

# Tamil Nadu Land-Revenue Assessment Act, 1876

TAMILNADU

India

## Tamil Nadu Land-Revenue Assessment Act, 1876

### Act 1 of 1876

- Published on 12 February 1876
- Commenced on 12 February 1876
- [This is the version of this document from 12 February 1876.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Land-Revenue Assessment Act, 1876(Tamil Nadu Act 1 of 1876)Statement of Objects and Reasons - Tamil Nadu Land-Revenue Assessment Act, 1876 (Tamil Nadu Act 1 of 1876). - For Statement of Objects and Reasons, please see Fort St. George Gazette Supplement, dated the 2nd March 1875, page 12; for Report of the Select Committee, dated the 16th November 1875, page 1; for Proceedings in Council, dated the 2nd March 1875, page 4 dated the 22nd November 1875, page 1 and dated the 8th February 1876, page 2.Short title, "The Madras Land Revenue Assessment Act, 1876" was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).Received the assent of the Governor on the 12th February 1876, and of the Governor-General on the 3rd March 1876, and takes effect from the 1st September 1876.An Act to make better provision for the separate assessment of alienated portions of permanently settled estates.Whereas it is desirable to make better provision for the separate assessment to land-revenue of portions of permanently-settled estates alienated by sale or otherwise; It is hereby enacted as follows:-

#### 1. Application for registry and separate assessment.

- The alienor or alienee of any portion of a permanently-settled estate, or the representative of any such alienor or alienee, may apply to the [Collector] [For definition of 'Collector' see section 2 of the Tamil Nadu Land Revenue Assessment (Amendment) Act, 1914 (Tamil Nadu Act II of 1914).] of the district in which such portion is situate for its registration in the name of the alienee and for its separate assessment in respect of land-revenue.This Act took effect from the 1st September 1876.

#### 2. Inquiry by Collector.

- The [Collector] [For definition of 'Collector' see section 2 of the Tamil Nadu Land Revenue Assessment (Amendment) Act, 1914 (Tamil Nadu Act II of 1914).] shall, thereupon, hold an inquiry as to who is the present owner of the property in respect of which the application is made.Procedure as to inquiry. - For the purposes of such inquiry, the [Collector] [For definition of 'Collector' see section 2 of the Tamil Nadu Land Revenue Assessment (Amendment) Act, 1914 (Tamil Nadu Act II

of 1914).] shall publish a notice in the [District Gazette] [These words were substituted with effect from the 1st April 1937 by section 3(1) of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1951 (Tamil Nadu Act XIV of 1951), for the words 'Official Gazette' as substituted for the words 'Local Gazette' by the Adaptation Order of 1937.], in three successive issues, that the application has been made, and that, unless cause is shown to the contrary within sixty days from the date of notice, such separate assessment will be made. He shall also cause notice of the inquiry to be given to any alienor or alienee who has not joined in the application. In what case registry and separate assessment should be made. - If, on such inquiry, it appears that the alienation has taken place and that all the parties to such alienation concur in applying for the separate assessment of the portion alienated, and if objection is not taken by any person interested in the estate, or being taken is disallowed by the [Collector,] [For definition of 'Collector' see section 2 of the Tamil Nadu Land Revenue Assessment (Amendment) Act, 1914 (Tamil Nadu Act II of 1914).] the [Collector] [The Tamil Nadu Revenue Recovery Act, 1864.] shall proceed to register the alienated portion in the name of the alienee, and to apportion the assessment of such alienated portion in the manner provided in section 45 of Tamil Nadu Act II of 1864 [xxx] [The words and figures 'subject to the sanction laid down in section 46 of the Act' were repealed by the Tamil Nadu Decentralisation Act, 1914 (Tamil Nadu Act VIII of 1914).].

### **3. Proportion of land - revenue to be deducted.**

- Upon such assessment being declared, there shall be deducted from the land-revenue payable in respect of such estate an amount equal to the sum assessed on the portion so separately assessed.

### **4. Assessed part not liable for arrears due by estate, nor State for arrears due by part assessed.**

- Upon such assessment being made the portion so assessed shall no longer be liable in respect of arrears of revenue due by the estate of which it formed a part; nor shall such estate be liable in respect of the portion so assessed.

### **5. Persons aggrieved by registration may sue in Civil Court.**

- Any person aggrieved by the fact of the separate registration of such portion may sue in a Civil Court for a decree declaring that such separate registration ought not to be made.

### **6. Persons aggrieved by refusal to register may sue in Civil Court.**

- Any person aggrieved by the Collector's refusal to register may sue in a Civil Court for a decree declaring that such separate registration ought to be made.

**7. Persons aggrieved by assessment may appeal to [Revenue Board] [By virtue of section 10(1) of the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980), any reference to the Board of Revenue shall be deemed to be a reference to the State Government or the Appropriate Authority specified in the notification under sub-section (1) of section 4 of the said Act.].**

- Any person aggrieved by the apportionment of the assessment under section 2 of this Act may appeal to the [Board of Revenue] [These words were substituted for the word 'The Governor in Council' by section 4 of the Madras Revenue (Miscellaneous Amendments) Act, 1936 (Madras Act VIII of 1936).] within ninety days from the date of the declaration of such assessment; and the order of the [Board of Revenue] [These words were substituted for the word 'The Governor in Council' by section 4 of the Madras Revenue (Miscellaneous Amendments) Act, 1936 (Madras Act VIII of 1936).] shall be final.

## **8. Power to readjust assessment.**

- [If no such appeal has been preferred, the [Board of Revenue] [These words were substituted for the word 'The Governor in Council' by section 4 of the Madras Revenue (Miscellaneous Amendments) Act, 1936 (Madras Act VIII of 1936)] may, at any time, if it appears that there has been fraud or material error in the apportionment of such separate assessment, cause the same to be re-adjusted.]

## **9.**

[Regulation I of 1819 repealed] Rep. by the Repealing and Amending Act, 1901 (Central Act XI of 1901).