Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973

TAMILNADU India

Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973

Act 707 of 1973

- Published on 24 July 1973
- Commenced on 24 July 1973
- [This is the version of this document from 24 July 1973.]
- [Note: The original publication document is not available and this content could not be verified.]

Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973 Published vide Notification No. G.O. Ms. No. 4350, Revenue, dated 24th July, 1973 - S.R.O No. A-707 of 1973 Published in Rules Supplement to Part V, page 1 of the Tamil Nadu Government Gazette, dated the 22nd August 1973.G.O. Ms. No. 4350, Revenue, dated 24th July, 1973 - S.R.O No. A-707 of 1973. - In exercise of the powers conferred by section 43 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act 11 of 1973), the Governor of Tamil Nadu hereby makes the following rules:-

1. Short title.

- These rules may be called the Kanyakumari Sreeapdam Lands (Abolition and Conversion into Ryotwari) Rules, 1973.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act 11 of 1973);(b)"Form" means a form appended to these rules;(c)"section" means a section of the Act;(d)"Tahsildar" means the Tahsildar of the taluk having jurisdiction over the area and includes an Independent Deputy Tahsildar or any other officer of the rank of Tahsildar specially appointed in this behalf by the District Collector.

3. Procedure for taking possession of Sreepadam lands.

(1) The officer authorised by the Government to take possession of a Sreepadam land on their behalf, under clause (c) of section 3, shall take charge of only such of the accounts, registers, pattas, muchilikas, maps, plans and other documents relating to the Sreepadam land, as are in his opinion, necessarily for the administration of the Sreepadam land. He shall prepare a detailed inventory of those documents in the presence of Sreepadam landholder or any person deputed, in writing, by the Sreepadam landholder in that behalf, and give a copy of such inventory to him.(2)Where the officer referred to in sub-rule (1) has reason to believe that there are other documents in the possession or custody of the Sreepadam landholder and is of opinion that such documents are essential for the administration of Sreepadam land, he may call upon the Sreepadam landholder to produce all such documents and he shall be bound to produce them. (3) Under the proviso to clause (c) of section 3, the Tahsildar shall, before taking possession of Sreepadam land, examine whether any person holding a Sreepadam land on the appointed day is personally cultivating such land or not.(4)If the Tahsildar considers that the occupant of a Sreepadam land is personally cultivating that land, he shall tentatively allow such occupation to continue, subject to the payment of ryotwari assessment on the extent occupied, as fixed under section 14 and subject to the condition that the payment of such assessment shall not confer any right of occupancy. Explanation. - For the purpose of this rule, occupation for a part of the fasli year shall be deemed to be occupation for the whole of a fasli year.(5)If the Tahsildar considers that the occupant of a Sreepadam land is not personally cultivating that land and considers that the occupation is objectionable, he shall cause a notice in Form No. 1 to be served on him, calling upon him to show cause why he should not be dispossessed of the land.(6)The Tahsildar shall examine the representation, if any, made on the date fixed for the enquiry and, after such further enquiry, as he may consider necessary, shall pass orders holding that the occupant is or is not personally cultivating the land. If the Tahsildar considers that the occupants not personally cultivating the land and that the occupation is objectionable, he shall cause a notice in Form No. 2 to be served on the occupant. (7) On the expiry of the time allowed for filing an appeal or revision petition, or if an appeal or revision petition has been filed, after the disposal of such appeal or revision petition and, if the decision in the appeal or revision petition is that the occupant should be dispossessed, as he is not personally cultivating the land, an officer not lower in rank than a Revenue Inspector, duly authorised in this behalf, may formally enter upon the land in question and take possession of if and record certificates of the village officers and of at least one ryot of the village that the land has been taken possession of by the Government.(8)If the Tahsildar considers that the occupant is not personally cultivating the land, but that the occupation is not objectionable, the occupation may be allowed subject to the payment, by the occupant, of the ryotwari assessment on the land as fixed under section 14, until the ryotwari settlement of the land is effected under section 13 or until the land is required by the Government for any purpose, whichever is earlier. The payment of such ryotwari assessment shall not confer on the occupant any occupancy right. Every decision in this regard shall be communicated to the occupant concerned in Form No. 3.

4. Period within which appeal against an order under proviso to section 3 (c) can be filed.

- Every appeal against an order under the proviso to clause (c) of section 3, deciding the question whether a person is to be dispossessed or not, shall be preferred within thirty days from the date of such order or within such further time as the appellate authority may, in its discretion, allow.

5. Revision by the Director of Settlements and Settlement Officer.

- Every petition under sub-section (2) of section 5, or under sub-section (2) of section 6, as the case maybe, for revision of the order, act or proceeding of the Settlement Officer or the Assistant Settlement Officer, shall be preferred in Form No. 4 to the Director of Settlements or, to the Settlement Officer as the case may be, within thirty days from the date of communication of the order, or of the date of the act complained of:Provided that the Director of Settlements or the Settlement Officer, as the case may be, 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.

6. Revision by [the Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, Commissioner of Land Administration, vide G, O. Ms. No. 2675, Revenue, dated the 1st December 1980.].

