

PARLIAMENT OF CEYLON

1st Session 1965-66



Rectification of a Muslim Marriage Register of the Paranakuru Korale (Kegalla District) Act, No. 4 of 1965

Date of Assent : August 16, 1965

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*Rectification of a Muslim Marriage Register
of the Paranakuru Korale (Kegalla District)*
Act, No. 4 of 1965

L. D.—O. 20/62.

AN ACT TO ENABLE THE RE-ENTRY OF CERTAIN LOST ENTRIES IN THE MARRIAGE REGISTER KEPT BY ONE OF THE REGISTRARS OF MUSLIM MARRIAGES APPOINTED FOR THE PARANAKURU KORALE IN THE KEGALLA DISTRICT UNDER THE MUSLIM MARRIAGE AND DIVORCE ACT.

[Date of Assent: August 16, 1965]

WHEREAS in the month of May, 1959, A. L. M. Aboosally Marikkar, one of the Registrars of Muslim Marriages appointed for the Paranakuru Korale in the administrative district of Kegalla, under the Muslim Marriage and Divorce Act, entered statements of the particulars of certain marriages, in foil and counterfoil, in the marriage register kept by him under section 18 of that Act:

And whereas the volume of the said marriage register containing the said statements has subsequently been reported to have been lost:

And whereas it is expedient that statements of the particulars of the said marriages should be entered afresh in the said marriage register:

Be it, therefore, enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Rectification of a Muslim Marriage Register of the Paranakuru Korale (Kegalla District) Act, No. 4 of 1965.

Short title.

2. (1) Where any marriages have been registered by A. L. M. Aboosally Marikkar, one of the Registrars of Muslim Marriages appointed for the Paranakuru Korale in the administrative district of Kegalla under the Muslim Marriage and Divorce Act, in the month of May, 1959, and the statements of the particulars of such marriages have been entered in any volume of the marriage register kept by the said A. L. M. Aboosally Marikkar as registrar under section 18 of the Muslim Marriage and Divorce Act and reported

Rectification
of marriage
register kept
by a Registrar
of Muslim
Marriages for
the Paranakuru
Korale in the
Kegalla
District.

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by him to have been lost, and such statements are not available in foil or counterfoil, it shall be lawful for either of the parties to any such marriage, or, where either of them is dead, for any representative of either such party who is acceptable to the District Registrar of the Kegalla administrative district, (hereinafter called the "District Registrar"), to apply to the District Registrar to have the statement of particulars of such marriage entered afresh in the marriage register (hereinafter called the "register") in which the statement of particulars of such marriage was previously entered.

(2) On receipt of such application the District Registrar shall cause the officiating priest or registrar before whom such marriage was contracted and any other persons whom he considers it expedient to hear, to be served with a notice to show cause, on or before such date as the District Registrar may determine, why such application should not be granted.

(3) If no sufficient cause is shown on or before such date to the contrary and the District Registrar is satisfied, after hearing such evidence as may be adduced, that such marriage was in fact contracted, that it has been registered but that neither the foil nor the counterfoil containing the statement of the particulars of such marriage is available, and that the registration of such marriage is not forbidden by any provision of the Muslim Marriage and Divorce Act, he shall by order under his hand direct the appropriate registrar to enter afresh the statement of particulars of such marriage in the register.

(4) It shall, thereupon, be the duty of such registrar to enter afresh the statement of the particulars of such marriage in the register as nearly as the circumstances permit in accordance with the provisions of sections 18, 19 and 20 of the Muslim Marriage and Divorce Act:

Provided, however, that it shall not be necessary for the prescribed fee to be paid or any stamp to be affixed to the foil of the entry relating to such marriage.

(5) The statement of the particulars of any marriage so entered shall bear the date of the original registration as the date of registration.

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(6) Where the statement of the particulars of any marriage has been entered in the register under this Act, such entry shall be deemed to have been made, and the marriage to which such entry relates shall be deemed to have been registered, with effect from the date of registration set out in the entry, in accordance with the provisions of the Muslim Marriage and Divorce Act.