



The Mappilla Wills Act, 1928

Act 7 of 1928

Keyword(s):
Minor, Will, Codicil

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[TAMIL NADU] ACT No. VII OF 1928¹.

[THE MAPPILLA WILLS ACT, 1928.]

(Received the assent of the Governor on the 9th May 1928, and that of the Governor-General on the 30th May 1928; the assent of the Governor-General was first published in the Fort St. George Gazette of the 19th June 1928.)

An Act to define the Law relating to Wills by Mappillas.

Preamble.

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:—

Short title.

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

Commencement.

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

Extent.

(ii) It extends to the whole of the [State of Tamil Nadu].

¹ 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, which came into force on the 14th January 1969.

* For Statement of Objects and Reasons, See Fort St. George Gazette, dated the 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 Tamil Nadu Merged States (Laws) Act, 1949 (Tamil Nadu Act XXXV of 1949).

² This expression was substituted for the expression "Presidency of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970 which was deemed to have come into force on the 14th January 1969.

(iii) It applies to testamentary dispositions by Mappillas governed by the Marumakkattayam or the Aliyasantana 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.

¹[Tamil Nadu] Act I of 1918.

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

¹[Tamil Nadu] 3. Testamentary dispositions to which this Act applies shall be governed by the Muhammadan Law 1898. relating to wills and not by the Malabar Wills Act, 1898.

Testamentary dispositions by Mappillas to be governed by this Act and not by
¹[Tamil Nadu] Act V of 1898.

¹ 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, which came into force on the 14th January 1969.