- Every petition under clause (c) of section 7 for revision of the order, act or proceeding of the Director of Settlements shall be preferred to [the Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, Commissioner of land Administration, vide G, O. Ms. No. 2675, Revenue, dated the 1st December 1980.] in Form No. 4 within sixty days from the date of communication of the order or of the date of the act complained of:Provided that [the Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, Commissioner of Land Administration, vide G, O. Ms. No. 2675, Revenue, dated the 1st December 1980.] may admit a petition preferred after the period aforesaid, if it is satisfied that the petitioner had sufficient reason for not preferring the petition within the said period.

7. Enquiry into claims for grant of ryotwari patta under section 9 or 10.

(1)Every application for the grant of ryotwari patta in respect of a Sreepadam land under section 9 or 10 shall be in Form No. 5, and shall be either presented in person or sent by registered post to the Assistant Settlement Officer, within three months from the date of publication of these rules in the Tamil Nadu Government Gazette.(2)Every such application shall be signed and verified by the applicant and restricted to Sreepadam lands in a single village.(3)If, in respect of any Sreepadam land, no person has applied under sub-rule (1), the Assistant Settlement Officer shall proceed to enquire into the nature and history of the land suo motu and determine if any person is prima facie

entitled to ryotwari patta in respect of that land.(4)The Assistant Settlement Officer shall fix a date for the enquiry and issue a notice in Form No. 6 to the person, who has applied for ryotwari patta or who, in the opinion of the Assistant Settlement Officer, is prima facie entitled to ryotwari patta, to produce any record or make any representation, which he may wish to make at the enquiry. A copy of the notice shall also be sent to the fahsildar.(5)The Assistant Settlement Officer shall also publish a notice in Form No. 7 requiring any person, who has any objection to any of the proposals to grant ryotwari patta, to file before him a statement of objections, within a week from the date of the notice and also requesting all interested persons to be present at the enquiry either in person or through an authorised representative and make their representations. A copy of the notice shall be affixed on the notice board of the office of the Assistant Settlement Officer.(6)The date of enquiry shall not be earlier than fifteen days from the date of publication of the notice referred to in sub-rule (5).(7)The enquiry shall be summary. The Assistant Settlement Officer hear the parties and afford them a reasonable opportunity for adducing any oral or documentary evidence, before giving his decision.(8)The decision of the Assistant Settlement Officer shall be published in Form No. 8. A copy of the decision shall be given to the party concerned in person or sent to him by registered post. A copy of the decision shall also be sent to the Tahsildar.

8. Eviction of occupant of land not entitled to ryotwari patta in respect of it consequent on decision under section 11.

- In cases, in which the Assistant Settlement Officer, the Tribunal or the Special Appellate Tribunal, as the case may be, decides that the occupant of a Sreepadam land is not actually entitled to ryotwari patta in respect of that land, the Tahsildar shall serve on the occupant a notice in Form No. 9. The Tahsildar shall also taken such further steps, as are necessary to evict the occupant. Any such eviction shall be carried out in accordance with the provisions of sub-rule (7) of rule 3:Provided that, if the occupation is unobjectionable and if the occupant, states in writing, that he accepts the decision of the Assistant Settlement Officer, the Tribunal or the Special Appellate Tribunal, as the case may be, that he is not entitled to rayotwri patta in respect of the land in his occupation, and that he will surrender actual possession of the land to the Government, forthwith, if the land is not assigned to him under the darkhast rules, his petition being treated as his darkhast application and he need not be evicted. The Tahsildar may allow the occupation in such cases to continue, subject to the payment of ryotwari assessment of the land under section 14, until orders are passed on the darkhast application or the land is required by the Government for any purpose, whichever is earlier.

9. Liability of unauthorised occupant of land to be proceeded against under any law.

- Nothing contained in these rules shall be construed as exempting any person unauthorisedly occupying land from liability to be proceeded against, under any law for the time being in force.

10. Eviction of occupants of buildings vesting in other persons.

- The provisions of rule 8 shall apply mutatis mutandis to cases of eviction of the occupant of any building, which vests under section 12 in other persons.

11. [[Omitted by G. O. Ms. No. 2246, Revenue, dated the 28th May 1974.]

[***]

12. Application by landholder for a copy of the data.

- Every application for a copy of the data under sub-section (2) of section 16 shall be made by the land holder or other person interested within two months from the date of publication in the Tamil Nadu Government Gazette, of a notification by the Settlement Officer that he proposes to determine the compensation payable to the landholder.

13. Publication of the fact of determination of compensation and interim payment.

- As soon as may be after the determination of the compensation and interim payments payable under sections 15 and 26, the Settlement Officer shall publish the fact of such determination in the Tamil Nadu Government Gazette with full details of compensation and interim payments determined and the Sreepadam land, to which it relates.

