

Tamil Nadu Hindu Wills Regulation, 1829

TAMILNADU

India

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Act 5 of 1829

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Tamil Nadu Hindu Wills Regulation, 1829(Tamil Nadu Regulation 5 of 1829)Statement of Objects and Reasons. - A Regulation for modifying section 16, [Regulation III, 1802], and for declaring the legal force of Wills left by Hindus within the State of Tamil Nadu to be dependent on their conformity to the Hindu Law, according to the Authorities prevalent in the StateThe Tamil Nadu Administration of Estates Regulation, 1802The short title was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901). This Regulation was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), section 4 and the Second Schedule, to be in force in the whole of the State of Tamil Nadu except the territories mentioned in the Sixth Schedule to that Act.This Regulation was extended to the merged State of Pudukkottai by section 3 of, and the First Schedule to the Tamil Nadu Merged States (Laws) Act, 1949 (Tamil Nadu Act XXXV of 1949).This Regulation was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the First Schedule to, the Tamil Nadu (Transferred Territory) Extension of Laws Act, 1960 (Tamil Nadu Act 23 of 1960), which came into force on the 1st April 1961, repealing the corresponding law in that territory.

1. Preamble.

- Whereas [xxx] [Certain words and figures, repealed by the Repealing and Amending Act, 1901 (Central Act XI of 1901), section 3, are omitted.] [clause second of section 16 of the [Tamil Nadu] [Substituted for the words 'clause second of the said section' by the Repealing and Amending Act, 1901 (Central Act XI of 1901.), section 3, and the Second Schedule.] [Administration of Estates Regulation, 1802] [Tamil Nadu Regulation III of 1802.]] directs that, on the death of a Hindu leaving a will, his executors "are to take charge of the estate of the deceased and proceed in the execution of their trust according to the will of the deceased and the laws and usages of the country"; and whereas this [xxx] [Certain obsolete words have been repealed by Central Act XII of 1876.] enactment is at variance both with the Hindu Law, according to the Authorities prevalent within [the State] [Substituted for the words 'these territories' by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.], and with the

[xxx] [Certain obsolete words have been repealed by Central Act XII of 1876.] obligation imposed on the Courts to administer justice to the [inhabitants] [Substituted for the word 'Natives' by the Adaptation Order of 1950.] in the said matters according to their own laws, and it is therefore expedient that the same should be modified, the [State Government] [Substituted for the expression 'Governor in Council' by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.] [have] [Substituted for the word 'has' by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.] therefore enacted this Regulation [xxx] [Certain obsolete words have been repealed by Central Act XII of 1876.]

2.

[Repeal of Regulation III of 1802, section 16, clause 2, so far as it applies to Hindus.] Rep. Mad. Act. II of 1839.]

3. Rules applicable to estates of Hindus dying and leaving wills.

- The rules contained in clauses third, fourth, fifth, sixth and seventh, section 16, Regulation III, 1802 [xxx] [Certain obsolete words have been repealed by Central Act XII of 1876.] respecting the estates of Hindus dying interstate, are hereby declared equally applicable to the cases of Hindus dying and leaving wills.

4. Wills of Hindus to be in conformity to Hindu Law.

- Wills left by Hindus within the [State] [Substituted for the words 'territories subject to this Government' and 'respective territories under this Presidency' by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th 'January 1969.] shall have no legal force whatever, except so far as their contents may be in conformity with the provisions of the Hindu law, according to the Authorities prevalent in the [State] [Substituted for the words 'territories subject to this Government' and 'respective territories under this Presidency' by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th 'January 1969.].