THE FAMILY COURTS (TAMIL NADU) RULES, 1987.*

[G.O. Ms. No.1871, Home (Courts VII), dated the 3rd August, 1987]

No. SRO A-195/87 .— In exercise of the powers conferred by section 23 of the Family Courts Act, 1984 (Central Act 66 of 1984), the Governor of Tamil Nadu, after consultation with the High Court, Madras, hereby makes the following rules, namely :—

1. Short title and commencement .— (1) These rules may be called the Family Courts (Tamil Nadu) Rules, 1987.

(2) They shall come into force at once.

2. Definitions .— (*a*) **"Act"** means the Family Courts Act, 1984 (Central Act 66 of 1984);

(*b*) **"Judge"** means the Judge or, as the case may be, the Principal Judge, Additional Principal Judge or other Judge of a Family Court.

3. Terms and conditions of service of the Judge .— (1) A Judge shall hold office for a term of five years or until he attains the age of sixty-two years, whichever is earlier.

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* Published in Part III - Section 1 (*a*) of the *Tamil Nadu Government Gazette*, dated the 19th August 1987.

(2) A Judge shall be entitled to the pay, allowances and leave as admissible to a District Judge :

Provided that if he is in receipt of a pension in respect of any previous service under any Government, he shall be entitled to the pay last drawn by him, less the pension and the pension equivalent of other pensionary benefits, if any, drawn by him and in addition, he shall be entitled to draw the allowances admissible to a District Judge :

Provided further that if a serving District Judge is appointed as a Judge, he shall be entitled to such pay and allowances that would have been admissible to him but for his appointment as a Judge and if he retires from service before the expiry of his term, he shall, from the date of his retirement, be entitled to such pay and allowances admissible under the first proviso.

(3) The conditions of service applicable to a District Judge shall apply to a Judge.

(4) A Judge shall not be entitled to any pension for the service rendered by him as a Judge :

Provided that, an officer of the State Government on deputation shall be entitled to count his service as such till the date of his superannuation for the purpose of his pension.

4. List of persons and agencies engaged in the field of Social Welfare .— (1) The Family Court shall prepare in the month of January every year a list of not less than ten persons (including institutions or organisations) from among those engaged in the field of social welfare or representatives thereof, professionally engaged in promoting the welfare of the family, working in the field of social welfare and whose association with the Family Court may enable it to exercise its jurisdiction more effectively in accordance with the purposes of the Act and submit it to the High Court for approval :

Provided that if the Family Court is established in the middle of any year, such list shall be submitted within one month from the date of establishment of such Court.

(2) The list shall be valid till the approval of the next list by the High Court.

5. Nomination of persons as Counsellors .— (1) The Family Court shall nominate two persons which may include representatives of institutions or organisations out of the list prepared under sub-rule (1) of rule 4 as Counsellors to assist the said Court in the discharge of its functions.

(2) The term of office of the Counsellors so nominated shall be three months.

6. Substitute for Counsellor nominated .— If, for any reason, a Counsellor so nominated is unable to attend the Family Court, the Family Court may nominate another Counsellor from out of the list prepared under sub-rule (1) of rule 4.

7. Fee for Counsellor .— Every Counsellor shall be entitled to a sitting fee of Rs.30/- (rupees thirty only) per day. Cms 1074 Hmk Ch. R 13.V.03

8. Number and categories of officers and other employment of Family Court .— (1) Every Family Court shall have the posts specified in the Schedule to these rules.

(2) The salary, allowances and other conditions of service of the officers and other employees of the Family Court referred to in sub-section (2) of section 6 of the Act shall be the same as those applicable to the employees holding similar posts in the Tamil Nadu Judicial Ministerial Service, the Tamil Nadu General Subordinate Service and the Tamil Nadu Basic Service.

(3) Appointment to the posts specified in the Schedule to these rules shall be made by the Principal Judge by deputation from among persons holding equivalent posts in the Tamil Nadu Judicial Ministerial Service, the Tamil Nadu General Subordinate Service and the Tamil Nadu Basic Service.

9. Fees and expenses of medical and other experts .— The Medical experts and other persons referred to in section 12 of the Act whose services are secured for assisting the Family Court shall be paid travelling and daily allowances at the rate admissible to the official and non-official witnesses appearing before the Criminal Courts for giving evidence.

10. Fees of legal practitioners .— The legal practitioners appointed under section 13 of the Act as *amicus curiae* shall be entitled to fees at the rate of Rs.100/- (Rupees one hundred only) per case.

THE SCHEDULE

(*See* rule 8)

Sl. No.	Name of the Post.	Number of Posts.
(1)	(2)	(3)
	Principal Judge's Court	
1.	Sheristedar	One
2.	Assistants	Two
3.	Stenographer	One
4.	Typist	One
5.	Copyists	Three
6.	Junior Assistants	Four
7.	Attendar	One
8.	Jamedar	One
9.	Office Assistants	Six
10.	Sweeper-cum-Watchman	One
11.	Bailiffs	Two
12.	Process Servers	Four
	Additional Principal Judge's Court	
1.	Assistant	One
2.	Stenographer	One
3.	Typist	One
4.	Jamedar	One
5.	Office Assistants	Four

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SUBSTITUTION OF RULE 7 OF THE FAMILY COURTS RULES, 1987.

(G.O. Ms. No. 1074, Home (Courts. II), dated 17th November 2003)

In exercise of the powers conferred by section 23 of the Family Courts Act, 1984 (Central Act 66 of 1984), the Governor of Tamil Nadu, after consultation with the High Court, Madras, hereby makes the following amendment to the Family Courts (Tamil Nadu) Rules, 1987.

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AMENDMENT

In the said Rules, for rule 7, the following rule shall be substituted, namely :—

"**7. Fee for counsellor** .— Every counsellor shall be entitled to a sitting fee of Rs. 200/- (Rupees two hundred only) per day with a monthly ceiling of Rs. 4,000/- (Rupees four thousand only)"