The Pachaiyappa's Trust (Taking Over of Management) Act, 1981

Act 11 of 1981

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TAMIL NADU ACT NO. 11 OF 1981.*

THE PACHAIYAPPA'S TRUST (TAKING OVER OF MANAGEMENT) ACT, 1981.

[*Received the assent of the President on the* 3*rd March* 1981, *first published in the* Tamil Nadu Government Gazette *Extraordinary, on the* 3*rd March* 1981 (*Masi* 20, *Rowthiri*-2012—*Thiruvalluvar Aandu*).]

An Act to provide for the taking over of the management of the Pachaiyappa's trust and for matters connected therewith.

WHEREAS it has been brought to the notice of the State Government that the Board of Trustees of the Pachaiyappa's trust has, for the past few years, committed irregularities in the management of the charities and institutions (including educational institutions) and properties under its control ;

AND WHEREAS it has been brought to the notice of the State Government that the members of the present Board of Trustees of the Pachaiyappa's trust have also committed irregularities in the management of the charities (including educational institutions) and properties under its control;

AND WHEREAS it has been represented to the State Government that the continuance of the management of the Pachaiyappa's trust by the present Board of Trustees will not be proper in the public interest ;

AND WHEREAS the State Government have after careful consideration taken a policy decision that for a limited period the management of the Pachaiyappa's trust should be taken over by the State Government in the public interest and in order to secure the proper management of the Pachaiyappa's trust and that for this purpose the powers, duties and functions exercised and performed by the Board of Trustees should be exercised and performed by the Government either directly or through a Committee of management appointed by the Government ;

AND WEREAS any delay in taking over the management of the Pachaiyappa's trust would highly be deterimental to the interests and objects of the said trust ;

*For Statement of Objects and Reasons, *see Tamil Nadu Government Gazette* Extraordinary, dated the 9th February 1981, Part IV—Section 1, pages 91— 92.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-second Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Pachaiyappa's Trust (Taking over of Management) Act, 1981.

(2) It shall be deemed to have come into force on the 22nd December 1980.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "Board of Trustees" means the Board of Trustees mentioned in the scheme for the Pachaiyappa's trust settled and approved by the High Court of Judicature at Madras on the 12th day of February 1909 as subsequently modified by the High Court ;

(*b*) "Government" means the State Government ;

(*c*) "Pachaiyappa's trust" means the trust in respect of Pachaiyappa's charities (including educational institutions) and properties under its control, and governed by the scheme settled and approved by the High Court of Judicature at Madras on the 12th day of February 1909 as subsequently modified by the High Court ;

(*d*) "Pachaiyappa's trust scheme" means the scheme for the Pachaiyappa's trust settled and approved by the High Court of Judicature at Madras on the 12th day of February 1909 as subsequently modified by the High Court.

Vesting of management of Pachaiyappa's trust.

3. (1) With effect on and from the date of the commencement of this Act, the management of the Pachaiyappa's trust in so far as it vests in the Board of Trustees under the Pachaiyappa's trust scheme, shall vest in the

Government for a period of[1][three years] and accordingly the powers, duties and functions exercised and performed by the Board of Trustees shall for the said period be exercised and performed by the Government either directly or through a Committee of management appointed under sub-section (2).

[2][(2) The Committee of management referred to in sub-section (1) shall consist of such number of officers of the Government not exceeding five, as the Government may, by notification, from time to time, appoint in this behalf.]

(3) The Committee of management shall, on behalf of the Government, exercise the powers and perform the duties and functions now exercised and performed by the Board of Trustees under the Pachaiyappa's trust scheme.

(4) The Government shall appoint one of the members of the Committee of management as its Chairman.

Members of the Board of Trustees to cease to hold office.

4. (1) Notwithstanding anything contained in any other Act or in the Pachaiyappa's trust scheme,every person who on the date of the commencement of this Act, is a member of the Board of Trustees of the Pachaiyappa's trust shall cease to hold office as member of such Board.