14. Payment of compensation under section 20(1).

- All amounts of compensation and interim payments finally determined as payable to the landholders or persons interested shall be disbursed by the District Munsif having jurisdiction over the Sreepadam land concerned. Every landholder or person interested claiming compensation or interim payment under section 20 shall apply in Form No. 10. Every such application shall be signed and verified by the applicant and shall be presented in person or sent by registered post to the District Munsif, within three months from the date of [publication of the fact of determination of the compensation and interim payment in the Tamil Nadu Government Gazette by the Settlement Officer] [Substituted by G. O. Ms. No. 2246, Revenue, dated the 28th May 1974.].(2)On receipt of the application, the District Munsif shall fix a date and place of enquiry and issue a notice in Form No. 11 requiring all persons, who have any objection to the application being allowed, to file a statement of objections before him at the time of enquiry.(3)The notice shall, in addition to the manner prescribed in sub-rule (2) of rule 32, be also published by affixture on the notice board of the office of the District Munsif.(4)The enquiry shall be summary. The District Munsif shall hear the parties, afford them a reasonable opportunity for adducing any oral or documentary evidence and give his decision, in writing, (5) The proceedings of the District Munsif shall be governed, as far as practicable, by the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908) in regard to-(a)the issue and service of summons and notices;(b)the examination of parties and

witnesses;(c)the production of documents;(d)the payment of compensation and interim payments to a person on behalf of another under disability and in particular to a guardian on behalf of a minor; and(e)the passing of orders.(6)A copy of the decision shall be served on the landholder and other parties to the proceedings if they are present or sent to them by registered post. A copy shall also be sent to the Settlement Officer and the Assistant Settlement Officer.

15. Appeal to the Tribunal.

(1)On receipt of an appeal preferred under section (3) of section 11 or section 21, as the case may be, the Tribunal shall cause a notice in Form No. 12 to be published requiring all persons who have applied to the Assistant Settlement Officer under section 9 or 10 or to the District Munsif under section 20, as the case may be, or who have filed statements before him in the course of the enquiry under these sections to appear before it.(2)A copy of the notice shall be served on the applicant, the respondents, the Tahsildar of the taluk and every other person affected by the appeal, by sending the notice to them by registered post.(3)A copy of the final order of Tribunal shall be communicated to the appellant, the respondent/the District Munsif or the Settlement Officer, or the Assis-sant Settlement Officer against whose order, the appeal has been filed and the Tahsildar of the taluk.

16. Powers of the Tribunal.

(1)The Tribunal shall have all the powers exercisable by a Civil Court in the trial of suits and in appeals.(2)The proceeding of the Tribunal shall be summary and shall be, as far as possible, governed by the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908) with regard to-(a)the issue and service of summons;(b)the examination of parties and witnesses;(c)the production of documents;(d)the payment of compensation and interim payments to one person on behalf of another under disability and in particular to a guardian on behalf of a minor, and(3)A copy of the final order of the Tribunal shall be communicated to the appellant, respondent, the District Munsif and the Settlement Officer against whose order the appeal has been filed and the Tahsildar of the taluk.(4)In cases, where the Tribunal does not order the payment of payments to any person on behalf of another under disability or to a guardian, 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).

17. Appeal to the Special Appellate Tribunal.

(1)Every appeal to the Special Appellate Tribunal shall be in Form No. 13 and shall be signed by the appellant or his advocate and presented by such appellant. Advocate or the registered Clerk of the Advocate at the Office of the Registrar, High Court, during working hours.(2)It shall set forth briefly the grounds of objection to the decision appealed against.(3)It shall be accompanied by a Vakalatanama duty executed, if the appellant appears by Advocate by a certified copy of the order appealed against and by as many authenticated copies thereof as there are respondents, together with the prescribed process fee:Provided that in the case of an appeal presented under sub-rule (4), the process fee shall be paid within three days after the delay is condoned under sub-rule (5).(4)Where an appeal is presented after the period of limitation prescribed therefor in sub-section

(1) of section 22, it shall be accompanied by a petition for condoning the delay. The petition shall be supported by an affidavit setting forth the facts, on which the appellant relies to satisfy the Court that he had sufficient reason for not preferring the appeal within such period. (5) The petition shall, then, be posted for orders before the Judges * nominated for the purpose under sub-section (1) of section 22.(6)As soon as the appeal is numbered, it shall be placed before the Registrar for orders as to issue of notice and preparation of the record for the hearing of the appeal:(7)The record of the case for the use of the Special Appellate Tribunal shall consist of all material papers, on which either party propose to rely at the hearing of the appeal. (8) Unless otherwise ordered by the Judge or the 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. (9) 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.(10)The respondent shall, within three weeks from the date of service of the notice of appeal on him, obtain the direction 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.

18. Deposit of unclaimed and undisbursed amount.

- As soon as any amount is deposited under sub-section (1) of section 23 in the District Court having jurisdiction, the District Court shall notify the fact of such deposit in the District Gazette in Form No. 14. The District Court shall also cause a copy of the notification to be affixed on the notice board of its office and shall send copies of the notification to the Settlement Officer, Assistant Settlement Officer and the Tahsildar concerned, who shall cause them to be affixed on the notice boards of their respective offices and send certificates of such publication to the District Court.

19. Form in which claim should be made.

- Every person making a claim to or enforceable against any amount held in deposit by the District Court shall make an application in Form No. 15 to the District Court.

20. Levy of process fee and award of costs by District Court.

(1)In respect of payment of process fees, award of costs, pleader's fees and witness bata, the District Court shall follow the rules and procedure as applicable to District Courts.(2)No costs, by way of process fees, pleader's fees and witness bata, shall be allowed in proceedings, in cases where the claim is uncontested or is decreed on admission or compromised.(3)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).

21. Procedure for dealing with amounts deposited in the District Courts.

- The amounts deposited in the District Court shall be finally dealt with in accordance with the

procedure laid down in rules 51 to 60 in Chapter III of Part I of the Civil Rules of Practice and Circular Orders (Volume II).

