



## The Registration (Tamil Nadu Amendments ) Act, 2008

Act 2 of 2009

Keyword(s):

Registration

Amendments appended: 36 of 2009, 28 of 2012, 29 of 2012

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# TAMIL NADU GOVERNMENT GAZETTE

**EXTRAORDINARY** PUBLISHED BY AUTHORITY

No. 34]

CHENNAI, THURSDAY, FEBRUARY 5, 2009  
Thai 23, Thiruvalluvar Aandu-2040

## 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 29th January 2009 and is hereby published for general information:—

#### ACT No. 2 OF 2009.

#### *An Act further to amend the Registration Act, 1908, in its application to the State of Tamil Nadu.*

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth year of the Republic of India as follows:—

1. (1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2008.
- (2) It extends to the whole of the State of Tamil Nadu.
- (3) It shall come into force on such date as the State Government may, by notification, appoint.

Short title,  
extent and  
commence-  
ment.

Central Act  
XVI of 1908.

2. For section 22-A of the Registration Act, 1908, the following section shall be substituted, namely:—

Substitution of  
section 22-A.

“22-A. *Refusal to register certain documents* .—Notwithstanding anything contained in this Act, the registering officer shall refuse to register any of the following documents, namely:—

(1) instrument relating to the transfer of immovable properties by way of sale, gift, mortgage, exchange or lease,—

Tamil Nadu Act  
35 of 1972.

(i) belonging to the State Government or the local authority or Chennai Metropolitan Development Authority established under section 9-A of the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act  
22 of 1959.

(ii) belonging to, or given or endowed for the purpose of, any religious institution to which the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 is applicable;

Tamil Nadu  
Act XV of  
1958.

(iii) donated for Bhoodan Yagna and vested in the Tamil Nadu State Bhoodan Yagna Board established under section 3 of the Tamil Nadu Bhoodan Yagna Act, 1958; or

(iv) of Wakfs which are under the superintendence of the Tamil Nadu Wakf Board established under the Wakf Act, 1995,

Central Act  
43 of 1995.

unless a sanction in this regard issued by the competent authority as provided under the relevant Act or in the absence of any such authority, an authority so authorised by the State Government for this purpose, is produced before the registering officer;

(2) instrument relating to the transfer of ownership of lands converted as house sites without the permission for development of such land from planning authority concerned:

Provided that the house sites without such permission may be registered if it is shown that the same house site has been previously registered as house site.

**Explanation I.**—For the purpose of this section ‘local authority’ means,—

(i) any Municipal Corporation constituted under any law for the time being in force; or

(ii) a Municipal Council constituted under the Tamil Nadu District Municipalities Act, 1920 ; or

Tamil Nadu Act  
V of 1920.

(iii) a Panchayat Union Council or a Village Panchayat constituted under the Tamil Nadu Panchayats Act, 1994 ; or

Tamil Nadu Act  
21 of 1994.

(iv) any other Municipal Corporation, that may be constituted under any law for the time being in force.

**Explanation II.**—For the purpose of this section ‘planning authority’ means the authority constituted under section 11 of, and includes the Chennai Metropolitan Development Authority established under section 9-A of the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act  
35 of 1972.

(3) instrument relating to cancellation of sale deeds without the consent of the person claiming under the said sale deed.”.

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.



# TAMIL NADU GOVERNMENT GAZETTE

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No. 295]

CHENNAI, THURSDAY, NOVEMBER 19, 2009  
Karthigai 3, Thiruvalluvar Aandu-2040

## 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 12th November 2009 and is hereby published for general information:—

#### ACT No. 36 OF 2009

#### *An Act further to amend the Registration Act, 1908, in its application to the State of Tamil Nadu.*

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

1. (1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2009.
- (2) It extends to the whole of the State of Tamil Nadu.
- (3) It shall come into force on such date as the State Government may, by notification, appoint.

Short title,  
extent and  
commence-  
ment.

Central Act  
XVI of 1908.

2. In section 89 of the Registration Act, 1908, after sub-section (2A), the following sub-section shall be added, namely:—

Amendment to  
section 89.

“(2B) The State Government passing an order for effecting or raising an ad-interim attachment of immovable property under the Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act, 1997 (Tamil Nadu Act 44 of 1997) shall send a copy of such order together with the memorandum giving the full details of the property to the registering officer within the local limits of whose jurisdiction the whole or any part of the said immovable property is situate and such registering officer shall file the copy of such order in Book No. 1 or get it scanned.”