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1 These words were substituted for the words "two years" by section 2 of the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1983 (Tamil Nadu Act 7 of 1983), which was deemed to have come into force on the 19th December 1982.

2 This sub-section was substituted for the following sub-section by section 2 of the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1981 (Tamil Nadu Act 66 of 1981):—

"(2) The Committee of management referred to in sub-section (1) shall be appointed by the Government and shall consist of the following officers as members of the said Committee :—

(1) Director of Sports and Youth Services, Madras;

(2) Joint Secretary to Government-II, Home Department;

(3) Joint Secretary to Government, Law Department ;

(4) Deputy Secretary to Government, Finance Department dealing with Collegiate Education files ; and

(5) Director of Collegiate Education, Madras."

(2) During the period for which the Committee of management is exercising the powers and performing the duties and functions exercised and performed by the Board of Trustees, no election under the Pachaiyappa's trust scheme shall be held to fill up any vacancy in the Board of Trustees.

Taking over of properties, etc.

5. The Government, or the Committee of management on behalf of the Government, shall take all steps as may be necessary,to efficiently manage and run the Pachaiyapp's trust in accordance with—

(i) any law applicable to such trust ; and

(ii) the Pachaiyappa's trust scheme ;

in so far as such law or the scheme is not inconsistent with this Act and the rules made thereunder and to take into the custody or control of the Government all the property, effects and actionable claims to which the Pachaiyappa's trust is or appears to be entitled, and all the property and effects of the Pachaiyappa's trust shall be deemed to be in the custody of the Government on the date of the commencement of this Act :

Provided that the Government or the Committee of management shall not be bound by any liability incurred by the Board of Trustees prior to the date of the commencement of this Act and no such liability shall be enforced by any court whether in execution of a decree or otherwise against the Government or the Committee of management:

Provided further that in computing the period of limitation for a suit,or any application for the execution of the decree, the time during which such proceeding, attachment, injunction or order, the enforcement of which is barred under this section shall be excluded.

Explanation.—For the purpose of this section, the expression "law" includes any by-law, rule, regulation or any scheme, custom or usage.

Penalty for not handing over records and other properties of Pachaiyappa's trust.

6. Notwithstanding anything contained in any other law—

(*a*) every trustee of the Board of Trustees or any person working under its control shall, on demand, hand over immediately any records and properties relating to the Pachaiyappa's trust which are in, or have come into, his possession or control to an officer authorised by the Government in this behalf ;

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(b) if any trustee or any person working under the Board of Trustees fails to comply with the provisions of clause (*a*), he shall on conviction by a Metropolitan Magistrate or Judicial Magistrate of the first class, be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both.

Overriding effect of Act.

7. (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in section 92 of the Code of Civil Procedure, 1908 (Central Act V of 1908) or any other law for the time being in force or the Pachaiyappa's trust scheme or any other scheme settled under any law for the time being in force.

(2) If any provision contained in the Pachaiyappa's trust scheme is repugnant to any provision contained in this Act or the rules made thereunder, the latter provision shall prevail, and the former provision shall, to the extent of repugnancy, be of no effect.

(3) For the removal of doubts, it is hereby declared that the provisions of the Pachaiyappa's trust scheme including the by-laws made thereunder except in so far as they relate to the matters dealt with by this Act, shall continue in force.

Reconstitution of Board of Trustees on the expiry of Act.

8. Within two months before the expiry of the period of [1][three years] specified in sub-section (1) of section 3, the Government shall take all steps to hold election for the Board of Trustees in accordance with the Pachaiyappa's trust scheme so that the newly elected members may assume office immediately after the expiry of the said period of three years.

Bar of jurisdiction of civil court.

9. No civil court shall have jurisdiction in respect of any order passed by the Government or by the Committee of management, as the case may be, and no stay or injunction shall be granted by a court in respect of any action taken or to be taken by the Government or the Committee of management, in pursuance of any power conferred by or under this Act.

