

Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules, 1972

TAMILNADU

India

Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules, 1972

Rule

TAMIL-NADU-OCCUPANTS-OF-KUDIYIRUPPU-CONFERMENT-OF-OW of 1972

- Published on 19 February 1972
- Commenced on 19 February 1972
- [This is the version of this document from 19 February 1972.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules, 1972Published vide Notification No. G.O. Ms. No. 492, Revenue, dated 19th February 1972 - SRO No. A-141 (a) of 1972G.O. Ms. No. 492. - In exercise of the powers conferred by section 27 of the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971), the Governor of Tamil Nadu hereby makes the following rules : -

1. Short title.

- These rules may be called the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules, 1972.

2. Definitions.

(1)In these rules, unless the context otherwise requires, -(a)"Act" means the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971);(b)"Form" means a form appended to these rules; and(c)"section" means a section of the Act.

3. Form of application for settlement of dispute.

- Every application for the settlement of a dispute under section 4 shall be in Form I and shall be made to the authorised officer having jurisdiction over the area within a period of two months from the date on which the dispute arose:Provided that the application may be received by the authorised

officer after the period of two months aforesaid, if the authorised officer, for reasons to be recorded in writing, is satisfied that the applicant had sufficient cause for not applying within that period.

4. Procedure to be followed in deciding a dispute under section 4.

(1) On receipt of an application under rule 3, the authorised officer shall issue a notice to the applicant and all other persons interested in the kudiyiruppu mentioned in the application, fixing a date for hearing and directing the persons interested to appear on the date specified therein and to make their representations. On the date fixed for hearing or any other date to which the enquiry may be adjourned, the authorised officer shall hear the parties and pass orders with regard to the dispute. (2) Every order passed under sub-rule (1) above shall be communicated to the parties concerned.

5. Disposal of appeals under section 5.

(1) Every appeal under sub-section (1) of section 5 shall be in Form II and shall be accompanied by a certified copy of the order appealed against and shall be made to the appellate authority within a period of ninety days from the date of receipt of the order appealed against: Provided that the appellate authority may admit an appeal filed after the prescribed period, if the appellate authority, for reasons to be recorded in writing, is satisfied that the appellant had sufficient cause for not filing the appeal within that period. (2) On receipt of an appeal, the appellate authority shall issue a notice to the appellant, the respondent or respondents, as the case may be, fixing a date for hearing and directing the parties to appear on the date specified therein and make their representations. (3) On the date fixed for the hearing or on any date to which the hearing may be adjourned, the appellate authority shall hear the parties and pass orders modifying the order or allowing the appeal or dismissing or remanding it for fresh disposal in accordance with the directions issued by it. (4) Every order passed by the appellate authority shall be communicated to the parties concerned.

6. Procedure for determination and payment of compensation.

(1) Before determining the amount of compensation payable under section 7, the authorised officer shall first issue a notice to the occupant of the kudiyiruppu, the owner of the kudiyiruppu or superstructure and all other persons interested therein fixing a date for hearing and directing the parties to appear on the date and make their representations. On the date fixed for hearing or any other date to which the enquiry may be adjourned, the authorised officer shall hold the enquiry hear the parties, pursue the documents produced by them, and determine by order the compensation payable for the kudiyiruppu and superstructure, if any, the persons to whom the amount is payable and the amount of compensation payable to them and publish the said order in the District Gazette. A copy of the said order shall be communicated to the person who is the owner of the kudiyiruppu or superstructure immediately before the date of the commencement of this Act and every person interested therein. (2) Before determining the compensation payable, the authorised officer shall be competent to call for and pursue the village accounts relating to the kudiyiruppu. The compensation shall be payable in cash if the amount of compensation is Rs. 2,000 and less. If it exceeds Rs. 2,000, the amount up to Rs. 2,000 shall be payable in cash and the balance shall be payable in bonds in

multiples of Rs. 50. After the issue of bonds, if there is a balance of compensation which is less than Rs. 50, such amount or balance shall be payable in cash. The bonds shall carry an interest of 4 per cent per annum.

7. Disposal of appeals under section 8.

- An appeal under section 8 shall be in Form III and shall be made to the Court within ninety days from the date of communication of the order under section 7: Provided that the Court may admit an appeal filed after the date fixed if it is satisfied that the appellant had sufficient cause for not filing the appeal within that period.

8. Reference to the Court under section 9(2).

- A reference to the Court made by the authorised officer shall be in Form IV.

9. Deposit of compensation in the Court under section 10.

- Where the authorised officer deposits the amount of compensation in the Court, he shall send a report in Form V to the Court explaining the facts of the case and the reasons for depositing the amount of compensation in the Court.

