

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY
PUBLISHED BY AUTHORITY

Tamil Nadu Act and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received assent of the President on the 22nd September 1995 and is hereby published for general information

ACT No. 27 OF 1995.

An Act to extend the Indian Christian Marriage Act, 1872 to the transferred territory in the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty sixth Year of the Republic of India as follows :—

Short title and commencement. 1. (1) This Act may be called The Indian Christian Marriage (Extension to Transferred Territory) Act, 1995.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definitions. 2., in this Act, unless the context otherwise requires,—

(1) “existing law” means any Law, Ordinance, Proclamation, Regulation or Order, By-law or Rule passed or made before the date of commencement of this Act by Parliament, or by any Legislature, authority or person having power to make such a Law Ordinance, Proclamation, Regulation, Order, By-law or Rule;

(2) “transferred territory” means the Kanvakumari district and the Shenexttah taluk of the Tirunelveli-Kattabomman district.

Extension of Indian Christian Marriage Act,1872 to the transferred territory. 3. The Indian Christian Marriage Act, 1872 as in force immediately before the date of commencement of this Act, in the State of Tamil Nadu except in the transferred territory, is hereby extended to, and shall be in force in the transferred territory.

Repeals and corresponding laws. 4. If, immediately before the date of commencement of this Act, there is in force in the transferred territory any Act, Ordinance, Proclamation, Regulation, Order, By-Law, Rule or other law corresponding to the enactment now extended to the transferred territory, whether such Act, Ordinance, Proclamation, Regulation, Order, By-law, Rule or other law, is in force by virtue of section 119 of the States Reorganisation Act, 1956 (Central

Act 37 of 1956) or by virtue of any other legislative power, such corresponding law shall, on the date of commencement of this Act, stand repealed to text to which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State.

Saving. 5. (1) The repeal, by section 4, of any corresponding existing law shall not affect —

(a) the previous operation of any such law or anything duly done or suffered thereunder, or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any such law, or

(c) any fine, penalty forfeiture or punishment incurred in respect of any offence committed against any such law,

(d) any investigation, legal proceeding or remedy, in respect of any such right, privilege, obligation, liability, fine, penalty, forfeiture punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such fine, penalty, forfeiture or punishment maybe imposed as if this Act had not been passed.

(2) Subject to the provisions of sub-section. (1), anything done or any action taken including any appointment or t made, notification, order, instruction or direction issued, rule, regulation, form, by-law or scheme framed, certificate permit or licence granted or registration effected, under such corresponding existing law shall be deemed to have been done or taken under the corresponding provision of the enactment as now extended *o, and in force in, the transferred territory and shall continue ii force accordingly, unless and until superseded by anything done or any action taken under the said enactment.

(3) Nothing contained in this section shall render any person liable to any punishment whatsoever by reason of anything done or omitted to be done by him before the date of commencement of this Act contrary to the provisions of the as now extended to this transferred territory.

Construction of references to laws not in force in the transferred territory. 6. (1) Any reference in the enactment now extended to the transferred territory to a law which is not in force in the transferred territory shah, in relation to the transferred territory, be construed as a reference to the corresponding law, if any, in force in the transferred territory.

(2) Construction of references to laws not in force in the transferred territory. Any reference in any existing law which continues to be in force in the

transferred territory after the date of commencement of this Act, to any law repealed by section 4, shall, in relation to the transferred territory, be construed as a reference to the enactment now extended to the transferred territory corresponding to the law so repealed.

Construction of references to authorities where new authorities have been constituted. 7. Any reference, by whatever form of words, in any existing law to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in the transferred territory shall, where a corresponding new authority has been constituted by or under the enactment now extended to the transferred territory, have effect as if it were a reference to that new authority.

Powers of courts and other authority for purpose or facilitating application of-laws. 8. For the purpose of facilitating the application in the transferred territory of the enactment now extended to the transferred territory, any court or other authority may construe such enactment with such alterations not affecting the, substance as may be necessary or proper to adapt it to the matter before the court or other authority.

(By order of the Governor)

M. MUNIRAMAN,

Secretary to Government, Law Department

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