

# Telangana Civil Courts Act, 1972

TELENGANA

India

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### Act 19 of 1972

- Published on 6 December 2014
- Commenced on 6 December 2014
- [This is the version of this document from 6 December 2014.]
- [Note: The original publication document is not available and this content could not be verified.]

Telangana Civil Courts Act, 1972(Act No. 19 of 1972)Last Updated 17th January, 2020The Andhra Pradesh Civil Courts Act, 1972 received the assent of the Governor on 13.10.1972. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Notification issued in G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.

## Part I – Preliminary

### 1. Short title, extent and commencement.

(1)This Act may be called the [Telangana] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.] Civil Courts Act, 1972.(2)It extends to the whole of the State of [Telangana] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.].(3)[ It shall come into force in such area and on such date as the Government may, by notification, appoint; and they may appoint different dates for different areas and for different provisions of this Act.] [Came into force in the whole of the State except in the Scheduled areas.]

### 2. Definitions.

- In this Act, unless the context otherwise requires, -(a)"court" means a civil court established or deemed to be established under this Act;(b)"Government" means the [State Government of Telangana] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.];(c)"High Court" means the [High Court of Judicature at Hyderabad] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.];(d)"Notification" means a notification published in the [Telangana] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.] Gazette; and the word "notified" shall be

construed accordingly. Part - II [Establishment and Constitution of Courts for the District of Hyderabad] [Substituted by Act No.1 of 1980.]

### **3. Establishment of a City Civil Court.**

(1) The Government may, after consultation with the High Court, by notification, establish a court to be called the City Civil Court with jurisdiction to receive, try and dispose of, subject to the provisions of this Act, all suits and proceedings of a civil nature arising [in the district of Hyderabad.] [Substituted by Act No.1 of 1980.](2) The City Civil Court existing on the date of the commencement of this Act shall be deemed to have been established under sub-section (1).

### **4. Appointment of Judges to the City Civil Court.**

(1) The number of judges to be appointed to the City Civil Court shall be one Chief Judge of the rank of a District Judge and such number of Additional Chief Judges of the rank of a District Judge and such number of [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] [xxx] [Omitted by Act No. 29 of 1997.] and such number of [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] [xxx] [Omitted by Act No. 29 of 1997.] as the Government may, after consultation with the High Court from time to time, by notification, fix.(2) The Chief Judge, any Additional Chief Judge, any [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] and any [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] appointed to the City Civil Court existing on the date of the commencement of this Act shall be deemed to have been appointed under sub-section (1).

### **5. [ Jurisdiction of the Judges of the City Civil Courts in original suits and proceedings. [Section 5 with marginal heading substituted by Act No.29 of 1997.]**

(1) The pecuniary jurisdiction of the Chief Judge and an Additional Chief Judge shall, subject to the provisions of the Code of Civil Procedure, 1908 and the other provisions of this Act, extend to all original suits and proceedings of a civil nature including land acquisition original petitions, the amount or value of the subject matter of [which exceeds rupees fifteen lakhs.](2) The pecuniary jurisdiction of a [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] shall extend to all like suits and proceedings of a Civil nature including land acquisition original petitions not otherwise exempted from his cognizance under any other law for the time being in force, the amount or value of the subject matter of [which exceeds rupees three lakhs but does not exceed rupees fifteen lakhs.] [Substituted by G.O. Ms. No. 17, Law(LA, LA&J Home Courts. A2) Department, dated 06.12.2014.](3) The pecuniary jurisdiction of a [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] shall extend to all like suits and proceedings not otherwise exempted from his cognizance under any other law for the time being in force, the amount or value of the subject matter of [which does not exceed rupees three lakhs.] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.]]

## **6. Distribution of work in the City Civil Court.**

(1)The Chief Judge may, from time to time, make such arrangements as he may think fit, for the proper distribution of the business of the City Civil Court among the various Judges thereof.(2)An Additional Chief Judge shall, subject to the general or special orders of the High Court, perform all or any of the functions of the Chief Judge which the Chief Judge may assign to him and in the performance of those functions, the Additional Chief Judge shall exercise the same powers as the Chief Judge.

