



The Hindu Marriage (Tamil Nadu) (Amendment) Act, 1967

Act 21 of 1967

Keyword(s):

Central Act Amendment, The Hindu Marriage Act, 1955

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¹[TAMIL NADU] ACT No. 21 OF 1967.²

THE HINDU MARRIAGE (¹[TAMIL NADU]
AMENDMENT) ACT, 1967.

[Received the assent of the President on the 17th
January 1968, first published in the Fort St.
George Gazette Extraordinary on the 20th
January 1968 (Pausa 30, 1889).]

An Act further to amend the Hindu Marriage Act, 1955,
in its application to the ³[State of Tamil Nadu].

WHEREAS it is necessary to render valid *suyamariyathai*
or *seerthiruththa* marriages ;

AND WHEREAS it is expedient further to amend the Hindu
Marriage Act, 1955 (Central Act 25 of 1955), in its appli-
cation to the ³[State of Tamil Nadu] for the purposes
hereinafter appearing ;

BE it enacted by the Legislature of the ³[State of Tamil
Nadu] in the Eighteenth Year of the Republic of India
as follows :—

1. (1) This Act may be called the Hindu Marriage <sup>Short title and
(¹[Tamil Nadu] Amendment) Act, 1967. extent.</sup>

(2) It extends to the whole of the ³[State of Tamil
Nadu].

¹ These words were substituted for the word "Madras" by
the Tamil Nadu Adaptation of Laws Order, 1969, as amended
by the Tamil Nadu Adaptation of Laws (Second Amendment)
Order, 1969.

² For Statement of Objects and Reasons, see *Fort St.
George Gazette* Extraordinary, dated the 17th July 1967,
Part IV-Section 3, pages 67-68.

³ This expression was 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.

Insertion of
new section
7-4 in Central
Act 25 of 1955.

2. After section 7 of the Hindu Marriage Act, 1955 (Central Act 25 of 1955), the following section shall be inserted, namely :—

7-A. *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 (¹[Tamil Nadu] 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 (¹[Tamil Nadu] 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 subsection (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—

¹ These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

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(a) render valid any marriage referred to in clause (b) of sub-section (2), if before the commencement of the Hindu Marriage (¹[Tamil Nadu] Amendment) Act, 1967,—

(i) such marriage has been dissolved under any custom or law ; or

(ii) the woman 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)."

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.