

THE PUDUCHERRY CIVIL COURTS
(AMENDMENT) BILL, 2017
(Bill No. 6 of 2017)

A

BILL

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

BE it enacted by the Legislative Assembly of Puducherry in the sixty-seventh year of the Republic of India as follows :—

1. (1) This Act may be called the Puducherry Civil Courts (Amendment) Act, 2017. Short title and commencement.

(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.

Act No. 12 of 1966. 2. In the Puducherry Civil Courts Act, 1966 Amendment of section 9. (hereinafter referred to as the Principal Act), for section 9, the following shall be substituted, namely:—

"9. Appeal from decrees and orders of District Courts, Subordinate Courts and District Munsif Courts.- (1) Appeals from the decrees and orders of District Judges at Puducherry and Karaikal shall, when such appeals are allowed by law, lie to the High Court of Judicature at Madras.

(2) Appeals from the decrees and orders of the Subordinate Judges at Puducherry shall, when such appeals are allowed by law, lie to the Court of District Judge at Puducherry.

(3) 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.

(4) Appeals from the decrees and orders of the Subordinate Judge at 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.

(5) Appeals from the decrees and orders of Subordinate Judge at Karaikal shall, when such appeals are allowed by law, lie to the Court of District Judge at Karaikal.

(6) Appeals from the decrees and orders of District Munsifs shall, when such appeals are allowed by law, lie to the Court of Subordinate Judge.

Provided however that the pecuniary limit specified in this section shall not apply in the case of appeals from decrees and orders passed under and in accordance with the French Law relating to civil procedure.

(7) *Transitory provisions.*- (1) All suits pending in the District Court, Karaikal, when the amount or the value of the subject matter of the suit exceeds rupees one lakh but does not exceed rupees five lakhs shall stand transferred to the Subordinate Court at Karaikal.

(2) All first appeals from the decrees and orders of the District Munsif Court at Karaikal and pending on the file of the District Court at Karaikal and when the amount or the value of the subject matter of such appeals does not exceed rupees one lakh shall stand transferred to the Subordinate Court at Karaikal.

(3) All suits pending in the Subordinate Court at Mahe, where the amount or the subject matter of the suit does not exceed rupees one lakh shall stand transferred to the District Munsif Court at Mahe.

(4) All the part-heard and judgement reserved suits and appeal shall be heard and disposed of by the respective Courts as if, this Act has not been passed."

3. In the Principal Act, the existing section 9A shall be deleted.

Amendment of section 9A.

4. In the Principal Act, in section 15, the words "District Judge or", wherever they occur, shall be deleted.

Amendment of section 15.

5. In the Principal Act, in the Transitory provisions contained in section 15, for the existing clause (2), the following shall be substituted, namely:-

“All small cause suits pending on the file of the District Court, Karaikal, where the amount for the subject value of such small cause suits exceeds rupees two thousand but does not exceed rupees five thousand shall stand transferred to the Subordinate Court at Karaikal.”

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 amend sections 9 and 15 of the Puducherry Civil Courts Act, 1966 so as to confer pecuniary jurisdiction to the newly constituted Subordinate Judge Court at Karaikal. For this purpose, a Bill titled as “The Puducherry Civil Courts (Amendment) Bill, 2017” is proposed to be enacted.

3. The Bill seeks to achieve the above objects.

V. NARAYANASAMY,
Chief Minister.