## **7. [ \* \* \* ] [Omitted by Act No.1 of 1980.]**

## **8. [ [Omitted by Act No.1 of 1980.]**

\* \* \*]

## **9. Forum for appeals.**

(1)An appeal shall, when it is allowed by law, lie from any decree or order in a civil suit or proceeding,-(i)of the Chief Judge or the Additional Chief Judge of the City Civil Court, to the High Court;(ii)of the [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] of the City Civil Court-(a)to the Court of the Chief Judge, when the amount or value of the subject matter of the suit or proceeding [is not more than rupees [five lakhs] [Substituted by Act No.28 of 2000.]]; (b)to the High Court in other cases; and(iii)[ of the [Junior Civil Judge] [Substituted by Act No.1 of 1980.] of the City Civil Court, to the Court of the Chief Judge.](2)The Chief Judge may, subject to the orders of the High Court, transfer for disposal any appeal filed in the City Civil Court to any Additional Chief Judge or any [Senior Civil Judge.] [Substituted by Act No. 29 of 1997.]Part - III Establishment and Constitution of Courts in Districts Other Than The District of Hyderabad.

## **10. Establishment of District Courts.**

(1)The Government may, after consultation with the High Court, by notification, establish such number of District Courts as they may deem necessary and appoint a District Judge for each District Court.(2)The Government may, from time to time, likewise abolish any District Court established under this section.

## **11. Appointment of Additional District Judges.**

(1)Where, in the opinion of the High Court, the state of business pending in a District Court, so requires, the Government may, after consultation with the High Court, appoint one or more Additional District Judges to the District Court for such period as they may deem necessary.(2)An Additional District Judge so appointed shall perform all or any of the functions of the District Judge under this Act or any other law for the time being in force which the District Judge may assign to him, and in the performance of those functions, he shall exercise the same powers as the District

Judge.

## **12. Establishment of Courts of Senior Civil Judges and Junior Civil Judges.**

(1)The Government may, after consultation with the High Court, by notification, establish such number of Courts of [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] and [Junior Civil Judges] [Substituted by Act No. 29 of 1997.] as they may deem necessary for each district in the State other than the district of Hyderabad.(2)The Government may, from time to time, likewise abolish any such Court established under this section.

## **13. Appointment of Principal and Additional Senior Civil Judges and Junior Civil Judges.**

(1)Where, in the opinion of the High Court, the state of business pending in [the Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] so requires, the Government may, after consultation with the High Court, appoint one or more [Additional Senior Civil Judges] [Substituted by Act No. 29 of 1997.] to [the Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or one or more [Additional Junior Civil Judges] [Substituted by Act No. 29 of 1997.] to [the Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] for such period as they may deem necessary.(2)Where more than one [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] is appointed to a [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or more than one [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] is appointed to a [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.], one of the [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] or [Junior Civil Judges] [Substituted by Act No. 29 of 1997.] shall be designated by the High Court as the Principal [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or the Principal [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] and the others as [Additional Senior Civil Judges] [Substituted by Act No. 29 of 1997.] or as [Additional Junior Civil Judges] [Substituted by Act No. 29 of 1997.], as the case may be.(3)Each of the [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] or [Junior Civil Judges] [Substituted by Act No. 29 of 1997.] appointed to a [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or to a [Court of the Junior Civil Judge] [Substituted by Act No. 29 of 1997.], as the case may be, may exercise all or any of the powers conferred on such Court by this Act or any other law for the time being in force.(4)Subject to the general or special orders of the District Judge, the [Principal Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or the [Principal Junior Civil Judge] [Substituted by Act No. 29 of 1997.] may, from time to time, make such arrangements as he thinks fit for the proper distribution of the business of the Court among the [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] or [Junior Civil Judges] [Substituted by Act No. 29 of 1997.], as the case may be.

