

Mappilla Wills Act, 1928

07 of 1928

[19 June 1928]

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PREAMBLE

An Act to define the Law relating to Wills by Mappillas

WHEREAS it is expedient to define the law relating to testamentary dispositions by Mappillas governed by the Marumakkattayam or the Aliyasantana Law of Inheritance;

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act; It is hereby enacted as follows:--

1 For Statement of Objects and Reasons, see Fort St. George Gazette, dated 8th November 1927--Part IV, p. 137.

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

1. Short title :-

This Act may be called the Mappilla Wills Act, 1928.

2. Commencement :-

(i) It shall come into force on the 1st day of January 1929.

Extent.

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

Persons to whom and properties to which this Act is applicable.

(iii) It applies to testamentary dispositions by Mappillas governed by the Marumakkattayam or the Aliya-santana Law of Inheritance in respect of property which, but for such testamentary disposition, would devolve in accordance with the provisions of the Mappilla Succession Act, 1918 (Madras Act I of 1918).

3. Testamentary dispositions by Mappillas to be governed by this Act and not by Madras Act V of 1898 :-

The Testamentary dispositions to which this Act applies shall be governed by the Muhammadan Law relating to wills and not by the Malabar Wills Act, 1898 (Madras Act V of 1898).