



## **ABSTRACT**

Act and Rules - The Tamil Nadu Co-operative Societies Rules, 1988 - Amendment to Schedules III, IV and V of the Tamil Nadu Co-operative Societies Rules, 1988 - Orders - Issued.

### **Co-operation, Food and Consumer Protection(CJ1)Department**

**G.O. (Ms) No. 40**

**Dated : 22.03.2018**

ஹேவிளம்பி வருடம்,

பங்குனித்திங்கள் 8-ஆம் நாள்.

திருவள்ளூர் ஆண்டு, 2049.

**Read:**

1. G.O. (Ms) No. 147, Co-operation, Food and Consumer Protection (CJ1) Department, dated: 17.05.2002.
2. From the Registrar of Co-operative Societies, Chennai, Letter Rc. No.6717/2017/SF2, dated: 15.02.2017, 17.07.2017 and 17.08.2017.

### **ORDER:**

The Tamil Nadu Co-operative Societies Act, 1983 and Tamil Nadu Co-operative Societies Rules, 1988, came into force with effect from 13.04.1988 and they provide various statutory and quasi judicial powers to the Government, the Registrar and his subordinate officers on whom the powers of the Registrar under the said Act and Rules are conferred by the Government under section 3 of the said Act, by G.O.(2D)No.108 and G.O. (2D) No.109, Co-operation Food and Consumer Protection, dated 31.08.2005. For the exercise of statutory and quasi judicial powers under the said Act and Rules, fees are prescribed in Schedules III, IV and V of the Tamil Nadu Co-operative Societies Rules, 1988. These fees are a source of non-tax revenue of the Government and it is levied for the service rendered by the Government, the Registrar of Co-operative Societies, other Functional Registrars and their subordinate officers to the Co-operative Societies, their members, employees and to the public. The fees prescribed in Schedules III, IV and V of the Schedule to the Tamil Nadu Co-operative Societies Rules, 1988, were lastly enhanced by the amendments issued in the Government



order first read above, (i.e.,) after 14 years from the date on which the Tamil Nadu Co-operative Societies Act, 1983 and Rules, 1988, came into force and the fees for each item in the Schedules III, IV and V were enhanced by two to ten times.

2. In the reference second read above, the Registrar of Co-operative Societies has stated that, during the decentralized budget meeting held in Finance (Budget) Department, it was instructed to explore the feasibility of enhancing the statutory fees laid down in the Tamil Nadu Co-operative Societies Act, 1983 and Rules, 1988 and also to send necessary proposal to the Government.

3. The Registrar of Co-operative Societies has now stated that, during the last 14 years, the cost of stationery, postage, etc., have increased manifold and the cost of the staff deployed for the connected works have also increased substantially. The fee is a charge for a special service rendered to individuals or a class by some Government agency and the amount of fee levied is required to be raised based on the expenses incurred in rendering such services. Further, in the discharge of statutory and quasi judicial powers under the Tamil Nadu Co-operative Societies Act, 1983 and Rules, 1988, in certain matters, the Government, the Registrar, or his subordinate officer on whom the powers of the Registrar have been conferred, have to spend more time and incur more expenditure for rendering the services.

4. The Registrar of Co-operative Societies, in his letter dated 17.08.2017 has requested the Government, that the fees for each item specified in Schedules III, IV and V may be enhanced and accordingly necessary amendments may be made to the Tamil Nadu Co-operative Societies Rules, 1988.

5. The Registrar of Co-operative Societies has further informed that the enhancement of fees will invariably apply to the statutory and quasi judiciary functions relating to the cooperative societies under his control and all the Functional Registrars and the concerned Departments of the Government and as such it will augment the non-tax revenue of the Government.

6. The Government have examined the proposal of the Registrar of Cooperative Societies and have decided to accept the same, as the proposal is based on the decision taken in the decentralized budget meeting held in Finance (Budget) Department and also that the fees now prescribed were lastly enhanced during the year 2002.

7. Accordingly, the appended notification indicating the enhanced statutory fees in Schedules III, IV and V to the Tamil Nadu Cooperative Societies Rules, 1988 will be published in the Tamil Nadu Government Gazette.

8. This order issues with the concurrence of the Finance Department vide its U.O.No.9708/Finance (CF&CP)/2018, dated:20.02.2018.

