

The Hindu Marriage (Pondicherry Amendment) Act, 1971

Act 14 of 1971

Keyword(s):
Hindu Marriage Act, 1955



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**THE HINDU MARRIAGE (PONDICHERRY
AMENDMENT) ACT, 1971**

(No. 14 of 1971)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and extent.
2. Insertion of new section 7A.

**THE HINDU MARRIAGE (PONDICHERRY AMENDMENT)
ACT, 1971**

(Act No. 14 of 1971)

9th July, 1971.

AN ACT

to amend the Hindu Marriage Act, 1955, in its application to
the Union territory of Pondicherry.



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

AND WHEREAS it is expedient to amend the Hindu Marriage Act, 1955 (Central Act 25 of 1955), in its application to the Union territory of Pondicherry, for the purposes hereinafter appearing ;

BE it enacted by the Legislative Assembly of Pondicherry in the Twenty-second Year of the Republic of India as follows :—

Short title and extent.

1. (1) This Act may be called the Hindu Marriage (Pondicherry Amendment) Act, 1971.

(2) It extends to the whole of the Union territory of Pondicherry.

Insertion of new section 7-A 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, solemnised in the presence of relatives, friends or other persons—

(a) by each party to the marriage declaring in any language (which is understood by the parties and by at



least two persons in whose presence the marriage is solemnised), 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 solemnised after the commencement of the Hindu Marriage (Pondicherry Amendment) Act, 1971, 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 (Pondicherry Amendment) Act, 1971, 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 solemnised at any time before such commencement shall be deemed to have been, with effect on and from the date of the solemnisation 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 (Pondicherry Amendment) Act, 1971,—

(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 solemnised at any time before such commencement, if such marriage was valid at that time; or

(c) render valid a marriage between any two Hindus solemnised at any time before such commencement, if such marriage was invalid at that time on any ground other than that it was not solemnised 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)."