## **14. Existing District Courts, Sr.Civil Judges Courts and Jr.Civil Judges Courts deemed to be established under this Act.**

- The District Courts, the Courts of Subordinate Judge and the Courts of District Munsif Judge existing on the date of the commencement of this Act and the District Judges, Subordinate Judges

and District Munsifs appointed to such Courts prior to the said date shall be deemed to have been established or appointed, as the case may be, under this Act. Explanation. - The Courts of Munsifs established and the Munsifs appointed under the [Andhra Pradesh (Telangana Area) Civil Courts Act, 1954, (Act XXXVI of 1954)] [Repealed by this Act.]. shall be deemed to be and always to have been respectively the Courts of District Munsifs established and the District Munsifs appointed under this Act.

## **15. Local limits of Jurisdiction of District Courts, Courts of Senior Civil Judge and Junior Civil Judge.**

(1) The Government shall, after consultation with the High Court, by notification, fix and may from time to time, likewise alter, the local limits of the jurisdiction of any District Court or [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.]; and the High Court shall, by notification, fix and may from time to time, likewise alter the local limits of the jurisdiction of any [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.]. (2) The local limits of the jurisdiction of every District Court, [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] existing on the date of the commencement of this Act shall be deemed to have been fixed under this section and shall continue as such until altered.

## **16. [ Jurisdiction of District Judge, Senior Civil Judge and Junior Civil Judge in original suits and other proceedings. [Section 16 with marginal heading substituted by Act No.29 of 1997.]**

(1) The pecuniary jurisdiction of a District Judge, shall subject to the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908) and the other provisions of this Act, extend to all original suits and proceedings of a Civil nature including Land Acquisition original petitions, the amount or value of the subject matter of [which exceeds rupees fifteen lakhs.]. (2) The pecuniary jurisdiction of a Senior Civil Judge shall extend to all like suits and proceedings of a Civil nature including Land Acquisition original petitions not otherwise exempted from his cognizance under any other law for the time being in force, the amount or value of the subject matter of [which exceeds rupees three lakhs but does not exceed rupees fifteen lakhs.] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.]. (3) The pecuniary jurisdiction of Junior Civil Judge shall extend to all like suits and proceedings, not otherwise exempted from his cognizance under any other law for the time being in force, the amount or value of the subject matter of [which does not exceed rupees three lakhs.] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.].

## **17. Appeals from the decrees and orders of courts in the Districts.**

(1) An appeal shall, when it is allowed by law, lie from any decree or order in a civil suit or proceeding -(i) of the District Court, to the High Court; (ii) of [the Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.], -(a) to the District Court, when the amount or value of the

subject matter of the suit or proceeding [is not more than rupees [five lakhs] [Substituted by Act No.28 of 2000.];](b)to the High Court, in other cases; and(iii)of [the Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.], to the District Court.(2)The District Judge may, subject to the orders of the High Court, transfer for disposal any appeal from the decree or order of a [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] preferred in the District Court, to any [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] within the district.(3)Where a [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] is established in any district at a place remote from the seat of the District Court, the High Court, may, with the previous sanction of the Government, direct that an appeal from the decree or order of any [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] within the local limits of the jurisdiction of such [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] shall be preferred in the said [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.]:Provided that the District Judge may, from time to time, transfer to his own Court, any appeal so preferred, and dispose it of himself.