**(By order of the Governor)**

**KUMAR JAYANT  
PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Works Manager,  
Government Central Press, Chennai-79.(w.e.)  
(for Publication of Notification in the Tamil Nadu Government Gazette and to send two hundred copies of the Notification to the Principal Secretary to Government, Co-operation Food and Consumer Protection Department, Chennai - 600 009.)  
The Registrar of Co-operative Societies, Chennai -10.  
All Functional Registrars.  
The Chief General Manager, Regional Office NABARD, Chennai - 34.  
All District Collectors,  
The Reserve Bank of India, Chennai / Mumbai - 18.  
The Secretary to Government of India,  
Ministry of Agriculture, Department of Co-operation,  
New Delhi (with covering letter)  
The Hon'ble Chief Minister's Office, Chennai -9.  
The Private Secretary to Hon'ble Minister (Co-operation), Chennai -9.  
All Departments in Secretariat, Chennai - 9.  
The Law Department, Chennai - 9.  
Stock File/Spare Copy

**//Forwarded by Order//**

*A. Arundhan*  
**Section Officer**  
*Gony*



**APPENDIX**

**NOTIFICATION**

In exercise of the powers conferred by sub-sections (1) and (2) of section 180 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Co-operative Societies Rules, 1988:-

**AMENDMENT**

In the said Rules, for Schedules III, IV and V, the following Schedules shall be substituted, namely:-

**SCHEDULE - III**

(see rules 104, 107, 108, 109, 110, 168, 169, 170 and 171)

**Fees chargeable for application, arbitration petition, appeal, revision, review and processes thereto**

	Rate of Fees	
	Rs.	P.
(1) Fees for arbitration plaint under rule 107 -		
(a) Plaint relating to monetary dispute:		
(i) When the amount or value of the subject matter in dispute is Rs. 1,000/- or less	100	00
(ii) When the amount or value of the subject matter in dispute is more than Rs. 1,000/- but does not exceed Rs.10,000/-	150	00
(iii) When the amount or value of the subject matter in dispute is more than Rs.10,000/- but does not exceed Rs.50,000/-	250	00
(iv) When the amount or value of the subject matter in dispute is more than Rs.50,000/- but does not exceed Rs.1,00,000/-	500	00
(v) (a) When the amount or value of the matter in dispute is more than Rs.1,00,000/-	1000	00
(b) Plaint relating to possession of immovable property resumed by the society from a member for breach of conditions of assignment or allotment	100	00
(c) Plaint relating to non-monetary dispute	2000	00

(2) Fees for application for grant of certificate under section 150 -		
(a) Where the amount, for which the certificate is sought for, is Rs. 1,000/- or less	100	00
(b) Where the amount, for which the certificate is sought for, is more than Rs. 1,000/- but does not exceed Rs.10,000/-	150	00
(c) Where the amount, for which the certificate is sought for, is more than Rs. 10,000/- but does not exceed Rs.50,000/-	250	00
(d) Where the amount, for which the certificate is sought for, is more than Rs. 50,000/- but does not exceed Rs.1,00,000/-	500	00
(e) Where the amount, for which the certificate is sought for, is more than Rs.1,00,000/-	1000	00
(3) Fees for appeal under rules 168 and 169	1000	00
(4) Fees for revision under rule 169 -		
(a) Non-monetary matters other than the matters relating to or in connection with the constitution of a board including election thereto-		
Revision to the Registrar or to the Government	1000	00
(b) Matters relating to or in connection with the constitution of a board including election thereto :-		
Revision to the Registrar or to the Government	4000	00
(5) Fees for review under rule 170	1000	00
(6) Fees for other petitions and applications -		
(a) Petition for a decision under section 7	250	00
(b) Application for registration of a society under sub-section (1) of section 8 -		
(i) Primary Society	2000	00
(ii) Central Society	4000	00
(iii) Apex Society	8000	00
(c) Application for amendment to by-laws under sub-section (2) of section 11	500	00
(d) Application for removal of a member under sub-clause (ii) of clause (a) of sub-section (2) of section 21	100	00