10. Appeal under section 11.

- A second appeal under section 11 shall lie to the High Court only if the amount of compensation as determined by the authorised officer exceeds Rs. 10,000 in cash.

11. [Recovery of compensation payable under the Act. [Rule 11 was substituted by Tamil Nadu Government Gazette Part V, Page 970, dated the 16th August 1972.]

- In the case of kudiyruppu or superstructure including or in the case of both including trees thereon, the reimbursement of the amount of compensation paid by the Government shall be payable in fifteen equal monthly instalments together with interest thereon at the rate of six per cent per annum. If there is any default in payment of any instalments on the due date, penal interest shall be charged as in the case of Takkavi Loans.]

12. Notice of transfer.

- The notice of transfer under section 15 shall be sent to the authorised officer having jurisdiction over the area in Form VI.

13. Representation.

(1) In any proceeding before the authorised officer or the appellate authority, a person shall be entitled to be represented by a legal practitioner to act and plead on his behalf. (2) The authorised officer or the appellate authority, as the case may be, may permit any agent, duly authorised in writing by a party, to act and plead on his behalf: Provided that the authorised officer or the appellate authority may, at any stage of the proceedings, cancel such permission: Provided further that, in the case of such cancellation, the party concerned shall be informed of it and shall be afforded sufficient opportunity for his being thereafter represented before the authorised officer or the appellate authority, as the case may be, by another agent duly authorised in this behalf, or by a legal practitioner.

14. Court-fees.

- The Court-fee payable in respect of applications, appeal, etc., shall be as follows. - (i) Application relating to dispute under section 4 - Re. 1.00 (ii) Appeal under section 5(1) - Rs. 2.00 (iii) Appeal under section 8 - Rs. 2.00 (iv) Reference to Court under section 9 (2) - Nil (v) Reference to Court under section 10 - Nil (vi) Notice of transfer under section 15 - Re. 1.00 (vii) Any other application - Re. 1.00 Form Prescribed Under the Tamil Nadu Occupants of Kudiyiruppu (Conferment of Ownership) Rules 1972, Issued Under the Tamil Nadu Occupants of Kudiyiruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971) Form I (See rule 3) Application For Settlement of Dispute Under Section 4

1. Name of the taluk

2. Name of the village

3. Name and address of the applicant

4. Nature of interest, whether occupier of kudiyiruppu or owner

5. Name and address of interested persons with nature of interest

6. Particulars of the kudiyiruppu -

(a) Village (b) Survey number (c) Local name (d) Wet or dry (e) Total extent (f) Extent of the kudiyiruppu

7. Nature of dispute to be decided

8. Remarks.

Signature of the applicant. Form Prescribed Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules 1972, Issued Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971) Form II (See rule 5) Appeal Under Section 5(1)

1. Name of the taluk

2. Name of the village

3. Name of the appellant and address

4. Nature of interest, whether occupier of kudiyruppu or owner

5. Names and addresses of the interested persons with nature of interest

6. Particulars of the kudiyruppu -

(a) Village (b) Survey number (c) Local name (d) Wet or dry (e) Total extent (f) Extent of the kudiyruppu

7. Number and date of the order appealed against

8. Grounds of appeal

9. Remarks.

Signature of the applicant. Form Prescribed Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules 1972, Issued Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971) Form III (See rule 7) Appeal Under Section 8

1. Name of the taluk

2. Name of the village

3. Name of the appellant and address

4. Nature of interest, whether occupier of kudiyruppu or owner

5. Names and addresses of the interested persons with nature of interest

6. Particulars of the kudiyruppu-

(a)Village(b)Survey number(c)Local name(d)Wet or dry(e)Total extent(f)Extent of the kudiyruppu

7. Amount of compensation determined by the authorised officer

8. Grounds of appeal Remarks.

Signature of the applicant. Form Prescribed Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules 1972, Issued Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971) Form IV (See rule 8) Reference to Court Under Section 9

1. Name of the taluk

2. Name of the village

3. Name and address of the applicant

4. Nature of interest, whether occupier of kudiyruppu or owner

5. Names and addresses of the interested persons with nature of interest

6. Particulars of the kudiyruppu -

(a)Village(b)Survey number(c)Local name(d)Wet or dry(e)Total extent(f)Extent of the kudiyruppu

7. Amount of compensation determined

8. Nature of the dispute relating to the apportionment of the compensation

9. Remarks.

Signature of the authorised officer. Form Prescribed Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules 1972, Issued Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971) Form V (See rule 9) Reference To Court Under Section 10

1. Name of the taluk

2. Name of the village

3. Name and address of the applicant

4. Nature of interest, whether occupier of kudiyruppu or owner

5. Names and addresses of the interested persons with nature of interest

6. Particulars of the kudiyruppu -

(a)Village(b)Survey number(c)Local name(d)Wet or dry(e)Total extent(f)Extent of the kudiyruppu