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[1] These words were substituted for the words "two years" by section 3 of the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1983 (Tamil Nadu Act 7 of 1983), which was deemed to have come into force on the 19th December 1982.

Protection of action taken in good faith.

10. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government or the Chairman or any member of the Committee of management for anything which is in good faith done or intended to be done under this Act.

Construction of references to Board of Trustees.

11. In the application of the Pachaiyappa's trust scheme, any reference to the Board of Trustees shall be construed, unless the context otherwise requires, as a reference to the Government or the Committee of management, as the case may be.

Relinquishment of management of Pachaiyappa's trust.

12. Notwithstanding anything contained in sub-section (1) of section 3, if at any time before the expiry of the period referred to in that sub-section, it appears to the Government that the purpose of the vesting in the Government of the management of the Pachaiyappa's trust has been fulfilled or that for any other reason it is not necessary that the management of the Pachaiyappa's trust should remain vested in the Government, they may, by order published in the *Tamil Nadu Government Gazette*, relinquish the management of the Pachaiyappa's trust with effect from such date as may be specified in the order :

Provided that before making an order under this section the Government shall take all steps to hold election for the Board of Trustees in accordance with the Pachaiyappa's trust scheme so that the newly elected members may assume office with effect from the date specified in the order published in the *Tamil Nadu Government Gazette*.

No right to compensation for premature termination of office.

13. Notwithstanding anything contained in any law for the time being in force, no person who ceases to hold office as member of the Board of Trustees by reason of the provisions contained in sub-section (1) of section 4, shall be entitled to claim any compensation for the loss of his office.

Power to remove difficulties.

14. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may make such order not inconsistent with the provisions of this Act as may appeal to them to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under this section shall, as soon as after it is made, be laid before each House of the Legislature.

Power to make rules.

15. (1) The Government may make rules to carry out the provisions of this Act.

(2) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette*, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) Every rule made under this Act shall, as soon as possible, after it is made, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Repeal and savings.

16. (1) The Pachaiyappa's Trust (Taking over of Management) Ordinance, 1980 (Tamil Nadu Ordinance 14 of 1980) is hereby repealed.

(2) Notwithstanding such repeal, anything done, or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

TAMIL NADU ACT NO. 66 OF 1981.*

THE PACHAIYAPPA'S TRUST (TAKING OVER OF MANAGEMENT) AMENDMENT ACT, 1981.

[*Received the assent of the President on the* 15*th December* 1981, *first published in the* Tamil Nadu Government Gazette *Extraordinary on the* 18*th December* 1981 (*Margazhi* 3, *Thunmathi*-2012-*Thiruvalluvar Aandu*).]

An Act to amend the Pachaiyappa's Trust (Taking over of Management) Act, 1981.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-second Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1981.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. [*The amendment made by this section has already been incorporated in the principal Act, namely, the Pachaiyappa's Trust (Taking over of Management) Act,* 1981 (*Tamil Nadu Act* 11 *of* 1981).]

Existing members to cease to hold office, etc.

3. (1) Notwithstanding anything contained in the principal Act, with effect on and from the date of commencement of this Act, the members of the Committee of management including its Chairman, holding office as such on the said date, shall cease to hold such office and appointment of the members of the said Committee of management on and after the said date shall be made in accordance with the provisions of the principal Act, as amended by this Act.

(2) Anything done or any action taken by the Committee of management in pursuance of the powers conferred on it by or under the provisions of the principal Act before the date of commencement of this Act, shall be deemed to have been done or taken by the Committee of management appointed under sub-section (2) of section 3 of the principal Act, as amended by this Act, in pursuance of the powers conferred on it, by or under the principal Act as amended by this Act.

*For Statement of Objects and Reasons, *see Tamil Nadu Government Gazette* Extraordinary, dated the 25th August 1981, Part IV—Section 1, page 704.