22. Application by pattadars for a copy of data.

- Every application for a copy of the data under sub-section (2) of section 30 shall be made by the pattadar or other person interested within two month from the date of publication in the Tamil Nadu Government Gazette of a notification by the Settlement Officer, that he proposes to determine the contribution payable by the pattadar.

23. Publication of the fact of determination of contribution.

- As soon as maybe after the determination of contribution payable by the pattadar under section 29, the Settlement Officer shall publish the fact of such determination in the Tamil Nadu Government Gazette, with full particulars of the contribution, the name of the pattadar and the Sreepadam land to which it relates.

24. Recovery of contribution.

- The annual instalments of contribution payable by each pattadar shall be payable to the Tahsildar in cash in the first kist month of every fasli year. The first annual instalment shall be payable in the first kist month of the fasli year succeeding that, in which the Settlement Officer determines the contribution payable by the pattadar under section 29. Interest shall be charged on all arrears at the rate of six per cent per annum.

25. Transferor title.

- Notice of every transferor and transferee under sub-section (1) of section 32 or any person, to whom the title of a deceased person shall be transferred as heir or otherwise under sub-section (2) of that section shall be given in Form No. 16 to the Assistant Settlement Officer.

26. Collection of arrears.

(1)Every Sreepadam landholder shall furnish to the Tahsildar within ninety days from the date of publication of these rules in the Tamil Nadu Government Gazette, a statement in Form No. 17 showing the rent, which accrued due to him from any person in respect of any Sreepadam land before and is outstanding on the appointed day:Provided that the District Collector may admit the application preferred after the period aforesaid by condoning the delay up to 2 years if he is satisfied that the applicant had sufficient cause for not preferring the claim within the time allowed.A separate statement shall be furnished in respect of each villages and for each financial years.(2)Where the arrears of rent payable by a person is in the shape of paddy, the value of the paddy so payable shall be fixed at the same rate adopted for the purpose of computation of compensation under the Act.

27. Mode of entertaining appeal or revision petition, enquiry thereon and grant of interim stay.

(1) Every appeal or revision petition under the Actor these rules shall be accompanied by a duly authenticated copy of the order appealed against or sought to be revised. Sufficient number of copies of such appeal or revision petition shall also be sent for communication to each of the respondents and to the Tahsildar.(2)In respect of any order passed under the Act, which is subject to appeal or revision, the appellate or the revising authority, as the case may be, may suspend the execution of the order pending its decision on the appeal or revision.(3)Notice of hearing of any appeal or revision petition, as the case may be, shall be given to the appellant or the revision petitioner and the respondent or respondents and to other persons interested, if any.(4)Before passing orders on every appeal or revision petition, the parties concerned shall be given a reasonable opportunity of being heard. (5) A copy of the final order in any appeal or revision petition shall be communicated to the appellant or revision petitioner, the respondent or respondents and other persons interested, if any, or the counsel concerned, if any of them is represented by counsel and also to the Tahsildar, the Assistant Settlement Officer, the Settlement Officer, Director of Settlements and the [Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Reiienue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, Commissioner of Land Administration, vide G. O. Ms. No. 2675, Revenue. dated the 1st December 1980.] whenever necessary. Explanation. - For purpose of this rule, "persons interested" means the persons interest in the land, in relation to which the appeal or revision petition is made and who appeared before the authority or officer, against whose act, order or proceeding, the appeal or revision petition, as the case may be, is made.

28. Powers to receive application, appeal or revision petition after the prescribed period.

- Subject to the provisions of the Act and the rules, any authority, to whom an application, appeal or revision petition lies, may, where no specific provision is made in this behalf, allow in its discretion for the time not exceeding thirty days for the filing of any such application, appeal or revision petition, if it is satisfied that the applicant, appellant or revision petitioner had sufficient cause for not preferring the application, appeal or revision petition, as the case may be, within the prescribed period.

29. Time barred application, appeal or revision petition to be dismissed.

- Subject to the provisions of the Act and these rules, every application made and every appeal and revision petition presented to the authorities or officers having jurisdiction under the Act and these rules, after the period of limitation prescribed therefor in the Act and these rules, shall be dismissed, although limitation has not been set up as a defence.

30. Transfer of proceedings.

- The proceedings pending before any tribunal, authority or officer may be transferred to any other Tribunal, authority or officer, as the case maybe, by the authority, to whom appeals or revision petition lie against the decisions of such Tribunal, authority or officer, or where there is no such appellate or revisional authority, by the Government.

31. Power to issue summons.

- Every Settlement Officer and every Assistant Settlement Officer and every officer of, and above the rank of, Deputy Tahsildar, working under a Settlement Officer or an Assistant Settlement Officer, shall have powers 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.

32. Manner of service and publication of notice and orders under the Act and the Rules.

(1)Any notice or order issued or made under the Act, or under these rules shall be served on the person concerned in the following manner, namely:-(a)by delivering or tendering the notice or order to the person concerned or his counsel or authorised agent or some adult member of his family; or(b)by sending the notice or order to the person concerned by registered post; or(c)if none of the aforesaid modes of service is practicable, by affixing the notice or order in some conspicuous part of the last known place of residence or business of the person concerned.(2)Any notice or order, which is intended for publication for general information shall, in addition to the special modes of publication prescribed in these rules, also be published, by affixture in the village chavadi of the village, in which the land is situated or if there is no village chavadi in any conspicuous public place in the village and by announcing the fact of such publication by beat of tom-tom in the village. The village officer shall certify to the place and date of publication and the said date shall be deemed to be date of communication of the notice or order, as the case may be, to the parties concerned.