## **18. Establishment of a [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] for two or more districts.**

(1)Notwithstanding anything in this Act, the Government may, after consultation with the High Court, by notification, establish a [Court of a Senior Civil Judge] [Substituted by Act No. 29 of 1997.] for such area comprised within the limits of the jurisdiction of two or more District Courts as may be specified in the notification.(2)A [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] appointed for the Court established under sub-section (1) shall hold the Court at such place within the jurisdiction of each of the said District Courts and for such period as the High Court may, from time to time, appoint.(3)The local limits of the jurisdiction of [the Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.], when it is sitting at any such place, shall be the same as those of the District Court concerned, but [the Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] shall not entertain any original suit, appeal or proceeding but shall try or dispose of only such suit, appeal or other proceeding as may be transferred to it by the District Court concerned by or under this Act or any other law.(4)An appeal from the decree or order of [the Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] in a suit or proceeding so transferred shall, where it lies to a District Court, lie to the District Court which transferred the suit or proceeding.

## **19. Exercise by [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] of Jurisdiction of District Judge in certain proceedings.**

(1)The High Court may, by general or special order, authorise any [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] to take cognizance of or any District Judge to transfer to any [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] under his control, any proceedings under the Indian Succession Act, 1925, (Central Act 39 of 1925). which cannot be disposed of by District Delegates.(2)The District Judge may withdraw any such proceedings taken cognizance of by, or transferred to a [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] and may either himself dispose them of or transfer them to a Court under his control, competent to dispose them off.(3)Notwithstanding anything in section 17, the proceedings taken cognizance of by, or

transferred to, a [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] under the provisions of this section shall be disposed of by him subject to the law applicable to like proceedings when disposed of by the District Judge.(4)The provisions of this section shall apply in relation to the Chief Judge, City Civil Court and [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] thereof as they apply in relation to the District Judge and the [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] with the substitution of references to the Chief Judge and [Senior Civil Judges] [Substituted by Act No. 29 of 1997.] for references to the District Judge and the [Senior Civil Judges] [Substituted by Act No. 29 of 1997.].Part - IV Miscellaneous

## 20. Definition.

- In this Part, the terms "District Judge", "Additional District Judge", "[Senior Civil Judge] [Substituted by Act No. 29 of 1997.]" and "[Junior Civil Judge] [Substituted by Act No. 29 of 1997.]", and the "District Court", "[Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.]" and the "[Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.]", shall, in relation to the district of Hyderabad [X X X] [Omitted by Act No.1 of 1980.] respectively mean the Chief Judge, Additional Chief Judge, [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] and [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] of the City Civil Court, and the Courts of the Chief Judge or Additional Chief Judge, [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] and [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] thereof.

## 21. Places for the sitting of the Courts.

(1)The Government may, after consultation with the High Court, from time to time, by notification, appoint the 20 [place or places at which] any District Court or [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] established under this Act shall sit; and the High Court may, from time to time, by notification, appoint the 20 [place or places at which] any [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] established under this Act shall sit.(2)The place at which any Court specified in this Act is sitting on the date of the commencement of this Act shall be deemed to have been appointed under this section and shall continue as such until it is altered.(3)[The place or places appointed] [Substituted by Act No.19 of 1984.], or deemed to have been appointed, for the sitting of any court under this section shall be within the local limits of the jurisdiction of that Court, [unless the Government otherwise direct.] [Inserted by Act No.1 of 1980.]

### 21A. [ Special Provision regarding Jurisdiction of certain courts and validation of certain Acts. [Inserted with marginal heading by Act No.1 of 1980.]

(1)Notwithstanding anything in this Act, whenever a new district is formed under the provisions of section 3 of the [Telangana Districts (Formation) Act, 1974, (Act. No. 7 of 1974)] [on or after formation of the State of Telangana] [Substituted by G.O.Ms.No.17, Law (LA, LA&J Home-Courts.A2) Department, dated 06.12.2014.], until a separate District Court is established for such district, the District Court, [the Court of Senior Civil Judge] [Substituted by Act No. 29 of

1997.] or [the Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] exercising jurisdiction over the respective area immediately prior to the formation of such new district, shall continue to exercise the jurisdiction over the area included in such district as if the new district has not been formed.(2)Any jurisdiction exercised, any judgment, decree or order passed or made, and any other act or proceeding done or taken, until the establishment of a new District Court for the new district on or after the formation of a new district shall be deemed always to have been validly exercised or passed or made and done or taken in accordance with law.]