The following Act of the Tamil Nadu Legislature received the assent of the President on the 17th April 1985 and is hereby published for general information :—

ACT No. 22 OF 1985.

An Act further to amend the Pachaiyappa's Trust (Taking over of Management) Act, 1981.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1985.

(2) It shall be deemed to have come into force on the 21st December 1984.

2. *Amendment of section* 3, *Tamil Nadu Act* 11 *of* 1981.—In section 3 of the Pachaiyappa's Trust (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) (hereinafter referred to as the principal Act), in sub-section (1), for the words "four years", the words "five years" shall be substituted.

3. *Amendment of section* 8, *Tamil Nadu Act* 11 *of* 1981.—In section 8 of the principal Act, for the words "four years", occurring in two places, the words "five years" shall be substituted.

4. *Repeal and saving.*—(1) The Pachaiyappa's Trust (Taking over of Management) Second Amendment Ordinance, 1984 (Tamil Nadu Ordinance 30 of 1984) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor.)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

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The following Act of the Tamil Nadu Legislature received the assent of the President on the 15th February 1986 and is hereby published for general information :—

ACT No. 14 OF 1986.

An Act further to amend the Pachaiyappa's Trust (Taking over of Management) Act, 1981.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1986.

(2) It shall be deemed to have come into force on the 21st December 1985.

2. *Amendment of section* 3, *Tamil Nadu Act* 11 *of* 1981.—In section 3 of the Pachaiyappa's Trust (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) (hereinafter referred to as the principal Act), in sub-section (1), for the words "five years", the words "six years" shall be substituted.

3. *Amendment of section* 8, *Tamil Nadu Act* 11 *of* 1981.—In section 8 of the principal Act, for the words "five years", occurring in two places, the words "six years" shall be substituted.

4. *Repeal and saving.*—(1) The Pachaiyappa's Trust (Taking over of Management) Second Amendment Ordinance, 1985 (Tamil Nadu Ordinance 14 of 1985) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor.)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

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Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 4th April 1987 and is hereby published for general information :—

ACT No. 9 OF 1987.

An Act further to amend the Pachaiyappa's Trust (Taking over of Management) Act, 1981.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Pachaiyappa's Trust (Taking over of Management) Amendment Act, 1987.

(2) It shall be deemed to have come into force on the 22nd December 1986.

2. *Amendment of section* 3, *Tamil Nadu Act* 11 *of* 1981.—In section 3 of the Pachaiyappa's Trust (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) (hereinafter referred to as the principal Act), in sub-section (1), for the words "six years", the words "seven years" shall be substituted.

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3. *Amendment of section* 8, *Tamil Nadu Act* 11 *of* 1981.—In section 8 of the principal Act, for the words " six years ", occurring in two places, the words "seven years" shall be substituted.

4. *Validation.*—(1) Notwithstanding anything contained in the principal Act or in any other law for the time being in force,—

(*a*) the management of the Pachaiyappa's Trust vested in the Government under sub-section (1) of section 3 of the principal Act shall, for all purposes, be deemed to be, and to have been, validly vested in the Government;

(*b*) the Committee of management appointed under sub-section (2) of section 3 of the principal Act and the members (including the Chairman) of the said Committee holding office immediately before the 22nd December 1986 shall, for all purposes, be deemed to be, and to have been, validly appointed and holding office,

during the period commencing on the 22nd December 1986 and ending with the 8th January 1987, in accordance with law, as if the principal Act, as amended by this Act, had been in force at all material times.

(2) Anything done or any action taken by the Government or by the Committee of management under the principal Act, during the period commencing on the 22nd December 1986 and ending with the 8th January 1987 shall, for all purposes, be deemed to be, and to have been, validly done or taken in accordance with law, as if the principal Act, as amended by this Act, had been in force at all material times and it shall not be liable to be questioned in any court of law.