33. Court-fees and process fees.

(1) The Court-fee payable in respect of the documents specified in column (2) of the Table below, under the section specified in column (1) of the said Table, shall be the amount specified in the corresponding entry in column (3) thereof:-

Section	Description of document	Court-fee	
(1)	(2)	(3)	
	Rs.P.		
5(2) 16(6) and 30(6)	Revision petition, Appeal to	the 2.00	

	Director of Settlements Officer	
6(2)	Revision petition to the Settlement Officer	2.00
7(c)	Revision petition to the Board of Revenue	2.00
11(1)	Application to the Assistant Settlement Officer	0.75
11 (3) and 21	Appeal to the Tribunal	2.00
20(1)	Application to the District Munsif	0.75
22(1)	Memorandum of Appeal to the Special AppellateTribunal	1500
	(a) if the claim does not exceed Rs. 3,000	
	(b) if the claim exceeds Rs.	
	3,000, but it isless than Rs.	100.00
	10,000	
	(c) if the claim is Rs. 10,000 or more	50000
	Interlocutory application to the SpecialAppellate Tribunal	200
	Vakalatnama to the Special Appellate Tribunal	300
23(3)	Application to the District Court	500
	(1) If the claim does not exceed Rs.100	
	(2) If the claim exceeds Rs. 100	1000
		1 1 10

Explanation. - No Court-fee need be paid in the case of appeals filed on behalf of the Government.(2)In proceedings before the Tribunal, process, fees shall be paid at the rates prescribed for District Courts on processes issued at the instance of parties. In proceedings before the Special Appellate Tribunal, process fees shall be paid in accordance with the process fees prescribed under section 80 of the Tamil Nadu Court Fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955). The process fees payable for service of notice and summons on respondents, witnesses and for production of records shall be calculated as follows:-

Rs.
P.

(a) For service of notices or summons on a singleperson

(b) For service of notices or summons on everyadditional person residing in the same village if applied for at the same time.

34. Fees to pleaders.

- The following principles shall be adopted in fixing the fees to Pleader for work connected with the proceedings under the Act before the Special Appellate Tribunal and the Tribunal:-(1)Fees payable to pleaders for appearance before the Special Appellate Tribunal:-The Special Appellate Tribunal shall, for taxation, fix the fees payable to be 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 costs to any of the contesting parties or not: Provided that in respect of a batch of connected cases, in which the result is determined by a single case, the Special Appellate Tribunal shall fix one regulation fee.(2)Fees payable to pleaders for appearance before the Special Appellate Tribunal for preparation of the case and for argument.-(a)For preparation of the case, a fixed fee of Rs. 100 for each case.(b)For arguments, if the time taken does not exceed three hours, a fixed fee of Rs. 35 for each case; if the time taken exceeds three hours, but does not exceed six hours, a fixed fee of Rs. 50 for each case and if the time taken exceeds six hours, a fixed fee of Rs. 75 for each case: Provided that in respect of a batch of connected cases, in which the result is determined by a single case, the Special Appellate Tribunal shall fix one regulation fee.(c)The Special Appellate Tribunal shall fix the fee payable to the Pleaders in each case irrespective of the fact, whether it allows costs or not.(3)Fees payable to pleaders for appearance before the Tribunal. - The Tribunal shall fix the fee payable to Pleaders for work connected with appeals under subsection (3) of section 11, as follows:-(a)For preparation of the case, a fixed fee of Rs. 15 for each case; (b) For arguments, if the time taken does not exceed three hours, a fixed fee of Rs. 15 for each, case; if the time taken exceeds three hours, but does not exceed six hours, a fixed fee of Rs. 30 for each case and if the time taken exceeds six hours a fixed fee of Rs. 50 for each case: Provided that in respect of a batch of connected cases in which the result is determined by a single case, the Tribunal shall fix one regulation fee.(c)The Tribunal shall fix the fee payable to the Pleaders in each case, irrespective of the fact whether it allows costs or not.

35. Delegation of powers.

- The powers specified in column (2) of the Schedule below, which are conferred on the Government by the sections specified in the corresponding entry in column (1) of the said Schedule, shall be exercisable also by the officers specified in the corresponding entry in column (3) thereof:-

Schedule

Section	Powers	Officer by whom the power is exercisable
(1)	(2)	(3)
3(c)	To take possession of Sreepadam Lands	Collector of Kanyakumari or such one of thefollowing Officers, as may be specified by the Collector, namely, Revenue Divisional Officer of the Division, Tahsildar of the Taluk, Independent Deputy Tahsildar of the sub-taluk and anyofficer of the Government not below the rank of a Junior Assistant.

3(c) Power to decide proviso whether a person is personallycultivating

the Sreepadam land

Tahsildar of the Taluk or the Independent DeputyTahsildar of the sub-taluk.