## **22. Sittings of Courts.**

- The courts under the control of the High Court shall sit from day to day, except on Sundays and on such other days as may be declared as holidays by the High Court for all or any of the districts.

## **23. General Control of a District Judge over all courts in a district.**

- Subject to the other provisions of this Act and to such orders as the High Court may, from time to time, issue in this behalf, the general control over all the courts under this Act in a district shall be vested in the District Judge.

## **24. Investiture of District Judge, [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] with small causes jurisdiction.**

(1)The High Court may, by notification, invest, within such local limits as it shall, from time to time, fix-(i)any District Judge or [Senior Civil Judge] [Substituted by Act No. 29 of 1997.], with the jurisdiction of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts upto the amount of [ten thousand rupees] [Substituted by Act No.30 of 1989.];(ii)any [Junior Civil Judge] [Substituted by Act No. 29 of 1997.], with like jurisdiction upto the amount of [four thousand rupees.] [Substituted by Act No.30 of 1989.](2)The High Court may, likewise, withdraw the jurisdiction from the District Judge, [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or [Junior Civil Judge] [Substituted by Act No. 29 of 1997.] so invested.

## **25. Seal of Court.**

- Every Court under this Act shall use a seal of such form and dimensions as may, from time to time, be specified by an order of the High Court with the approval of the Government.

## **26. Law to be administered by courts in deciding questions regarding succession, inheritance, marriage, etc.**

- Where, in any suit or proceeding, it is necessary for any court under this Act to decide any question regarding succession, inheritance, marriage or any religious usage or institution-(i)(a)the Muslim law in cases where the parties are Muslims and Hindu law in cases where the parties are Hindus,



or(b)any custom, if such there be, having the force of law and governing the parties or property concerned, shall form the rule of decision, unless such law or custom has been altered or abolished by legislative enactment, and(ii)in a case where no specific rule exists the court shall act according to justice, equity and good conscience.

## **27. Judicial officers not to try suits in which they are interested, not to try appeals from decrees or orders passed by them in other capacities.**

(1)No judicial officer shall try any suit to which he is a party or in which he is personally interested, nor he shall adjudicate upon any proceeding connected with, or arising out of, such suit.(2)No such officer shall try any appeal against a judgment, decree or order passed by him in another capacity.(3)Where any such suit, proceeding or appeal comes before any such officer, he shall report the circumstances to the court to which he is immediately subordinate.(4)The superior court shall thereupon dispose of the case in the manner provided by section 24 of the Code of Civil Procedure 1908 (Central Act V of 1908).(5)Nothing in sub-section (4) shall be deemed to affect the extraordinary original civil Jurisdiction of the High Court.Explanation. - In this section, the expression 'Judicial Officer', includes any Judge of the City Civil Court, any District Judge, any [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] and any [Junior Civil Judge] [Substituted by Act No. 29 of 1997.].

## **28. Temporary discharge of duties of the District Judge or Chief Judge, City Civil Court.**

- In the event of the death of the District Judge or of his being incapacitated by illness or otherwise for the performance of his duties, or of his absence from the station at which his court is sitting, the Senior Additional District Judge at such station, or if there is no Additional District Judge there, [the Principal Senior Civil Judge] [Substituted by Act No.29 of 1997.] at such station, or if there is no such Additional District Judge or [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] at the station, such other [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] in the District, or any other District Judge of a neighbouring district as the High Court may specify in this behalf shall, without interruption to his ordinary duties, assume charge of the office of the District Judge and shall discharge such of the current duties thereof as are connected with the filing of suits and appeals, the execution of process and the like, and shall continue in charge of the office until it is resumed or assumed by a person duly appointed to that office:Provided that where an Additional District Judge or a District Judge of a neighbouring district assumes charge under this section, it shall be competent for him to perform any of the functions of District Judge under this Act or any other law for the time being in force.