5. *Repeal and saving.*—(1) The Pachaiyappa's Trust (Taking over of Management) Amendment Ordinance, 1987 (Tamil Nadu Ordinance 1 of 1987) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 18th December 1987 and is hereby published for general information :-

ACT No. 56 OF 1987.

An Act further to amend the Pachaiyappa's Trust (Taking over of Management) Act, 1981.

WHEREAS doubts have arisen in regard to the application of the Pachaiyappa's Trust (Taking over of Management) Act, 1981 to certain public trusts and endowments which were managed and administered by the Board of Trustees of the Pachaiyappa's Trust immediately before the 22nd December 1980 in addition to the Pachaiyappa's Trust;

AND WHEREAS the object of the Government was to take over the management of not only the Pachaiyappa's Trust but also all other public trusts and endowments which were managed and administered by the Board of Trustees of the Pachaiyappa's Trust immediately before the 22nd December 1980;

AND WHEREAS it is expedient and necessary to remove such doubts and make it clear that the Act shall apply and shall be deemed to have applied to all public trusts and endowments which were managed and administered by the Board of Trustees of the Pachaiyappa's Trust immediately before the 22nd December 1980;

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Pachaiyappa's Trust (Taking over of Management) Second Amendment Act, 1987.

(2) It shall be deemed to have come into force on the 22nd December 1980.

2. *Amendment of long title to Tamil Nadu Act* 11 *of* 1981.—In the long title to the Pachaiyappa's Trust (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) (hereinafter referred to as the principal Act), after the expression "Pachaiyappa's trust", the expression "and of the public trusts and endowments specified in the Schedule" shall be, and shall be deemed always to have been, inserted.

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3. *Amendment of preamble to Tamil Nadu Act 11 of 1981.*— In the preamble to the principal Act,—

(1) in the first paragraph,—

(*a*) after the expression "the Board of Trustees of the Pachaiyappa's trust", the expression "(who are also trustees in respect of the public trusts specified in the Schedule and also administrators of the endowments specified in the Schedule)" shall be, and shall be deemed always to have been, inserted;

(*b*) for the expression "under its control", the expression "under the control of the said Board of Trustees" shall be, and shall be deemed always to have been, substituted;

(2) in the second paragraph,—

(*a*) after the expression "present Board of Trustees of the Pachaiyappa's trust", the expression "(who are also trustees in respect of the public trusts specified in the Schedule and also administrators of the endowments specified in the Schedule)" shall be, and shall be deemed always to have been, inserted;

(*b*) for the expression "under its control", the expression "under the control of the said Board of Trustees" shall be, and shall be deemed always to have been, substituted;

(3) in the third paragraph, for the expression "management of the Pachaiyappa's trust by the present Board of Trustees", the expression "management of the Pachaiyappa's trust and of the public trusts and endowments specified in the Schedule, by the present Board of Trustees (who are also trustees in respect of the public trusts specified in the Schedule and also administrators of the endowments specified in the Schedule)" shall be, and shall be deemed always to have been, substituted;

(4) in the fourth paragraph,—

(*a*) after the expression "management of the Pachaiyappa's trust" in the two places where it occurs, the expression "and of the public trusts and endowments specified in the Schedule" shall be, and shall be deemed always to have been, inserted;

(*b*) after the expression "by the Board of Trustees", the expression "(who are also trustees in respect of the public trusts specified in the Schedule and also administrators of the endowments specified in the Schedule)" shall be, and shall be deemed always to have been, inserted;

(5) in the fifth paragraph,—

(*a*) after the expression "management of the Pachaiyappa's trust", the expression "and of the public trusts and endowments specified in the Schedule" shall be, and shall be deemed always to have been, inserted;

(*b*) for the expression "said trust", the expression "said trusts and endowments" shall be, and shall be deemed always to have been, substituted.