Explanation. - An appeal shall lie to the Revenue Divisional Officer of the Division within thirty days from the date of communication of the order. Any order passed in appeal by the Revenue Divisional Officer shall be subject to revision by the Collector within thirty days from the date of communication of the order and any order passed in revision by the [district Collector] [Please see notes of Board of Revenue.] shall be subject to further revision by the Board of Revenue within sixty days from the date of communication of the order.

Section	n Powers	Officer by whom the power is exercisable
(1)	(2)	(3)
14(2)	To fix the land revenue payable pendingintroduction of ryotwari settlement	Tahsildar of the taluk.
26	Power to determine on rough calculation, theinterim payment payable.	Settlement Officer.
42(1)	To terminate the services of any member of the Sreepadam staff.	Collector of Kanyakumari

36. Drawal of emoluments by persons employed in the Sreepadam Office in Kanyakumari district.

- The persons employed in the Sreepadam Office in Kan-yakumari district immediately before the appointed day shall be entitled to receive the same emoluments, which they would have drawn, if this Act had not been brought into force, until such time as the Government may make rules in this regard. Form No. 1[See rule 3(5) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973]. Form of Notice Under Section 3 of The Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1912(Tamil Nadu Act 11 of 1973)NoTaluk OfficeDatedToThiru.......residing at.....village.......taluk. Whereas you are reported to be in occupation of the Sreepadam land specified in the Schedule below which vests in the Government under section 3(a) of the Kanyakumari Sreepadam Lands Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act 11 of 1973); And whereas you are not personally cultivating the said land and as your occupation is objectionable; You are hereby given notice that, if you so desire, you may appear before me on (date) (The date should be at least seven days after the date of service of notice), at....(time) in (place) or show cause in writing before that date, why you should not be dispossessed of the said land under the proviso to section 3(c) of the said Act. The Schedule

1. Name of the district

2. Name of the taluk

3. Name of the village

4. Description of the land-

- 1. Name of the district
- 2. Name of the taluk
- 3. Name of the village

4. Description of the land-

13 of the said Act or until the land is required by the Government for any purpose, whichever is earlier. Explanation. - The payment of the assessment shall not confer on the occupant any right of occupancy in respect of the lands. The Schedule

- 1. Name of the district
- 2. Name of the taluk
- 3. Name of the village
- 4. Description of the land-

- 1. Name of the district.
- 2. Name of the taluk.
- 3. Name of the village.
- 4. Survey number and sub-division.
- 5. Extent
- 6. Classification

7. Remarks

Place:Date:Signature of revision petitioner.Form No. 5[See rules 7(1) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973]Form of Application for Grant of Ryotwari Patta under Section 9 or 10 of The Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972(Tamil Nadu Act 11 of 1973)

- 1. Name of the district
- 2. Name of the taluk
- 3. Name of the village
- 4. Name and full address of the applicant
- 5. Survey number and sub-division, if surveyed, or local name, if unsurveyed.
- 6. Extent (in Hectare, acres or in local measures)
- 7. Survey number of adjacent lands-

NorthSouthEastWest

- 8. Classification.
- 9. Rent payable to the landholder.
- 10. Rajabogham payable to the Government.
- 11. Provision of law under which the claim is made.
- 12. Remarks.

ScheduleName of the district.Name of the taluk.Name of the village.Description of the land.

Survey number and sub-division	Classification	Extent	Boundaries	Name of person to whom ryotwari patta isproposed to be given	Section of Tamil Nadu Act 11 of 1973 underwhich patta is proposed to be given
(1)	(2)	(3)	(4) North	(5)	(6)
			South		
			East		
			West		

ToThiru......(Name of party) in duplicate through the Tahsildar of for causing service at least fifteen days prior to the date of hearing, obtaining acknowledgment and returning the original before the date of hearing. The Tahsildar.....taluk/Deputy Tahsildar.....Sub-taluk. The Tahsildar of......taluk (in duplicate) for causing publication in the.....village at least fifteen days prior to the date of hearing by affixture in the village chavadi or in any conspicuous public place in the village (which should be specified) and announcing the fact by beat of tom-tom and for returning the original with the following certificate of village officers. Certificate Certified that this notice was published by affixing a copy thereof in the village chavadi (or some conspicuous place to be mentioned) and by announcing the fact by beat of tom-tom on and in token thereof signatures of the villages have been obtained. Form No. 7[See rule 7(5) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973]Notice is hereby given to all those whom it may concern that, in respect of the lands specified in the Schedule below, it is proposed to grant ryotwari patta to the person and under section.....of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act 11 of 1973) specified against each land. The Assistant Settlement Officer will hold an enquiry into the nature and history of the lands on......(date) at.....(time).....in.....(place) and on subsequent dates, at time and place that will be intimated. Any person, who has any objection to any of the proposals to grant ryotwari patta may file before the Assistant Settlement Officer a statement of his objections within a week from the date of this notice. The objections should be supported by a summary of evidence and all available documents. All interested persons are hereby advised to be present at the enquiry, either in person or through an authorised representative and make their representations. All such objections and representations and other available records and evidence will be taken into consideration and suitable orders will be passed by the Assistant Settlement Officer. In the absence of any such objection or representation, the Assistant Settlement Officer will conduct such enquiry as he may deem necessary on the basis of the available records and evidence. In the event of the absence of any interested person, the enquiry will be conducted ex parte. The village officers will be present at the enquiry.Place:Date:Assistant Settlement Officer.The ScheduleName of the districtName of the talukName of the village.

