

THE PUDUCHERRY CIVIL COURTS
(AMENDMENT) BILL, 2015

(Bill No. 4 of 2015)

A

BILL

**further to amend the Puducherry Civil Courts
Act, 1966.**

BE it enacted by the Legislative Assembly of Puducherry in the Sixty-sixth Year of the Republic of India as follows :—

1. (1) This Act may be called the Puducherry Civil Courts (Amendment) Act, 2015.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the Union territory of Puducherry.

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

2. In the Puducherry Civil Courts Act, 1966 (hereinafter referred to as the Principal Act), in section 8, in sub-section (2), the following proviso shall be inserted, namely:—

Act
No.12
of
1966.

Amendment
of section 8.

“Provided that the jurisdiction of the Subordinate Judge’s Court at Mahe and Yanam extends, subject to the provisions of the said Code to all original suits and proceedings of civil nature.”.

3. In the Principal Act, in section 9,—

Amendment
of section 9.

(i) in sub-section (2), the words “Mahe and Yanam” shall be deleted,

(ii) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(2A) Appeals from the decrees and orders of the Subordinate Judges at Mahe and Yanam shall, when such appeals are allowed by law, lie to the High Court of Judicature at Madras:

Provided that in so far as appeals from the decrees and orders of the Subordinate Judges at Mahe and Yanam in any civil suit where the suit value does not exceed rupees five lakhs, shall, when such appeals are allowed by law, lie to the Court of District Judge at Puducherry.

(2B) Appeals from the decrees and orders of the Subordinate Judges at Mahe and Yanam where such decrees and orders were passed by the said Judge concerned as if he is a District Munsif in relation to their respective jurisdictional areas shall, when such appeals are allowed by law, lie to the Court of District Judge at Puducherry.”.

Insertion
of new
section 9A.

4. In the Principal Act, after section 9, the following section shall be inserted, namely:—

Transitory
provisions.

“9A. Appeals from the decrees and orders of the Subordinate Judges at Mahe and Yanam pending disposal before the Court of District Judge at Pondicherry shall continue to be heard and disposed by the latter as if the Puducherry Civil Courts (Amendment) Act, 2015 has not come into force in respect of such appeals.”.

STATEMENT OF OBJECTS AND REASONS

The Puducherry Civil Courts Act, 1966 (Act No. 12 of 1966) was enacted by the Legislative Assembly of this Union territory of Puducherry for consolidating and amending the law relating to Civil Courts in the Union territory of Puducherry.

2. It is proposed to confer powers upon the Subordinate Judges' of Mahe and Yanam regions to entertain, hear and dispose of all suits of civil nature irrespective of any limit on pecuniary jurisdiction in respect of Mahe and Yanam regions for the benefit of litigant public pursuant to the directions of the Hon'ble High Court of Judicature at Madras in the Order, dated 29th May, 2013 in Writ Petition No. 14836 of 2013 on the file of the Hon'ble High Court of Judicature at Madras. The provisions proposed in the Bill are analogous to the provisions contained in the Kerala Civil Courts Act, 1957 (Act 1 of 1957).

3. For this purpose, a Bill titled as "The Puducherry Civil Courts (Amendment) Bill, 2015" is proposed to be enacted.

4. The Bill seeks to achieve the above objects.

N. RANGASAMY,
Chief Minister.
