

(1911) 10 MAD CK 0011
In the Madras High Court

Venkadam Narayana Iyer and Another	APPELLANT
Vs	
Siva Subramania Iyer and Another	RESPONDENT

Date of Decision : 30-10-1911

Acts Referred:

Citation : 13 Ind. Cas. 985 : (1912) 22 MLJ 49

Judgement

1. We are of opinion that, under the circumstances mentioned in the judgment of the Subordinate Judge, the plaintiff was Justified in giving the girl

Meenakshi in marriage. The grandfather and the paternal uncle had practically abandoned guardianship of the girl, and, as found by the

Subordinate Judge, their assurance that they would celebrate her marriage in proper form was not sincere. It is then urged by Mr. C.V.

Anantakrishna Aiyar that, as the marriage was celebrated within two days of the confinement of the 2nd defendant's wife, we must disallow the

plaintiff the expenses incurred by him in connection with the marriage. It might be that it was not proper on the part of the plaintiff, according to the

Hindu ceremonial law, to celebrate the marriage during a period of pollution, as to which, however, we express no decided opinion. But it is not

contended that the marriage would be invalid on that account, and we do not think we are called upon to punish the plaintiff by making him bear

the expenses of the marriage.

2. The Subordinate Judge has, however, given a personal decree against the defendants. It will be modified by directing the decretal amount to be

paid out of the family property in the hands of the defendants. Otherwise the decree is confirmed and the second appeal dismissed with costs.