				Name of person to	Section of Tamil Nadu
Survey number	Classification Extent Roundari	Poundarios	whom ryotwari patta	Act 11 of 1973	
and sub-division	Ciassification	Extent	Douliuaries	isproposed to be	underwhich patta is
				given	proposed to be given

Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973

(1)	(2)	(3)	(4)	(5)	(6)
			North		
			South		
			East		
			West		

ToThiru.....(Name of party) in duplicate through the Tahsildar of for causing service at least fifteen days prior to the date of hearing, obtaining acknowledgment and returning the original before the date of hearing. The Tahsildar.....taluk/Deputy Tahsildar.....Sub-taluk. The Tahsildar of......taluk (in duplicate) for causing publication in the.....village at least fifteen days prior to the date of hearing by affixture in the village chavadi or in any conspicuous public place in the village (which should be specified) and announcing the fact by beat of tom-tom and for returning the original with the following certificate of the village officers. Certificate Certified that this notice was published by affixing a copy thereof in the village chavadi (or some conspicuous place to be mentioned) and by announcing the fact by beat of tom-tom on and in token thereof signatures of the villagers have been obtained. Form No. 8[See rule 7(8) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973 Form of Decision of the Assistant Settlement Officer Under Section 11 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972(Tamil Nadu Act 11 of 1973)It is hereby notified for the information of all concerned that under sections 9, 10(1) and 10(2) read with section 11 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act 11 of 1973), the Assistant Settlement Officer has decided that ryotwari patta in respect of each of the Sreepadam lands specified in the Schedule below is to be allowed to the person and under section..... of the Act mentioned against each land. Any person aggrieved by this decision may prefer an appeal to the Tribunal within three months from the date of this decision. Place: Date: Assistant Settlement Officer. The Schedule Name of the district. Name of the taluk Name of the village.

Survey number and sub-division	Classification	Extent	Boundaries	Name of person to whom ryotwari patta is to beallowed	Section of Tamil Nadu Act 11 of 1973 underwhich ryotwari patta is to be given
(1)	(2)	(3)	(4)	(5)	(6)
			North		
			South		
			East		
			West		

ToThiru......(Name of the party). The Tahsildar......taluk/Deputy Tahsildar.The Tahsildar......taluk (in duplicate) for causing publication/ affixture in the village chavadi or in some conspicuous public place in the village (which should be specified) and announcing the fact by beat of tom-tom and for returning the original with the following certificate:CertificateCertified that the notice was published by affixing a copy thereof in the village chavadi (or some conspicuous place to be mentioned) and by announcing the fact by beat of tom-tom on......and in token thereof the signatures of the villagers have been obtained.Form No. 9[See rule 8 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973)Form of Notice Under

Section 41 of Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1973(Tamil Nadu Act 11 of 1973)Taluk Office.Date:ToThiru......taluk.....residing at village......Whereas it has been decided by the Assistant Settlement Officer/Tribunal/Special Appellate Tribunal that you are not entitled to ryotwari patta in respect of the land in your occupation mentioned in the schedule below, 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 Revenue Inspector firka is hereby authorised to carry out the order of eviction and to take possession of the land.The Schedule

Name of the district and taluk	Name of the village	Description of the land	Classification	Nature of occupation	Name of occupant	
survey number						
division	Entire extent of		Boundaries of			
number, if	the survey	Occupied	land occupied			
surveyed	number	extent	(north,south,			
orlocal name, if	orsub-division		eastand west)			
unsurveyed						
(1)	(2)	(3)	(4)	(5)	(6)	(7) (8) (9)

Copy to the Revenue Inspector for carrying out eviction and report. Tahsildar. Form No. 10 [See rule 14(1) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973] Form of Application for Payment of Compensation/interim Payment under Section 20 of the Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act XI of 1973)

- 1. Name of the applicant and his address.
- 2. Particulars of Sreepadam land in respect of which compensation/ interim payment was finally determined-
- (i)Name of the village and taluk, in which the Sreepadam land is situated(ii)Survey number and sub-division(iii)Extent(iv)Classification
- 3. Date and page of the Tamil Nadu Government Gazette in which the notification regarding the determination of the compensation/interim payment was published
- 4. Amount of compensation/interim payment determined
- 5. Grounds in support of the claim

6. Reasons for the delay in preferring the application, if any

7. Remarks

- 1. Name of the district and taluk.
- 2. Name of the village (Pakuthi).
- 3. Name of the Sreepadam landholder or other interested person with his full address who has applied for payment of the compensation/interim payment.
- 4. Amount of the compensation/interim payment as determined by the Settlement Officer.
- 5. Date and page of the Tamil Nadu Government Gazette wherein the fact of determination of the compensation/interim payment has been published.

