

Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Rules, 1984

TAMILNADU

India

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Rule

TAMIL-NADU-FLOOD-AFFECTED-AREAS-CULTIVATING-TENANTS-TE of 1984

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Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Rules, 1984Published vide Notification No. S.R.O. A-30/35.-G. O. Ms. No. 215, Finance, dated the 9th February 1985In exercise of the powers conferred by section 9 of the Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Act, 1984 (Tamil Nadu Act 32 of 1984), the Governor of Tamil Nadu hereby makes the following rules:-

1. Short title.

- These rules may be called the Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Rules, 1984.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Act, 1984 (Tamil Nadu Act 32 of 1984);(b)"Form" means a form appended to these rules.

3. Right to restoration of possession of evicted cultivating tenants.

- Every cultivating tenants who had been evicted from any land on or before the 10th January 1984, but before the date of publication of the Act in the Tamil Nadu Government Gazette (i.e.) 9th August 1984, in any flood affected areas specified in the Schedule to the Act and every cultivating tenant

who had been evicted before the date of the publication of the notification under section 10, in any flood affected area included in the Schedule to the Act by such notification, on the ground that such cultivating tenant was in arrear with respect to the rent payable to the landlord or the public trust, as the case may be, shall make an application to the Revenue Divisional Officer in the Form appended to these rules within a period of five months from the date of the publication of the Act in the Tamil Nadu Government Gazette for the restoration of possession of such land and to hold it with all the rights and subject to all the liabilities of a cultivating tenant under the Tamil Nadu Cultivating Tenants Protection Act, 1955 (Tamil Nadu Act XXV of 1955) or under the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Tamil Nadu Act 57 of 1961), as the case may be: Provided that the restoration of possession in the case of cultivating tenant does not violate the provisions contained in section 62 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961): Provided further that the application shall be received after the period of five months aforesaid, but before the expiry of the Act, if the applicant satisfies the Revenue Divisional Officer that he had sufficient cause for not making the application within the said period of five months.

4. Court-fees.

- Every application under these rules shall bear a Court-fee stamp of two rupees and shall be accompanied by sufficient number of copies of the applications for service on the landlord, cultivating tenant or other persons likely to be affected. Form Prescribed under the Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Rules, 1984. Issued under the Tamil Nadu Flood Affected Areas Cultivating Tenants (Temporary Relief) Act, 1984 (Tamil Nadu Act 32 of 1984) Form (See rule 3) Application for the Restoration of Possession of the Evicted Cultivating Tenant In the Court of..... Before the.....

Between
..... Plaintiff/Petitioner
and
..... Defendant/Respondent.

The above named plaintiff/ petitioner states as follows:-The plaintiff/petitioner.....(Name) is a cultivating tenant, residing at.....(address). The address of the plaintiff/petitioner for service of all notices of process is.....(address);

2. The defendant/respondent is a landlord, residing at(address);

3. Whereas a decree or order has been passed in the suit or proceeding (No of) by the.....against the plaintiff/petitioner for eviction for non-payment of instalment of arrears of rent and has been evicted from the lands specified in the table below after the 16th January 1984 and before the publication of the Tamil Nadu Flood Affected Area Cultivating Tenants (Temporary Relief) Act, 1984 (Tamil Nadu Act 32 of 1984) in the Tamil Nadu

Government Gazette and before the date of publication of the notification under section 10 in the Tamil Nadu Government Gazette in any flood affected area included in the Schedule to the Act, and whereas, the plaintiff/ petitioner in the said suit pray that the said decree or order may be cancelled and he be restored to possession of the land specified in the Table below with all the rights and subject to all the liabilities of a cultivating tenant.

4. The following particulars are furnished for the information of the Court/ competent authority:-

1. Name and address of the cultivating tenant to whom the evicted lands are to be restored.

2. Particulars of lands cultivated before eviction

3. Actual date of eviction from the lands.

Name of the District	Name of the Taluk	Name of the Village	Survey number of the land	Local name, if any	Classification on (wet dry garden or Manavari)	Extent (A.C.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Total

4. Name and address of the landlord or landowners from whom the lands are to be restored.

5. Remarks

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief, true and correct. Place: Date: Signature of the applicant