(e)	Application for decision regarding disqualification of a member under sub-section (4) of section 23	100	00
(f)	Application against refusal of services under sub-section (2) of section 24	100	00
(g)	Application for decision regarding disqualification of member of the board under sub-section (6) of section 34	100	00
(h)	Application for inquiry or inspection or investigation under sub-section (1) of section 81 or 82	100	00
(i)	Application for surcharge action under sub-section (1) of section 87	100	00
(j)	Application under rules 168, 169 and 170 for correction of clerical or arithmetical mistakes	100	00
(k)	Petitions or applications under the provisions of the Act, rules or the by-laws not specifically provided for	100	00
(7)	General -		
(a)	Application fee for permission to engage lawyers	50	00
(b)	Fee for Vakalat	100	00
(c)	Application fee for adjournment	100	00
(d)	Application fee for interim relief or stay	150	00
(8)	Fees for issue and service process by the Registrar, the Tribunal or the Government -		
(a)	When sent by Registered post for each defendant, respondent or witness	80	00
(b)	When served by an Officer of Court or Government-		
(i)	On a defendant, respondent or witness.	200	00
(ii)	On every additional defendant, respondent, witness residing in the same place where the society is located, if process be applied for at the same time.	40	00
(c)	When handed over to party for service on a witness or witnesses:		One half of the fee payable under clause (b) (ii) above,

Provided that in cases where there are several minor defendants or respondents represented by a single guardian, there shall be a single service upon such guardian and one fee shall be chargeable therefor.

**SCHEDULE IV**  
**(see rule 117)**

**Schedule of fees chargeable for the process of execution.**

**PART - I**

Details of the process  (1)	Fees Chargeable  (2)  Rs. P.	Remarks or Note  (3)
Application fees	100.00	<p>(i) All execution petitions whatever be the prayer in them (including prayer for delivery of possession of immovable property resumed for breach of the conditions of assignment on allotment; or for rateable distribution of the sale proceeds of other executions petitions) should be charged the application fees.</p> <p>(ii) A fresh application fee should not be charged in respect of an execution petition which was returned for rectification of defects and re-presented within the date fixed for the purpose. But when an execution petition is re-presented after the date fixed for it, a fresh application fee should be collected, unless the delay in re-presentation is excused.</p> <p>(iii) Each decree should be treated as a separate case. If an application for execution covers more than one decree, it should be treated as so many execution petitions as the number of decrees mentioned in it and the requisite fees collected for each.</p>



(iv) When a decree holder requires the issue of any process other than that first prayed for at the time of application, it shall be construed as a fresh application and application fees shall be levied.

**Part II**

Details of the process	Fees Chargeable	Remarks or Note
(1)	(2)	(3)
Eviction from immovable property resumed under rule 115	Rs. P. 80. 00	

**Part III**

Details of the process	Fees Chargeable	Remarks or Note
(1)	(2)	(3)
Action against movable--	Rs. P.	
(1) Service of Notice No.3 -		
(a) If served on the date of distraint	No fee	
(b) If served before hand	40. 00	
(2) Service of Demand No. 2 -		
(a) For the issue of notice by the Registrar against a single judgment - debtor	80. 00	
(b) For the simultaneous issue of the notice by the Registrar against every additional judgment-debtor	40. 00	If the notice against the second or subsequent judgment - debtor is issued on another date, full fee of Rs.40.00 should be levied.
(c) For the service of Demand Notice No.2 on each party (irrespective of the fact whether he is the first or subsequent judgment-debtor)	40.00	If the decree amount is paid or the execution petition is struck off for any other reason, after the issue of Demand Notice No.2 but before the service thereof, a service fee of Rs.40.00 should not be collected. If the judgment-debtor changes his residence subsequent to the issue of Notice No.2



but before the Sale Officer goes to the place of distraint it is the duty of the decree-holder to report the change in good time to facilitate the notices being corrected suitably by the Registrar. If this is done, fresh notices need not be issued nor fees be collected for the correction made. But where the decree-holder reports the change to the Sale Officer only after the latter has, gone to the place of distraint, fresh Notice No.2 should be issued and fee charged again for the issue. This is in addition to the attachment (adjournment fee of Rs. 40.00)

(3) For attachment of movables of each judgment-debtor 40.00

If the Sale Officer goes prepared for the attachment but the attachment has to be deferred to a future date at the instance of the decree - holder or the judgment-debtor, an attachment (adjournment) fee of Rs.40.00 should nevertheless be charged:

Provided that if the sale officer had gone to the village for attachment in more cases than one and found it difficult to effect attachment in respect of any particular case and was forced to have it adjourned for want of time, no adjournment fee need be charged for such a case. In such execution petition, a specific finding should be recorded by the sale officer with reasons for such an adjournment. Attachment (adjournment) fee has to be charged for each attachment that is adjourned at the instance of any or all of the parties to the execution proceedings. The fee has to be charged for as many attachments as were proposed to be

taken up on the date fixed according to the Notice No.3. In an execution in which Notice No.3 has been served on the decree-holder signifying the proposal to attach the properties of three judgment-debtors on a particular date, the decree-holder applied for adjournment of the distraint on the date fixed after the Sale Officer has gone to the village, the attachment (adjournment) fee to be charged is Rs.120.00 and not Rs.40.00. If in the same case, the distraint is effected in respect of one judgment-debtor and adjourned in respect of the remaining two others, still the fee due is Rs.120.00 as shown below:-

Attachment fee : Rs.40.00

Attachment (adjournment) fee:Rs.80.00

If the name of only one judgment-debtor is mentioned in Notice No.3, only a single fee should be charged. Despite the issue of Notice No.3 in which only the name of one judgment-debtor is mentioned, it is open to the decree-holder to request the Sale Officer to take action against the other judgment-debtors if he thinks such a course is necessary. In such cases, an attachment or visit fee for all the judgment-debtors should be charged severally.

- (4) Service of Sale Notice (Notice No.5) -
- |  |       |
|--|-------|
| (a) For the first judgment-debtor  | 40.00 |
| (b) For every additional judgment-debtor on whom notice is served on the sale date | 30.00 |

This notice should be issued on the date of distraint only on the judgment-debtor or judgment-debtors. The other parties



who have to be made aware of date of sale, namely the sureties for the custody of the distrained articles and the decree-holder should be bound over on the spot and no fee should be charged for this. If any such party insists on having a copy of the inventory and Sale Notice in Forms 4 and 5, the same may be given to him free of cost.

- |   |        |  |
|---|--------|--|
| (c) Service of sale of adjournment notice where sales have to be adjourned at the instance of the judgment-debtor or the decree-holder or the surety for the custody of the distrained articles and notices have to be issued fixing a fresh date for the sale, notice fees for the first party (judgment-debtor) | 40.00  |  |
| (d) Service of Notice fees for every additional party irrespective of the fact whether he is the decree-holder or the surety for the custody of distrained articles   | 30.00  | (i) The notice may be sent by post.<br>(ii) Where however, the decree-holder is himself the surety for the custody of the articles, it is not necessary to serve two notices on him.<br>(iii) Where parties are bound over for the adjourned sale date while granting the adjournment, no fee. |
| (5) Sales -   |        |  |
| (a) Charges for beat of drum for publicity prior to sale per day for cash sale (for mofussil only)  | 100.00 | In Chennai City, charges for beat of drum at the rate levied by the City Civil Court, Chennai should be collected.   |
| (b) Sale fee for the sale of the properties of each judgment-debtor   | 80.00  | (i) Where the Sale Officer goes prepared for the sale but the sale has to be adjourned at the instance of any of the parties, the sale (adjournment) fee of Rs.80.00 should nevertheless be charged.   |

(ii) If on such date all the parties are bound over to the adjourned sale date, no separate notice fee should be charged. If however fresh notice is issued and served afterwards, fees should be charged as in 4 (c) above.

(c) Release fee for each party 40.00

If the articles have to be released by the sale officer on the date fixed for sale after he has gone to the place (of sale) both the sale fee of Rs. 80.00 and the release fee of Rs. 40.00 should be charged.

**Part IV**

<b>Details of the process</b>	<b>Rate</b>	<b>Remarks or Note</b>
(1)	(2)	(3)
	Rs. P.	
Action against immovables -		
(1) Demand Notice No. 6		
(a) For the service of notice by the Registrar against a single judgment - debtor	80. 00	
(b) For the simultaneous service of notice to each additional judgment-debtor	40. 00	If the properties to be proceeded against do not belong to the same judgment-debtor full fees should be charged for each judgment-debtor. In cases in which the decree-holder society asks for urgent attachment of immovable properties, dispensing with the prior issue and service of Notice No. 6, emergent rates (i.e. rates at one and a half times the scheduled rates) should be charged for all cases upto the stage of attachment, unless the Registrar directs otherwise.
(c) Fees for the service of Notice No. 6 on each judgment-debtor	40.00	If the decree amount is satisfied and or the execution petition struck off for any other reason after the issue of Notice