6. Remarks

petition is appended hereto. The Tribunal. To The appellant and the respondents (in duplicate) through the Tahsildar of Taluk for causing service at least fifteen days prior to the date of hearing, obtaining acknowledgment and returning the original before the date of hearing. The Tahsildar of taluk (in duplicate) for causing publication in the village at least fifteen days prior to the date of hearing, by affixture in village chavadi or in any conspicuous public place in the village (which should be specified) announcing the fact by beat of tom tom and for returning the original with the following certificate of the village officers. Certificate Certified that the notice was published by affixing a copy thereof in the village chavadi......(or some conspicuous place to be mentioned) and by announcing the fact by beat of tom-tom on......and in token thereof signatures of the villagers have been obtained. Form No. 13[See rule 17 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973 Before the Special Appellate Tribunal under the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972(Tamil Nadu Act 11 of 1973) Appeal No of 20.A. B. Appellantv. C. D. and others Respondents The above named appeal to the Special Appellate Tribunal from the decision of the Tribunal No.......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)Place:Date:Signature of the applicant. Form No. 14 See rule 18 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973 Particulars of Amounts Deposited in the District Court of by the District Munsif of. Under Section 23(1) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari Act, 1972)(Tamil Nadu Act 11 of 1973)

> Rs. P.

- 1. Amount deposited
- 2. Whether unclaimed or undisbursed
- 3. If undisbursed ---
 - (a) No. and date of order in which the payment of compensation/interim payment was ordered by the DistrictMunsif or Tribunal or Special Appellate Tribunal.
 - (b) Name of persons in whose favour the orderfor payment was made under section 20(1) of the KanyakumariSreepadam Lands (Abolition and Conversion into Ryotwari) Act,1972 (Tamil Nadu Act 11 of 1973).
 - (c) Amount ordered for payment

4. If unclaimed ---

Rs.

P.

- (a) Number and date of order in which the amount of compensation/ interim payment was determined under section16(1)726 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972(Tamil Nadu Act 11 of 1973)
- (b) Name of person in whose favour the compensation/interim payment payable was determined.
- (c) Amount of compensation interim paymentdetermined
- 5. Remarks

Place:Date:District Munsif.Form No. 15[See rule 19 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973Form of Application to be made to the District Court in respect of an amount Deposited under Sub-Section (1) of Section 23 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972(Tamil Nadu Act 11 of 1973)

- 1. Name of the applicant and full address
- Particulars of Sreepadam lands to which theclaim relates, with particulars of village (Pakuthi) taluk and district.
- 3. Date and page of District Gazette in which thenotification regarding deposit of the amount with the DistrictCourt was published.
- 4. Whether the application is in respect of unclaimed amount or undis-bursed amount.
 - Details of claim and the provision of law underwhich the applicant is entitled to the amount
- beld in deposit.
- 6. The amount claimed out of the total amountdeposited in the District Court by the District Munsif.
- 7. Reasons for the delay in preferring theapplication, if any.
 - In the case of undisbursed amounts, particulars of orders passed by District Munsif, Tribunal
- 8. or the SpecialAppellate Tribunal in respect of which an application for paymentunder section 23 should have been preferred:
 - (i) Number and date of the order of the DistrictMunsif or Special Appellate Tribunal
 - (ii) Particulars of the amount ordered forpayment
 - (iii) Name of the person in whose favour anorder of payment was passed
- 9. In the case of unclaimed amounts:
 - (a) Number and date of order in which the amount of compensation/interim payment was determined by the SettlementOfficer under section 16(l)/26 of the Kanyakumari Sreepadam Lands(Abolition and Conversion into Ryotwari) Act, 1972 (Tamil NaduAct 11 of 1973)
 - (b) Name of the person in whose favour thecompensation/ interim payment payable was determined.
 - (c) Amount of compensation/interim paymentdetermined.
- Is the original or certified copy of the order of the District Munsif, Tribunal or Special Appellate Tribunalenclosed?
- 11. Summary of the evidence proposed to be adduced in support of the claim.
- 12. Any other information relevant to this application.

Place:Date:Signature of the applicant.Form No. 16[See rule 25 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973]Form of Notice to be given under Section 32 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972(Tamil Nadu Act 11 of 1973)

- 1. Name of the district and taluk.
- 2. Name of the village (Pakuthi).
- 3. Serial number of the land in the Register of Sreepadam.
- 4. Particulars of the Sreepadam land ---

- (i) Survey number and sub-division
- (ii) Extent.
- (iii) Classification.
- 5. Name and full address of the transferor.
- 6. Name and full address of the transferee.
- 7. Nature of the transfer ---
 - (a) Whether by way of transfer falling undersection 32(i)of the Act
 - (b) Whether by succession falling under section32(2) of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Act, 1972 (Tamil Nadu Act 11 of 1973)
- 8. Particulars of documents evidencing suchtransfer or succession.
- 9. Remarks

Place:Date:Signature of the Transferor/Signature of the TransfereeToThe Assistant Settlement Officer.Form No. 17[See rule 26 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari) Rules, 1973)]Statement to be filed under section 35 of the Kanyakumari Sreepadam Lands (Abolition and Conversion into Ryotwari Act, 1972(Tamil Nadu Act 11 of 1973)

- 1. Name of the district
- 2. Name of the taluk
- 3. Name of the village
- 4. Name and full address of Sreepadam landholder
- 5. Description of the land in respect of which rentis payable ---
 - (a) Survey number and sub-division
 - (b) Extent
 - (c) Classification
- 6. Name and full address of tenant liable to payrent.
- 7. Amount of rent payable annually --- Kind

Cash

Commutation rate in the case of grain rent.

8. Amount outstanding collection in Fasli---

Rs. P.

- (i)Rent
- (ii)Interest
- 9. Details for the amounts shown in column 8
- 10. Remarks.

Place: Date: Signature of Sreepadam Landholder.