



**The Tamil Nadu References to Magistrates in Laws (Special Provisions) Act,  
1980**

Act 33 of 1980

**Keyword(s):**

Code, Law in Force, Construction of Certain References, Magistrates

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**TAMIL NADU ACT NO. 33 OF 1980.\***

**THE TAMIL NADU REFERENCES TO MAGISTRATES IN LAWS (SPECIAL PROVISIONS) ACT, 1980.**

[Received the assent of the President on the 29th September 1980, first published in the Tamil Nadu Government Gazette Extraordinary on the 30th September 1980 (Purattasi 14, Rowthiri-2011-Thiruvalluvar Aandu).]

*An Act to provide for the construction of certain references to Magistrates, etc., in laws in force in the State of Tamil Nadu.*

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

1. (1) This Act may be called the Tamil Nadu References to Magistrates in Laws (Special Provisions) Act, 1980. Short title and commencement.

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

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

(a) "Code" means the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) ;

(b) "law in force" includes any enactment, Ordinance, regulation, order, by-law, rule, scheme or notification in force in the whole or in any part of the State of Tamil Nadu or any instrument having the force of law in the whole or in any part of the State of Tamil Nadu.

3. (1) In the Code,—

(a) any reference without any qualifying words, to a Magistrate, which has to be construed as a reference to a Judicial Magistrate under section 3 (1) (a) (i) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class or of the second class, as the case may be ; Construction of references to Magistrates, etc.

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\* For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 6th August 1980, Part IV—Section 1, page 255.

(b) any reference to a Magistrate of the second class which has to be construed as a reference to a Judicial Magistrate of the second class under section 3 (1) (b) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the second class ;

(c) any reference to a Magistrate of the first class, which has to be construed as a reference to a Judicial Magistrate of the first class under section 3 (1) (c) (ii) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum--Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class ;

(d) any reference to a Judicial Magistrate shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class or of the second class, as the case may be.

(2) Any reference in any law in force passed before the commencement of the Code,—

(a) to a Magistrate of the first class which has to be construed as a reference to a Judicial Magistrate of the first class under section 3 (3) (a) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class ;

(b) to a Magistrate of the second class or of the third class which has to be construed as a reference to a Judicial Magistrate of the second class under section 3 (3) (b) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the second class.

(3) Any reference in any law in force passed after the commencement of the Code,—

(a) to a Judicial Magistrate of the first class, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class ;

(b) to a Judicial Magistrate of the second class, shall, by reason of this Act, be construed as a reference to a District Munsif-*cum*-Judicial Magistrate exercising the powers of a Judicial Magistrate of the second class;

(c) to a Judicial Magistrate, shall, by reason of this Act, be construed as a reference to a District Munsif-*cum*-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class or of the second class, as the case may be.

(4) For the purpose of exercise of functions of a Judicial Magistrate by a District Munsif-*cum*-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class or of the second class, as the case may be, under any law in force other than the Code, the provisions of sub-section (4) (a) of section 3 of the Code shall apply.