No.6 but before the service thereof, service fee of Rs. 40.00 should not be charged. If after either the Sale Officer or his Office Assistant had gone to the village for service of Notices Nos. 6 and 7, the decree-holder reports full satisfaction, there is no need to serve Notice No. 6 or to effect attachment of immovable properties. But the service fee of Rs. 40.00 or the attachment fee of Rs. 80.00 as the case may be will have to be charged to cover the expenses of the journey made by the Sale Officer or Office Assistant. The fee will not be chargeable only if the decree-holder reports full satisfaction in good time, before the journeys are undertaken by them.

(2) Notice No. 7 -

(a) For the service of notice by the sale officer against a single judgment-debtor	40.00
(b) For the simultaneous service of the notice against every additional judgment-debtor	40.00
(c) For the attachment of immovable properties of each judgment-debtor	80.00
(d) For the publication of the attachment by beat of drum for each day (for mofussil only)	100.00

- (i) If the decree amount is paid up or the execution petition is struck off for any other reason after the issue of Notice No.7, but before the service thereof, the attachment fee of Rs.80.00 should not be charged.
- (ii) Notice Nos. 6 and 7 should not be sent by post.
- (iii) The issue of Notice No.7 is not necessary in the case of mortgage awards.

(In the case of the City of Chennai, charges for beat of drum shall be at the rate levied by the City Civil Court, Chennai).

(3) Notice No.8 -

(a) Issue of Notice 80.00

Whatever may be the number of villages in which the properties are situated or the number of notices issued only one fee viz., Rs. 80.00 should be charged for issue of Notice No. 8. Similarly, only one publication fee of Rs.40.00 should be charged for the affixture of the proclamation on the Notice Board. Fee for beat of drum should however, be collected in respect of each village where beat of drum was made.

(b) Proclamation of sales by beat of drum for three days (for mofussil only) 300.00  
(In the case of the City of Chennai, the rates shall be as charged by the City Civil Court, Chennai.)

(c) Publication fee (This shall be charged as soon as intimation from the Taluk Office regarding Sale Proclamation (No.8) on the notice board is received) 40.00

(4) Notice No. 9 -

(a) For the first judgment-debtor 40.00

(b) For each additional party whether he is an additional judgment - debtor or a person with interest in the properties. 30.00

(5) Sale fees for each judgment-debtor whose properties are sold 120.00

(i) When sales have to be adjourned at the instance of the judgment-debtor, the decree-holder or any other interested party and the parties are



not bound over for the adjourned sale date, fees for the reissue of notice Nos. 8 and 9 should be charged afresh.

- (ii) Where the Sale Officer has to adjourn the sale at the instance of any one of the parties after going to the place of sale, sale (adjournment) fee of Rs.120.00 should nevertheless be charged.
- (iii) Charges for beat of drum for publicity for two days prior to and on the date of sale should be charged at the usual rate of Rs. 100.00 per day in mofussil and in the Chennai City at the rate levied by the City Civil Court, Chennai.

(6) Release fee for each party whose properties are released. 80.00

- (i) If the release is ordered by the sale officer after going to the place of sale at the instance of any one of the parties, both sale fee of Rs.120.00 and the release fee of Rs. 80.00 should be charged.
- (ii) When the attachment of property is raised as a result of allowing petitions or objections to such attachment, an order of release should be embodied to the order passed by the Sale Officer on the objection petition presented under rule 135. No separate release order shall be issued or separate release fees charged.

(7) Application to set aside sale under rule 127 or rule 128 100.00

**Part V**

**Common to action against movables and immovables**

Details of the process	Fees Chargeable	Remarks or Note
(1)	(2)	(3)

Rs. P.

