

**Muslim Personal Law (Shariat) Application (Madras
Amendment) Act, 1949**

18 of 1949

[12 July 1949]

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PREAMBLE

An Act to amend the Muslim Personal Law (Shariat) Application Act, 1937 (Central Act XXVI of 1937), in its application to the Province of Madras.

Whereas it is expedient to amend the Muslim Personal Law (Shariat) Application Act, 1937 (Central Act XXVI of 1937), in its application to the Province of Madras in the manner hereinafter appearing; It is hereby enacted as follows:--

1 For Statement of Objects and Reasons, see Fort St. George Gazette dated 3rd february 1948, Part IV-A, pages 54-55.

1. Short title :-

This Act may be called the Muslim Personal Law (Shariat) Application (Madras Amendment) Act, 1949.

2. Substitution of new section for section 2, Central Act XXVI of 1937 :-

The Muslim Personal Law (Shariat) 1 (Application) Act, 1937 (hereinafter referred to as the said Act), shall, in its application to

the 2 [State] of Madras, be amended in the manner hereinafter provided.

3. Section 3 :-

For Section 2 of the said Act, the following section shall be substituted, namely:-- 1 [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 Tallaq, 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)."¹ The figure "2" was inserted by *ibid*.