7. Amount of compensation determined

8. Nature of the dispute relating to the apportionment of the compensation

9. Remarks.

Signature of the authorised officer. Form Prescribed Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Rules 1972, Issued Under the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971) Form VI (See rule 13) Notice of Transfer Under Section 15

1. Name of the taluk

2. Name of the village

3. Name and address of the transferor

4. Name and address of the transferee

5. Nature of interest transferred

6. Particulars of the kudiyruppu -

(a)Village(b)Survey number(c)Local name(d)Wet or dry(e)Total extent(f)Extent of the kudiyruppu

7. Number and date of the document effecting the transfer

8. Amount of consideration

9. Remarks.

Signature of the transferor or transferee. Extension of Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 to Certain Districts (G.O. Ms. No. 3454, Revenue, dated 20th December 1972) [II-I No. 1630(a) of 1972.] [Published in Part II - Section 1, of the Tamil Nadu Government Gazette Extraordinary, dated the 20th December 1972.] - Under sub-section (2) of section 1 of the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971), the Governor of Tamil Nadu hereby directs that the said Act shall come into force in the areas specified below, excluding the Municipalities, Town Panchayats and Townships in those areas, with effect on and from the 20th December 1972.

1. Chingelput District

2. North Arcot District

3. South Arcot District

4. Tiruchirappalli District

5. Dharmapuri District

6. Salem District excluding Yercad sub-taluk, and

7. Ramanathapuram District excluding Rajapalayam sub-taluk.

Enforcement of Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 to Certain Districts (G.O. Ms. No. 1948, Revenue, dated the 19th April 1973) [No. 1775 of 1973.] [Published in Part II, Section 1, of the Tamil Nadu Government Gazette Extraordinary, dated the 25th April 1973, page 222.] - Under sub-section (2) of section 1 of the Tamil Nadu Occupants of Kudiyruppu (Conferment of Ownership) Act, 1971 (Tamil Nadu Act 40 of 1971), the Governor of Tamil Nadu hereby directs that the said Act shall come into force in the districts specified in column (1) of the table below excluding: (i) the village specified in column (3) comprised in the taluks specified in the corresponding entries in column (2) thereof, and (ii) the Municipal Corporation of Madurai, Municipalities and township in the districts specified in column (1) with effect on and from the 25th April 1973. Table

Districts	Taluks	Villages
1	2	3

1. Madurai	Periakulam	Megamalai
	Uthamapalayam	(1) Bodi North Hills (2) Agamalai (3) Kootagudi (4) Narayanathevanpattilibit (5) Erasakkanayakkanur
	Dindigul	(1) Adalur (2) Pantrimalai (3) Thonimalai (4) Manaloor (5) Sirumalai (6) Kannivadi
	Kodaikanal	All the villages
(2) Tirunelveli	Tenkasi	Mathalamparai and Courtallam
	Ambasamudram	Vikramasingapuram and Singampatti
	Sankarankoil	Rayagiri and Sivagiri
	Nanguneri	Kalakad
	Shencottah	Achempudur
(3) Kanyakumari	Vilavancode	(1) Kalial (2) Thirupparappu (3) Kalkulam
	Thovalai	(1) Alangiapandiapuram (2) Darisanamcope (3) Bhasisanamcope (4) Arumanallur
	Agasteeswaram	(1) Ponmalai (2) Ananthapuram (3) Vadaseri (4) Pencode
	Kalkulam	(1) Arumanai (2) Thiruvattar (3) Arumaikkanai (4) Kothanallur
(4) Coimbatore	Pollachi	Valparai Hills and Anamalai Hills

Extension of Tamil Nadu Occupants of Kudiyiruppu (Conferment of Ownership) Act, 1971 to Certain Districts(G.O. Ms. No. 2536, Revenue, dated the 11th May 1973)[II-I No. 2449 of 1973.] [Published in Part II, Section 1, of the Tamil Nadu Government Gazette Extraordinary, dated the 23rd May 1973.] - Under sub-section (2) of section 1 of the Tamil Nadu Occupants of Kudiyiruppu

(Conferment of Ownership) and in partial modification of the Revenue Department, Notification, dated 20.12.72 published at page I of Part II - Section 1 of Extraordinary issue of Tamil Nadu Government Gazette dated 20-12-72, the Governor of Tamil Nadu hereby directs that the said Act shall come into force in the Town Panchayats in the district specified below with effect on and from 23-5-1973.

1. Chingelput District

2. North Arcot District

3. South Arcot District

4. Tiruchirappalli District

5. Dharmapuri District

6. Salem District excluding Yercad sub-taluk, and

7. Ramanathapuram District excluding Rajapalayam sub-taluk.