(1) Objection fees for every objection petition 80.00

(2) Emergent fees for each process of emergent execution proceeding, shall be at one and a half times the usual rate.  
(This shall not apply to-)

- (a) Poundage
- (b) Application fees
- (c) Charges for beat of drum
- (d) Objection fees

Emergent rates should be charged for all the process issued in an execution petition marked as emergent by the decree-holder society and ordered to be treated as such by the Registrar, except in respect of the process exempted from the levy as stated above. Where a society requires emergent action for a part of the proceedings only the stage upto which such action is prayed for should be clearly stated in the execution petition itself by the decree-holder society and accepted by the Registrar. In the absence of the specific prayer for emergent action by the decree-holder, and in the absence of the orders of the Registrar directing emergent action, the Sale Officer should charge ordinary fees only.

(3) Poundage  
Twenty paise per rupee of sale proceeds.  
*(The levy shall be for every sale conducted and for each lot)*

- (i) For purposes of calculating poundage, sale proceeds involving fractions of a rupee should be rounded off to the nearest rupee, omitting the amount less than fifty paise and treating sums of fifty and above as a rupee, Provided that if the sale proceeds of a particular lot be less than fifty paise, poundage due for one rupees should be charged for that lot.
- (ii) Poundage should not however be collected if the sale conducted is subsequently cancelled on account of some irregularities or defects in the conduct of sale by the Sale Officer.



- (iii) The sale proceeds of each lot should be taken as a separate unit for the purpose of levy of poundage
- (iv) Poundage should be calculated on the sale price and not on the decretal amount.

- (4) Application for cancellation of attachment and release of property so attached under sub-rule (18) of rule 121 or under clause (p) of sub-rule (2) of rule 126. 100.00

**Part VI**

**Fees for attachment before judgment under rule 140**

<b>Details of the process (1)</b>	<b>Rate (2)</b>	<b>Remarks or Note (3)</b>
	Rs. P.	
(1) Application fees	100.00	
(2) Preliminary notice -		
(a) For the service of the notice by the Registrar against single judgment - debtor	80.00	
(b) For the simultaneous service of the notice to each additional judgment-debtor	40.00	
(c) Fees for the service of the notice on each judgment-debtor	40.00	
(3) (a) For the service of the attachment order against a single judgment - debtor	80.00	
(b) For the simultaneous service of the attachment order against every additional judgment-debtor	40.00	
(4) For the attachment of the separate properties of each judgment -debtor	80.00	If the sale officer goes prepared for the attachment but the attachment has to be deferred to

a future date at the instance of the decree-holder or of the judgment-debtor, an attachment (adjournment) fee of Rs.80.00 should nevertheless be charged:

Provided that if the sale officer had gone to the village for attachment in more cases than one and found it difficult to carry on attachment in respect of any particular case and was forced to have it adjourned for want of time, no adjournment fees need be charged in such a case. In each such execution petition, a specific note should be recorded by the sale officer setting out the reasons for such an adjournment. Attachment (adjournment) fee has to be charged for each attachment that is adjourned at the instance of any or all of the parties to the execution proceedings. The fee has to be charged for as many attachments as were proposed to be taken up on the date fixed according to Notice No. 3.

If in an execution petition in which Notice No. 3 has been served on the decree-holder signifying the proposal to attach the properties of three judgment-debtors on a particular date, the decree-holder applied for adjournment of the distraint on the date fixed after the sale officer has gone to the village, the attachment (adjournment) fee



to be charged is Rs. 240.00 and not Rs. 80.00.

If in the same case, the distraint is effected in respect of one judgment-debtor and adjournment in respect of two others, still the fee due is Rs.240.00 as shown below:-

Attachment fees Rs.80.00.

Attachment (Adjournment) fees Rs.160.00.

If the name of only one judgment-debtor is mentioned in No.3 Notice, only single fee should be charged.

Despite the issue of No.3 Notice mentioning only the name of one judgment-debtor, it is open to the decree-holder to request the sale officer to take action against the other judgment-debtors if he thinks such a course is necessary. In such cases, attachments or visit fee for all the judgment-debtors should be charged.

(5) Charges for beat of drum (where the properties attached are immovables)

In the City of Chennai the rate of beat of drum for proclamation shall be as levied by the City Civil Court, Chennai. In Mofussil Rs.100.00

If the properties are proclaimed for sales and sold after the passing of the award, the fee for such further processes shall be the same as in the case of sales held in pursuance of regular execution as prescribed in Parts III and IV above.

