the fact of such deposit in the District Gazette concerned, with the particulars of the amounts so deposited in the following form: -**

Particulars of amounts deposited in the District Court of ..... by the Estates Abolition Tribunal under sub-section (1) of section 54-CC of the [Tamil Nadu] [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.] Estates Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948). (1) Name of the estate and name of the taluk and the district wherein it is situated: (2) Zamin, inam or under-tenure estate: (3) Nature of the amount deposited, whether compensation or interim payment or rent collection: (4) Amount deposited Rs.: (5) Date of original deposit with the Tribunal: (6) (a) Whether unclaimed or undisbursed: (b) If undisbursed - (i) Number and date of the order in which the payment was ordered by the Tribunal or the Special Tribunal (ii) Name of the person in whose favour the order for payment was made; and: (c) Amount ordered for payment Rs.: (7) Remarks:

**2. The Tribunal shall also publish a copy of the notification as published in the District Gazette on its notice board and send a copy of the notice as published in the District Gazette to the District Court, the Director of Settlements, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu 28 of 1996).], the Collector of the District concerned and Tahsildar of the Taluk concerned. The copy shall be published by the District Court, District Collector and the Tahsildar on the notice board of their offices and a certificate of such publication shall be sent to the Tribunal by them.**

**3. On the transfer of the amount from the accounts of the Tribunal, to the deposit of the District Court, it shall be charged off as expenditure in the personal Deposit Account or in any other account of the Tribunal as the case may be.**

**4. Fees on applications to District Court - Every application made to the District Court under subsection (3) of section 54-CC shall be stamped with Court-fee label of Rs. 5 if the claim does not exceed Rs. 100 and a Court fee label of Rs. 10 if the claim exceeds Rs. 100.**

**5. Every person making a claim to or enforceable against any amount held in deposit by the District Court shall apply to the District Court in the form appended.**

**6. Procedure to be followed by the District Court - In disposing of Claims against unclaimed amounts deposited with it, the District Court shall deal with them in accordance with the provisions contained in the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [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.] Act XXVI of 1948) and rules made thereunder applicable to such amounts.**

**7. In respect of levy of process fees, award of costs including costs by way of compensation for frivolous or vexatious claims or defences, pleader's fee and witness batta, the District Court shall follow the rules made under the [Tamil Nadu] [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.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ( [Tamil Nadu] [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.] Act XXVI of 1948) in this behalf as applicable to the Tribunals.**

**8. The amounts transferred to the deposit of the District Court shall be finally dealt with by the District Court in accordance with the procedure laid down in the rules 51 to 60 in Chapter III of Part I of the Civil Rules of Practice and Circular orders (Volume II).**

AppendixForm of Application to be Made to The District Court in Respect of an Amount Deposited Under Sub-Section (1) of Section 54-CC of The Tamil Nadu Estates (Abolition and Conversion Into Ryotwari) Act, 1948 (Tamil Nadu Act XXVI of 1948)

**1. Name of the applicant and full address**

**2. (a) Name of the estate to which claim relates**

(b)Its tenure (i.e.) zamin, inam or under-tenure(c)The number and date of Government order in which it was notified; and(d)The number of the notification and the date of the [Fort St. George Gazette] [Now, Tamil Nadu Government Gazette.], in which it has been published

- 3. Name of the taluk and the district in which the estate is situated.**
- 4. Date and page of the District Gazette in which the notification regarding deposit of the amount with the District Court was published.**
- 5. Nature of the amount in deposit whether compensation or interim payment or rent collection.**
- 6. Nature of interest held (i.e.) as a landholder or sharer or maintenance holder or creditor, etc.**
- 7. Details of claims and the provision of law under which the applicant is entitled to the amount held in deposit.**
- 8. The amount claimed out of the total amount deposited in the District Court by the Tribunal.**
- 9. Reasons for the delay in preferring the application, if any.**
- 10. In the case of undisbursed amounts, particulars of orders passed by the Tribunal or the Special Tribunal in respect of which an application for payment under section 54-C should have been preferred.**  
  
(i)Number and date of the order of the Estates Abolition Tribunal or Special Tribunal.(ii)Nature of the amount (Compensation or interim payment or rent collection).(iii)Amount ordered for payment. Rs.(iv)Name of the person in whose favour an order of payment was passed.(v)Remarks
- 11. Is the original or a certified copy of the order of the Estates Abolition Tribunal or Special Tribunal enclosed ?**
- 12. Summary of the evidence proposed to be adduced in support of the claim.**
- 13. Any other information relevant to this application.**