

## **Mappilla Succession Act, 1918**

**01 of 1918**

**[11 June 1918]**

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## **Mappilla Succession Act, 1918**

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### PREAMBLE

An Act to amend and define the law of intestate succession among Mappillas governed by the Marumakkattayam or the Aliyasantana Law of Inheritance.

WHEREAS it is expedient to amend and define the rules of law applicable to intestate succession among Mappillas governed by the Marumakkattayam or the Aliyasantana Law of Inheritance; It is enacted as follows:--

1. For Statement of Objects and Reasons, see Fort St. George Gazette, dated 21st March 1916, pp. 497-498, which was withdrawn; see p. 379 of *ibid*, dated 27th February 1917, and *ibid*, dated 10th April 1917, p. 526 for the Bill as amended. For Proceedings in Council, see *ibid*, dated 26th March 1918, pp. 119-120, and *ibid*, dated 11th June 1918, pp. 433-434.

This Act was extended to the merged State of P(sic)kkottai by section 3 of, and the First Schedule to, the Madras Merged States (Laws) Act, 1949 (Madras Act XXXV of 1949).

### **1. Short title :-**

(1) This Act may be called the Mappilla Succession Act, 1918.

Local extent.

(2) It extends to the whole of the Presidency of Madras.

Persons to whom this Act is applicable.

(3) It applies to Mappillas domiciled in the Presidency of Madras who are governed by the Marumakkatayam or the Aliyasantana Law of Inheritance, and also, in respect of immovable property situated within the Madras Presidency, to Mappillas domiciled outside the said Presidency who are so governed.

**2. Property in respect to which a deceased Mappilla is considered to have died intestate :-**

A person is considered to die intestate in respect of all property of which he has not made a testaopmentary disposition capable of taking effect.

Explanation.--"Property" in this section does not include tarwad property unless the person dying intestate was exclusively entitled to it.

**3. Devolution of such property :-**

Such property shall, notwithstanding any custom to the contrary, devolve upon his heirs in the order and according to the rules of Muhammadan Law.