



**The Muslim Personal Law (Shariat) Application (Tamil Nadu Amendment)  
Act, 1949**

Act 18 of 1949

**Keyword(s):**

**Central Act Amendment, The Muslim Personal Law (Shariat) Application Act,  
1937**

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<sup>1</sup>[TAMIL NADU] ACT No. XVIII OF 1949<sup>2</sup>.

[THE MUSLIM PERSONAL LAW (SHARIAT) APPLICATION  
(<sup>1</sup>[TAMIL NADU] AMENDMENT) ACT, 1949.]

(Received the assent of the Governor-General on the 4th July  
1949 ; first published in the Fort St. George Gazette  
on the 12th July 1949.)

An Act to amend the Muslim Personal Law (Shariat)  
Application Act, 1937 (Central Act XXVI of 1937),  
in its application to the <sup>3</sup>[State of Tamil Nadu].

WHEREAS it is expedient to amend the Muslim Personal  
Law (*Shariat*) Application Act, 1937 (Central Act XXVI of  
1937), in its application to the <sup>3</sup>[State of Tamil Nadu] in  
the manner hereinafter appearing ; It is hereby enacted  
as follows :—

1. This Act may be called the Muslim Personal Law Short title.  
(*Shariat*) Application (<sup>1</sup>[Tamil Nadu] Amendment) Act  
1949.

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<sup>1</sup> 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.

<sup>2</sup> For Statement of Objects and Reasons, see, *Fort St. George Gazette*,  
dated the 3rd February 1948, Part IV-A, pages 54-55.

This Act 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).

<sup>3</sup> This expression was substituted for the expression "Province  
of Madras" by paragraph 3 (2) of the Tamil Nadu Adaptation of  
Laws Order, 1970.

<sup>3</sup>[Substitution of new section for section 2, Central Act XXVI of 1937.] 2. The Muslim Personal Law (*Shariat*) <sup>1</sup>[Application] Act, 1937 (hereinafter referred to as the said Act), shall, in its application to the <sup>2</sup>[State of Tamil Nadu], be amended in the manner hereinafter provided.

3. For section 2 of the said Act, the following section shall be substituted, namely :—

Application of Personal Law to Muslims. “<sup>4</sup>[2] Notwithstanding any custom or usage to the contrary, in all questions regarding intestate succession, special property of females, including personal property inherited or obtained under contract or gift or any other provision of personal law, marriage, dissolution of marriage, including *Talaaq*, *Ila*, *Zihar*, *Lian*, *Khula* and *Mubaraat*, maintenance, dower, guardianship, gifts, trusts and trust properties and wakfs the rule of decision in cases where the parties are Muslims shall be the Muslim Personal Law (*Shariat*).”

<sup>1</sup> The word “Application” was inserted by section 4 of, and the Third Schedule to, the Tamil Nadu Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957). In so far as this Act applies to the added territories, the word “Application” was inserted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No.2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>2</sup> 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.

<sup>3</sup> This marginal note was inserted by section 4 of, and the Third Schedule to, the Tamil Nadu Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957). In so far as this Act applies to the added territories, this marginal note was inserted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No.2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>4</sup> The figure “2” was inserted by section 4 of, and the Third Schedule to, the Tamil Nadu Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957). In so far as this Act applies to the added territories, this figure was inserted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).