4. *Amendment of section* 1, *Tamil Nadu Act* 11 *of* 1981.—In section 1 of the principal Act, in sub-section (1), after the expression "Pachaiyappa's Trust", the expression "and the Scheduled Public Trusts and Endowments" shall be, and shall be deemed always to have been, inserted.

5. *Amendment of section* 2, *Tamil Nadu Act* 11 *of* 1981.—In section 2 of the principal Act,—

(1) in clause (*a*), the following shall be, and shall be deemed always to have been, added at the end, namely :—

"which Board of Trustees are also trustees in respect of the public trusts specified in the Schedule and also administrators of the endowments specified in the Schedule;";

(2) in clause (*c*), the following shall be, and shall be deemed always to have been, added at the end, namely :—

"and includes the Scheduled public trusts and endowments.";

(3) in clause (*d*), the following shall be, and shall be deemed always to have been, added at the end, namely :—

"and includes any scheme, deed of public trust or any will or deed of endowment or any order of court or decree or any other instrument whatsoever creating or governing the Scheduled public trusts and endowments;";

(4) after clause (*d*), the following clause shall be, and shall be deemed always to have been, inserted, namely:—

"(*e*) "Scheduled public trusts and endowments" means the public trusts and endowments specified in the Scnedule to this Act and includes educational institutions, charities and properties under the control of the said public trusts and endowments.".

6. *Amendment of section 6, Tamil Nadu Act* 11 *of* 1981.—In section 6 of the principal Act, the following proviso shall be, and shall be deemed always to have been, added at the end, namely :—

"Provided that nothing contained in clause (*b*) shall, in so far as it relates to Scheduled public trusts and endowments, render any person liable to any punishment whatever by reason of his failure to comply with the provisions of clause (*a*) on or after the 22nd December 1980 and before the 2nd October 1987.".

7. *Addition of Schedule to Tamil Nadu Act* 11 *of* 1981.—To the principal Act, the following Schedule shall be, and shall be deemed always to have been, added at the end, namely :—

"SCHEDULE

[*See* clause (*e*) of section 2.]

Serial number.	*Description of public trusts and endowments.*
(1)	(2)
1	P. T. Lee Chengalvaroya Naicker's Public Trust (Will of Chengalvaroya Naicker, dated 4th October 1870 and his codicil, dated 30th April 1873).
2	Govindu Naicker's Public Trust (Will of Govindu Naicker, dated 25th March 1846).
3	Devalla Ramaswamiah's Endowment (Gift deed of Devalla Sundarammal, wife of Devalla Ramaswamiah, dated 30th May 1904).
4	Olati Ranganayakiammal's Public Trust (Will of Olati Ranganayakiammal, dated 30th March 1904).
5	Chellammal's Public Trust (Chellammal's will, dated 22nd November 1913 and her subsequent Wills, dated 11th November 1915, 16th October 1916 and 10th March 1917).
6	C. Shanmugasundara Mudaliar's Public Trust (Decree of the High Court, Madras in C. S. No. 396 of 1912).
7	P. K. Vidyasagaram's Public Trust (Will of P. K. Vidyasagaram, dated 23rd July 1928).

Serial number.	*Description of public trusts and endowments.*
(1)	(2)
8	T. B. Venkatachalam Pillai Public Trust (Will of T. B. Venkatachalam Pillai, dated 21st January 1931).
9	Oomapathi Pathar's Endowment (Will of Oomapathi Pathar, dated 31st July 1922).
10	Gantasala Yesodammal Endowment (Court sale, dated 8th May 1936).
11	C. Srinivasa Rao's Public Trust (Will of Caravadi Srinivasa Rao, dated 20th November 1908).
12	E. Doraiswamy Mudaliar Public Trust (Will of Doraiswamy Mudaliar, dated 7th June 1942).
13	Maragadammal Endowment (Will of Kavalambal alias Maragathammal, dated 7th May 1922).
14	Kamalavalli Thayarammal Endowment (Settlement deed, dated 31st January 1945 executed by C. Veeraraghava Chetty, husband of Kamalavalli Thayarammal).
15	Venkatavaratha Pillai Public Trust (Settlement deed, dated 22nd December 1954 executed by Venkatavaratha Pillai).
16	Rajathiammal Public Trust (Settlement deed, dated 11th July 1955 executed by Rajathiammal).
17	Dhanakotiappa Endowment (Will of Dhanakotiappa, dated 25th February 1957).
18	Venkatachala Mudaliar Public Trust (Will of M. Venkatachala Mudaliar, dated 31st July 1959).
19	R. D. Saravanavelu Mudaliar Endowment (Will of R. D. Saravanavelu Mudaliar, dated 10th October 1937).".