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.



# TAMIL NADU GOVERNMENT GAZETTE

**EXTRAORDINARY**

PUBLISHED BY AUTHORITY

No. 173]

CHENNAI, THURSDAY, JUNE 21, 2012  
Aani 7, Thiruvalluvar Aandu-2043

## Part IV—Section 2

### Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 20th June 2012 and is hereby published for general information:—

#### ACT No. 28 OF 2012.

#### *An Act to amend the Registration (Tamil Nadu Amendment) Act, 2008.*

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

1. (1) This Act may be called the Registration (Tamil Nadu Amendment) Amendment Act, 2012.

Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu  
Act 2 of  
2009.

2. In section 1 of the Registration (Tamil Nadu Amendment) Act, 2008, in sub-section (3), after the expression “by notification, appoint”, the expression “and different dates may be appointed for different provisions of this Act” shall be inserted.

Amendment of section 1.

(By order of the Governor)

G. JAYACHANDRAN,  
Secretary to Government,  
Law Department.



# TAMIL NADU GOVERNMENT GAZETTE

**EXTRAORDINARY**

PUBLISHED BY AUTHORITY

No. 308]

CHENNAI, FRIDAY, NOVEMBER 2, 2012

Aippasi 17, Thiruvalluvar Aandu-2043

## 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 24th October 2012 is hereby published for general information:-

#### ACT No. 29 OF 2012.

#### *An Act further to amend the Registration Act, 1908 in its application to the State of Tamil Nadu.*

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

1. (1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2012.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of the State of Tamil Nadu.

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

2. In section 17 of the Registration Act, 1908 (hereinafter referred to as the principal Act),—

Amendment of  
section 17.

(1) in sub-section (1), for clause (f), the following clauses shall be substituted, namely:—

“(f) instruments of agreement relating to construction of building as referred to in clause (i) under Article 5 of Schedule I to the Indian Stamp Act, 1899 (Central Act II of 1899);

(g) instruments of agreement relating to sale of immovable property of the value of one hundred rupees and upwards;

(h) instruments of Power of Attorney relating to immovable property other than those executed outside India;

(i) instruments evidencing an agreement relating to the deposit of title deeds:”;

(2) in sub-section (2), the Explanation shall be omitted.

Central Act  
XVI of  
1908.

Amendment of  
section 28.

3. In section 28 of the principal Act,—

(1) in clause (a), for the expression “clauses (a), (b), (c), (d) and (e),” the expression “clauses (a), (b), (c), (d), (e), (f), (g), (h) and (i)” shall be substituted;

(2) to clause (a), as so amended, the following proviso shall be added, namely:—

“Provided that every document mentioned in clause (h) of sub-section (1) of section 17 may also be presented for registration in the office of the Sub-Registrar within whose jurisdiction the principal ordinarily resides;”.

Insertion of  
new section  
34-B.

4. After section 34-A of the principal Act, the following section shall be inserted, namely:—

**“34-B. Procedure for Registration of document of Power of Attorney relating to immovable property.—**Subject to the provisions of this Act, no document of Power of Attorney relating to immovable property shall be registered, unless passport size photographs and finger prints of the principal, the agent and of the identifying witnesses are affixed to the document and the agent has also signed such document.”.

Amendment of  
section 50.

5. In section 50 of the principal Act, in sub-section (1), for the expression “clauses (a), (b), (c) and (d) of section 17”, the expression “clauses (a), (b), (c), (d), (f), (g), (h) and (i) of section 17” shall be substituted.

Insertion of  
new section  
64-A.

6. After section 64 of the principal Act, the following section shall be inserted, namely:—

**“64-A. Procedure where instrument of Power of Attorney presented in office of Sub-Registrar relates to immovable property not situate in sub-district.—**Every Sub-Registrar on registering an instrument of Power of Attorney including instrument of revocation or cancellation of such Power of Attorney relating to immovable property not situate in his own sub-district, shall make a copy and send the same together with a copy of the map or plan (if any) mentioned in section 21, to every other Sub-Registrar in whose sub-district the whole or any part of such property is situate and such Sub-Registrar shall file the same in his Book No.1:

Provided that where such instrument relates to immovable property in several districts, shall forward the same to the Sub-Registrars concerned, under intimation to the Registrar of every district in which any part of such property is situate.”.

(By order of the Governor)

G. JAYACHANDRAN,  
*Secretary to Government,*  
*Law Department.*