**Part VII**  
**Fees for salary attachment**

Details of the process (1)	Rate (2) Rs. P.	Remarks or Note (3)
(1) Application fees	100.00	
(2) Demand Notice prior to attachment	40.00	
(3) Attachment fees	80.00	
(4) Release fee in cases where attachment is raised before the full satisfaction of the decree at the instance of any one of the parties	80.00	

**PART VIII**

**Execution applications under section 144 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983)**

The rates specified in this Schedule and the principles laid down for the application of such rates to the several processes indicated shall apply to the processes issued in the applications under section 144 of the Tamil Nadu Co-operative Societies Act, 1983, also subject to the modifications that instead of attachment fee, a seizure fee of Rs. 80.00 should be charged when properties subject to a charge are seized.

**PART IX**

**GENERAL**

- (1) Where sales are adjourned for administrative reasons no fee should be charged for the fresh processes necessitated thereby.
- (2) When the sale posted to a particular date could not be taken up on that date on account of the receipt of an objection petition, no fee should be charged for issue of fresh notices.
- (3) Where, however, the objection petition is presented to the Sale Officer only on the date of sale and that too after he has gone to the place of sale, a sum of Rs.120.00 should be collected from the



objection petitioner at Rs.80.00 for the sale fee and Rs.40.00 for the objection fee. If on the date of visit to a place by the sale officer for enforcing a process more than one person present claim or petition, each such petition should be charged with a fee of Rs.120.00.

- (4) The fee for the proclamation by beat of drum for each day in the City of Chennai shall be at such rates as are charged by the City Civil Court, Chennai.
- (5) Poundage due in respect of every sale (even of the same properties) should not be omitted to be collected.
- (6) To facilitate the checking of the adequacy, excess or deficit in the fees charged at the time of closing the execution petition, the sale officer should make a detailed note in the file regarding each process explaining the fees charged in respect of such process.
- (7) A guardian representing a minor or minors should be treated as a single party for the purpose of charging fees. In cases in which the same person is impleaded both as an individual party and also as guardian to other defendants who are minors, a single fee should be levied.
- (8) Fees for all items of notice should be determined with reference to the number of persons to whom the notice is issued while attachment fees are to be charged with reference to the items of property attached. Thus in case of joint family property attached on the same date and at the same place, a single attachment fee should be charged while the notice fee will be in proportion to the number of persons to whom the notices are issued.
- (9) When prohibitory orders are issued for attachment of the several kinds of properties coming under rules 122, 123, 124 and 125 of the Tamil Nadu Co-operative Societies Rules, 1988, a sum of Rs.40.00 should be charged for issue of orders, and Rs.40.00 for service of such order on each party, irrespective of whether such party is the person holding the asset or the judgment-debtor himself. Emergent rates should be charged if the prayer is for the urgent issue of such order.
- (10) In the case of notice issued to legal representative of deceased judgment-debtor under sub-rule (1) of rule 118 of the Tamil Nadu Co-operative Societies Rules, 1988, a fee of Rs.80.00 for the first party and Rs.40.00 for each additional party shall be charged.
- (11) In execution petitions praying for rateables, no special fee need be charged for issue of orders regarding distribution of sale proceeds.

- (12) Objection or claim petition whether preferred under rule 128 or 135 should be charged at the scheduled rates. But petitions under rule 127 should not be treated as 'objection petitions'.
- (13) Before issue of service of any notice or other process, every officer concerned should satisfy himself that the fee due on it has already been realized.
- (14) When movable properties are sold in accordance with the provisions in clause (c) of sub-rule (5) of rule 115, fees at the rate specified in this Schedule shall be collected for every process subsequent to attachment.

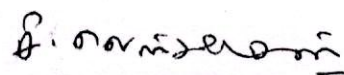
**SCHEDULE V**  
**(see rule 173)**

**Fees for supplying of certified copies as Public Document in the Office of the Registrar**

Details of the process (1)	Fees Chargeable (2) Rs. P.	Remarks or Note (3)
(1) Application for the supply of copies of document	50.00	
(2) Fees for copying -		
(i) For every 175 words or fraction thereof (written or typed matters)	20.00	
(ii) Where copies of documents are supplied in printed forms		The cost of form fixed by the Registrar in consultation with the Controller of Stationery and Printing, Chennai, plus the fees calculated at the rate specified in item (i) in respect written or typed matters.

**KUMAR JAYANT**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

// True Copy //

  
Section Officer  