8. *Application of the principal Act, as amended by this Act.*— The principal Act, as amended by this Act, shall apply, and shall be deemed always to have applied, to the public trusts and endowments (including educational institutions, charities and properties under the control of the said public trusts and endowments) specified in the Schedule to the principal Act, as amended by this Act.

9. *Validation.*—Notwithstanding anything contained in the principal Act, or in any judgment, decree or order of any court, anything done or any action taken by the Government or any officer of the Government or the Committee of management or the Chairman or any member of the Committee of management, in respect of the public trusts and endowments (including educational institutions, charities and properties under the control of the said public trusts and endowments) specified in the Schedule to the principal Act, as amended by this Act, at any time on or after the 22nd December 1980 and before the 2nd October 1987, shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law as if the principal Act, as amended by this Act, had been in force at all material times and it shall not be liable to be questioned in any court of law.

10. *Act to override other laws, judgments, decrees, etc.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or any custom, usage or judgment or decree or order of a court or other authority.

11. *Repeal and saving.*—(1) The Pachaiyappa's Trust (Taking over of Management) Second Amendment Ordinance, 1987 (Tamil Nadu Ordinance 7 of 1987) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

Verified Realistic

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 18th December 1987 and is hereby published for general information :—

ACT No. 57 OF 1987.

An Act further to amend the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Thirty-eighth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Third Amendment Act, 1987.

(2) It shall come into force at once.

2. *Amendment of section 3, Tamil Nadu Act 11 of 1981.*—In section 3 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (Tamil Nadu Act 11 of 1981) (hereinafter referred to as the principal Act) in sub-section (1), for the words "seven years", the words "eight years" shall be substituted.

3. *Amendment of section 8, Tamil Nadu Act 11 of 1981.*—In section 8 of the principal Act, for the words "seven years" occurring in two places, the words "eight years" shall be substituted.

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

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1988

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No. 496] MADRAS, MONDAY, DECEMBER 19, 1988
MARGAZHI 5, VIBHAVA, THIRUVALLUVAR AANDU—2019

Part IV—Section 2
Tamil Nadu Acts and Ordinances.

The following President's Act assented on the 19th December 1988 is published for general information :—

THE PACHAIYAPPA'S TRUST AND THE SCHEDULED PUBLIC TRUSTS AND ENDOWMENTS (TAKING OVER OF MANAGEMENT) AMENDMENT ACT, 1988.

No. 13 OF 1988.

Enacted by the President in the Thirty-ninth Year of the Republic of India.

An Act further to amend the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981.

In exercise of the powers conferred by section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1988, the President is pleased to enact as follows :— 21 of 1988.

1. *Short title and commencement.*—(1) This Act may be called the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Amendment Act, 1988.

(2) It shall come into force at once.

2. *Amendment of section* 3.—In section 3 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (hereinafter referred to as the principal Act), in sub-section (1), for the words "eight years", the words "nine years" shall be substituted. Tamil Nadu Act 11 of 1981.

3. *Amendment of section* 8.—In section 8 of the principal Act, for the words "eight years", occurring in two places, the words "nine years" shall be substituted.

