

THE JUDICIAL COMMISSIONERS' COURTS  
(DECLARATION AS HIGH COURTS ACT, 1950

No. XV OF 1950



An Act to declare the Judicial Commissioners' Courts in Part C States to be High Courts for certain purposes of the Constitution.

[10th March, 1950]

**B**E it enacted by Parliament as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Judicial Commissioners' Courts (Declaration as High Courts) Act, 1950.

(2) It shall be deemed to have come into force on the 26th day of January, 1950.

2. **Definition.**—In this Act, "article" means an article of the Constitution.

3. **Declaration of certain courts as High Courts for certain purposes.**—Every court in a Part C State known, at the commencement of this Act, as the Court of the Judicial Commissioner for that State (hereinafter referred to as a Judicial Commissioner's Court), is hereby declared to be a High Court for the purposes of articles 132, 133 and 134.

4. **Appeals to the Supreme Court not to be barred on ground of judgment, etc., being of a single Judge.**—An appeal shall lie to the Supreme Court under the provisions of article 133 from any judgment, decree or final order of a Judicial Commissioner's Court notwithstanding that such judgment, decree or final order is that of a single Judge.

5. **Appeals to lie to the Supreme Court from judgment, decree, etc., whether passed or made before or after the commencement of the Act.**—Subject to any rules made under article 145 or any other law as to the time within which appeals to the Supreme Court are to be entered, an appeal shall lie to that Court from a judgment, decree or final order of a Judicial Commissioner's Court, under the provisions of article 132 or article 133, or from a judgment, final order or sentence of such Court under the provisions of article 134 whether such judgment, decree, final order or sentence, as the case may be, was passed or made before or after the commencement of this Act.

6. **Exceptions and modifications subject to which the provisions of Chapter V of Part VI of the Constitution apply to the Judicial Commissioners, Courts.**—The provisions of Chapter V of Part VI of the Constitution shall in their application to a Judicial Commissioner's Court have effect subject to the following exceptions and modifications, namely:—

(a) the provisions of articles 216, 217, 218, 220, 221, 222, 223, 224, 230, 231 and 232 shall not apply;

(b) references in article 219, in the proviso to clause (3) of article 227 and in article 229 to the Governor shall be construed as references to the Chief Commissioner of the State in relation to which that Court exercises jurisdiction.

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