

# Determination of Properties of Defunct Institutions Rules

TAMILNADU

India

## Determination of Properties of Defunct Institutions Rules

### Act 712 of 1960

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Determination of Properties of Defunct Institutions Rules Published vide Notification No. G. O. Ms. No. 4851, Revenue, dated 26th November, 1960 - SRO No. A-712 of 1960 Published in Part V of the Fort St. George Gazette, dated 21st December 1960. G. O. Ms. No. 4851, Revenue, dated 26th November, 1960 - SRO No. A-712 of 1960. - In exercise of the powers conferred by clause (i) of sub-section (2) of section 116 read with sub-sections (1), (2) and (4) of section 67 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), the Governor of Tamil Nadu hereby makes the following Rules, namely:-

#### 1.

These Rules may be called the Determination of Properties [of] [Substituted for the word 'or' by G. O. Ms. No. 3347, Revenue dated the 23rd November 1963.] Defunct Institutions Rules.

#### 2.

When the [Joint Commissioner or the Deputy Commissioner, as the case may be] [Substituted by G.O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.], proposes to take action under sub-section (1) of section 67, notice of the enquiry shall be sent by registered post with acknowledgement due - (a) to the person or persons in possession of the properties of the religious institution in question; (b) to the person or persons, if any, who was a trustee or were trustees of the institution before it ceased to exist; and (c) where the religious institution was a specific endowment, to the trustee or trustees of the temple or math to which the specific endowment was attached.

**3.**

A copy of the notice shall be [published] [Substituted for the words 'published by affixture' by G. O. Ms. No. 3347, Revenue, dated the 23rd December 1963.]- (a) by affixture- (i) on the notice board of the office of the Assistant Commissioner having jurisdiction over the area in which the temple or math concerned was situated and of the office of the [Joint Commissioner or Deputy Commissioner, as the case may be] [Substituted by G. O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.]; (ii) on the notice board of the office of the Municipal Council including the Corporation of [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] or village chavadi and, if there is no village chavadi, in some other public place in the village in which the temple or math was situated; and (iii) in another conspicuous place in the locality in which the temple or math was situated which may be selected by the [Joint Commissioner or Deputy Commissioner, as the case may be] [Substituted by G. O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.], in his discretion; (b) [by beat of tom-tom in the locality in which the temple or math was situated: [Inserted by G. O. Ms. No. 3347, Revenue, dated the 23rd November 1963.]] Provided that where the proposal is in respect of a specific endowment, the properties of which are not situate in the Municipality including the Corporation of [Chennai] or village in which the temple or math to which a specific endowment was attached was situated, the notice shall also be published in the manner aforesaid in the places in which the properties are situate.]

**4.**

When the [Joint Commissioner or Deputy Commissioner, as the case may be] [Substituted by G. O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.], proposes to take action under sub-section (2) of section 67, notice of the enquiry shall be sent by registered post with acknowledgement due to the person in possession of the building or place which has ceased to be used for religious worship or instruction. A copy of the notice shall also be published by affixture - (i) on the notice board of the office of the Assistant Commissioner having jurisdiction over the area in which the building or other place which was being used for religious worship or instruction is situate and of the office of the [Joint Commissioner or Deputy Commissioner, as the case may be] [Substituted by G. O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.]; (ii) on the notice board of the office of the Municipal Council including the Corporation of [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).] or village chavadi and, if there is no village chavadi, in some other public place in the village in which the building or other place which was being used for religious worship or instruction, is situate; and (iii) in another conspicuous place in the locality in which the building or other place which was being used for religious worship or instruction is situate, which may be selected by the [Joint Commissioner or Deputy Commissioner, as the case may be] [Substituted by G. O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.], in his discretion.

**5.**

A copy of the order of the [Joint Commissioner or Deputy Commissioner, as the case may be] [Substituted by G. O. Ms. No. 275, C. T. & R. E., dated the 16th July 1997.], shall, in addition to being published in the manner laid down in Rule 3 or 4, as the case may be, also be published in the District Gazette in the case of the math or temple or specific endowment attached to a math or temple, or buildings or other places which were being used for religious worship or instruction situated in the district or in the Tamil Nadu Government Gazette in the case of a math or temple or specific endowment attached to a math or temple, or buildings or other places which were being used for religious worship or instruction situated in the City of [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], or to specific endowments attached to a math or temple or buildings or other places which were being used for religious worship or instruction situated in the City of [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], or to specific endowments attached to maths or temples situated in more than one district.

**6.**

The inquiry under section 67 shall be conducted in the manner prescribed in Rules 2 to 6 of the Rules relating to the conduct of inquiries under sections 63 to 69.