## **29. Power to require witness or party to a suit to make such oath or affirmation.**

- Every Court under this Act may require a witness or party to any suit or other proceeding pending in such court to make such oath or affirmation as is prescribed by law for the time being in force.

### **30. Duties of ministerial officer of Courts.**

- A Ministerial Officer of a court shall perform such duties as may, from time to time, be imposed upon him by the presiding officer of the Court.

### **31. Vacation.**

- The Courts under the control of the High Court may adjourn, from time to time, for such periods not exceeding in the aggregate two months in each year, as may be notified by the High Court.

### **32. Appointment of vacation Civil Judge.**

(1)Notwithstanding anything in this Act or in the Code of Civil Procedure, 1908, (Central Act V of 1908). the High Court may for the duration of the adjournment of any District Court in summer, appoint for such District Court a Vacation Civil Judge not below the rank of a District Judge or the Government may after consultation with the High Court, so appoint a Vacation Civil Judge not below the rank of a [Senior Civil Judge] [Substituted by Act No. 29 of 1997.](2)(a)The local limits of the jurisdiction of the Vacation Civil Judge shall be the same as those of the District Court concerned.(b)The jurisdiction of the Vacation Civil Judge shall extend to all suits, appeals and other proceedings pending in, or cognizable by, any court (whether a District Court, a [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or a [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.]) in the district concerned when such Court is adjourned for summer vacation.(3)The place, at which the Court of the Vacation Civil Judge shall be held, shall be the same as the place at which the District Court concerned may be held. The Vacation Civil Judge shall have such administrative control over the staff of the Courts in the District as the High Court may, by general or special order determine.(4)Notwithstanding the appointment of the Vacation Civil Judge, every court in the district shall, during the period it is adjourned for summer vacation, be deemed to be closed for the purposes of section 4 of the Limitation Act, 1963 (Central Act 33 of 1963).(5)On the reopening of the District Court, a [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or a [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] after the summer vacation, all suits, appeals, and other proceedings pending in the Court of the Vacation Civil Judge, which, but for this section would have been instituted or pending in such District Court, [Court of Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or [Court of Junior Civil Judge] [Substituted by Act No. 29 of 1997.] as the case may be, shall stand transferred to the Court concerned and any judgment, decree, order or proceeding passed by the Vacation Civil Judge shall, after such transfer, be deemed to be a judgment, decree, order or proceeding passed by the Court concerned.(6)Notwithstanding the provisions of sub-section (5), any appeal from the judgment, decree or order of the Court of the Vacation Civil Judge, shall, when such appeal is allowed by law, lie to the High Court.

### **33. High Court to receive suits and appeals when no Vacation Civil Judge is appointed.**

- When the District Court or the Court of [Senior Civil Judge] [Substituted by Act No. 29 of 1997.] or [the Court of Junior Civil Judge] [Substituted for 'the Court of Munsif' by Act No. 29 of 1997.] to which a suit, an appeal or other proceeding lies is adjourned under section 31 and when no Vacation Civil Judge is appointed under sub-section (1) of section 32, the High Court shall have the power to receive such suits, appeals and other proceedings.

### **34. Repeals and savings.**

(1)The Andhra Pradesh (Andhra Area) Civil Courts Act, 1873, the Andhra Pradesh (Telangana Area) Civil Courts Act, 1954 and section 17 of the Andhra Pradesh (Telangana Area) Small Causes Courts Act, 1330 Fasli are hereby repealed.(2)The provisions of sections 8 and 18 of the [Telangana General Clauses Act, 1891 (Act No 1 of 1891)] [Adapted by the Telangana Adaptation of Laws Order, 2016, issued in G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] shall apply upon such repeal.

### **35. Validation of proceedings taken before the commencement of this Act.**

- All proceedings taken or orders, judgments and decrees passed by any Court before the date of the commencement of this Act shall be deemed always to have been validly taken or passed in accordance with law.