

THE MADRAS ALIYASANTHANA (KARNATAKA AMENDMENT) ACT, 1978.

ARRANGEMENT OF SECTIONS

Sections :

1. Short title and commencement.
2. Substitution of new section for section 6.
3. Omission of sections 8 to 12.
4. Pending cases shall abate.

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STATEMENT OF OBJECTS AND REASONS

Act 30 of 1978.- Representation have been received that section 8 to 12 of the Aliyasanthana Act, 1949 which provides for dissolution of marriages by merely filing a petition before the Court may be omitted as the said provision is being misused and rights thereunder are being arbitrarily exercised causing hardship and misery to women-folk and that the provisions of the Hindu Marriage Act, 1955, may be made applicable to persons governed by the Aliyasanthana Law to the same extent as they are applicable to other Hindus.

Hence this Bill.

(Published in the Karnataka Gazette (Extraordinary) Part IV-2A, as No. 1006 dated 30-6-1978 at page 3.)

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KARNATAKA ACT No. 30 OF 1978.

(First published in the Karnataka Gazette (Extraordinary) on the Eighteenth day of December, 1978)

THE MADRAS ALIYASANTHANA (KARNATAKA AMENDMENT) ACT, 1978.

(Received the assent of the President on the Eleventh day of December 1978)

An Act further to amend the Madras Aliyasanthana Act, 1949.

WHEREAS it is expedient further to amend the Madras Aliyasanthana Act, 1949 (Madras Act IX of 1949) for the purposes hereinafter appearing;

BE it enacted by the Karnataka State Legislature in the Twenty-ninth year of the Republic of India as follows :-

1. Short title and commencement.- (1) This Act may be called the Madras Aliyasanthana (Karnataka Amendment) Act, 1978.

(2) It shall come into force at once.

2. Substitution of new section for section 6.- For section 6 of the Madras Aliyasanthana Act, 1949 (Madras Act IX of 1949) (hereinafter referred to as the principal Act) the following section shall be substituted, namely:-

"6. Application of certain provisions of the Hindu Marriage Act, 1955.- Provisions of sections 9 to 28 (both inclusive) of the Hindu Marriage Act, 1955 (Central Act 25 of 1955), for the time being in force, shall *mutatis mutandis* apply to persons governed by this Act and whose marriages are valid marriages under section 4."

3. Omission of sections 8 to 12.- Sections 8 to 12 (both inclusive) of the principal Act shall be omitted.

4. Pending cases shall abate.- All petitions for dissolution of marriage presented under section 8 of the principal Act and all proceedings connected therewith pending before a court on the date of commencement of this Act shall with effect from such date stand abated.

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