R. VENKATARAMAN,
President.

S. RAMAIAH,
Secretary to the Government of India.

Verified RegiEstate

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 26th February 1991 and is hereby published for general information :—

ACT No. 17 OF 1991.

An Act further to amend the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-first Year of the Republic of India as follows :—

rt title and mencement.

1. (1) This Act may be called the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Amendment Act, 1991.

(2) It shall be deemed to have come into force on the 20th day of December 1990.

ndment of tion 3.

2. In section 3 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (hereinafter referred to as the principal Act), in sub-section (1), for the words "ten years", the words "eleven years" shall be substituted. **Tamil Nadu Act 11 of 1981.**

ndment of tion 8.

3. In section 8 of the principal Act, for the words "ten years", occurring in two places, the words "eleven years" shall be substituted.

al and ing.

4. (1) The Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Second Amendment Ordinance, 1990 is hereby repealed. **Tamil Nadu Ordinance 12 of 1990.**

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor.)

P. JEYASINGH PETER,
Secretary to Government, Law Department.

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MAASI 26, PIRAJORPATHI, THIRUVALLUVAR AANDU—2023

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 6th March 1992 and is hereby published for general information :—

ACT No. 10 OF 1992.

An Act further to amend the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-third Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Amendment Act, 1992.

(2) It shall be deemed to have come into force on the 19th day of December 1991.

Nadu Act of 1981.

Amendment of section 3.

2. In section 3 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (hereinafter referred to as the principal Act), in sub-section (1), for the words "eleven years", the words "fourteen years" shall be substituted.

Amendment of section 8.

3. In section 8 of the principal Act, for the words "eleven years", occurring in two places, the words "fourteen years" shall be substituted.

Nadu ance 991.

Repeal and saving.

4. (1) The Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Second Amendment Ordinance, 1991 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor)

MD. ISMAIL,
Secretary to Government,
Law Department.

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No. 710] MADRAS, TUESDAY, DECEMBER 20, 1994
Margazhi 5, Bhava, Thiruvalluvar Aandu—2025

Part IV — Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 20th December 1994 and is hereby published for general information :—

ACT No. 60 OF 1994.

An Act further to amend the Pachayaippa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-fifth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Amendment Act, 1994.

Tamil Nadu Act 11 of 1981.

Amendment of section 3.

2. In section 3 of the Pachaiyappa's Trust and the Scheduled Public Trusts and Endowments (Taking over of Management) Act, 1981 (hereinafter referred to as the principal Act), in sub-section (1), for the words "fourteen years", the words "seventeen years" shall be substituted.

Amendment of section 8.

3. In section 8 of the principal Act, for the words "fourteen years", occurring in two places, the words "seventeen years" shall be substituted.

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government, Law Department.

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EXPLANATORY STATEMENT

Under sub-section (1) of section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1991 (Tamil Nadu Act 30 of 1991), Special Officers were appointed to certain primary societies, for a period of one year with effect on and from the 28th July 1991. The period of appointment of the said Special Officers has been extended from time to time and it is due to expire on the 27th July 1994.

2. While the Government proposed to conduct elections to all the primary societies in accordance with the provisions of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983), the High Court, Madras, in its interim order, dated the 7th August 1992 in W.M.P. No. 15373/92 etc., in W.P. No. 10665/92 etc., directed the Government to postpone the holding of elections to all the co-operative societies in the State and the said direction of the High Court, Madras is still in operation. Simultaneously the Supreme Court of India, New Delhi is also seized of the matter concerning elections to co-operative societies in the State. In these circumstances, it will take further time to hold and complete the elections to the primary societies.

3. The Government have, therefore, decided to extend the period of appointment of the Special Officers of the said primary societies for a further period of six months beyond the 27th July 1994 and to amend the said Tamil Nadu Act 30 of 1991 for the purpose.

4. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

M. MUNIRAMAN,
Secretary to Government,
Law Department.

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