

# Hindu Marriage (Tamil Nadu Amendment) Act, 1967

TAMILNADU

India

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### Act 21 of 1967

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Hindu Marriage (Tamil Nadu Amendment) Act, 1967(Tamil Nadu Act 21 of 1967)Received the assent of the President on 17th day of January 1968 and first published in the Fort St. George Gazette Extraordinary, dated 20th January 1968.An Act further to amend the Hindu Marriage Act, 1955, in its application to the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.].Whereas it is necessary to render valid Suyamariyathai of Seerthiruththa marriages;And Whereas it is expedient further to amend the Hindu Marriage Act, 1955 (Central Act 25 of 1955), in its application to the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] for the purposes hereinafter appearing;Be it enacted by the Legislature of the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] in the Eighteenth Year of the Republic of India as follows:-

### 1. Short title and extent.

(1)This Act may be called the Hindu Marriage [Tamil Nadu] [Substituted for the expression 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Amendment) Act, 1967.(2)It extends to the whole of the [State of Tamil Nadu] [Substituted for the expression 'State of Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.].

### 2. Insertion of new section.

- A in Central Act 25 of - After section 7 of the Hindu Marriage Act, 1955 (Central Act 25 of 1955), the following section shall be inserted, namely:-

**7A. Special provision regarding suyamariyathai and seerthiruththa marriages. - (1) This section shall apply to any marriage between any two Hindus, whether called suyamariyathai marriage or seerthiruththa marriage or by any other name, solemnized in the presence of relatives, friends or other persons -**

(a)by each party to the marriage declaring in any language understood by the parties that each takes the other to be his wife or, as the case may be, her husband; or(b)by each party to the marriage garlanding the other or putting a ring upon any finger of the other; or(c)by the tying of the thali.(2)(a)Notwithstanding anything contained in section 7, but subject to the other provisions of this Act, all marriages to which this section applies solemnized after the commencement of the Hindu Marriage [Tamil Nadu] [Substituted for the expression 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Amendment) Act, 1967, shall be good and valid in law.(b)Notwithstanding anything contained in section 7 or in any text, rule or interpretation of Hindu law or any custom or usage as part of that law in force immediately before the commencement of the Hindu Marriage ([Tamil Nadu] [Substituted for the expression 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Amendment) Act, 1967, or in any other law in force immediately before such commencement or in any judgment, decree or order of any Court, but subject to sub-section (3), all marriages to which this section applies solemnized at any time before such commencement shall be deemed to have been, with effect on and from the date of the solemnization of each such marriage, respectively, good and valid in law.(3)Nothing contained in this section shall be deemed to-(a)render valid any marriage referred to in clause (b) of sub-section (2), if before the commencement of the Hindu .Marriage l[Tamil Nadu] Amendment) Act, 1967,-(i)such marriage has been dissolved under any custom or law; or(ii)the women who was a party to such marriage has, whether during or after the life of the other party thereto, lawfully married another; or(b)render invalid a marriage between any two Hindus solemnized at any time before such commencement, if such marriage was valid at that time; or(c)render valid a marriage between any two Hindus solemnized at any time before such commencement, if such marriage was invalid at that time on any ground other than that it was not solemnized in accordance with the customary rites and ceremonies of either party thereto:Provided that nothing contained in this sub-section shall render any person liable to any punishment whatsoever by reason of anything done or omitted to be done by him before such commencement.(4)Any child of the parties to a marriage referred to in clause (b) of sub-section (2) born of such marriage shall be deemed to be their legitimate child:Provided that in a case falling under sub-clause (i) or sub-clause (ii) of clause (a) of sub-section (3), such child was begotten before the date of the dissolution of the marriage or, as the case may be, before the date of the second of the marriages referred to in the said sub-clause (ii).