

Hindu Law (Unit-I)

Who is a Hindu? - No precise definition
(Application of the Hindu Law)

(a) Geographically - (Only territorial significance)

- Residents on the other side of river Sindhu were called 'Hindu' by Persians.
- ↳ Later 'Indo' by Greeks

(b) Theologically -

- Those who believe that only God is real, the world is unreal, rebirth of soul, doctrine of Karma and spiritual merit from good deeds - shall be associated with Hindu.

(c) By Religion - (for purpose of law)

Two categories of persons fall under this category -

(1) Those who are originally Hindu, Jain, Sikh or Buddhist by religion.

(2) Those who are converts or reconverts to Hindu, Jain, Sikh and Buddhist religion.

- When he practices / professes any of these religion or when he remains Hindu but do not follow the religion (atheist). Thus a person does not cease to be Hindu if he disents from central doctrines of Hinduism or adopts a western way of life or exercised by

Sec 2 of HMA, TISA, HAMA defines Hindu and Sec 3 of HMA defines Hindu to include the above mentioned persons.

Conversion and Reconversion

- A convert is a person who renounces his faith and adopts another religion - if

he converts to Hinduism, Jainism, Buddhism, Sikhism - he will be a Hindu and any other religion - he will cease to be Hindu.

- If after ceasing to be Hindu, he reconverts to Hindu or any of the aforementioned - he will be considered 'reconvert' and treated as Hindu - if he follows:

(a) He/she undergoes formal ceremony as prescribed by caste or community to which he converts.

(b) He/she expressed bonafide intention to become Hindu - accompanied by unambiguous intention coupled with acceptance of them as a member of the community

Pearmal v. Pannuswami (1981)

Facts: Anapasham, Christian lady married a Hindu, Pearmal in accordance with Hindu Ceremonies and rights and entered an agreement to be governed by Mitakshara law.

- A son, Pannuswami was born - however the couple separated and subsequently brought a suit for share in joint family property.
- Pearmal contended the marriage was legal and her son was Christian and not Hindu and they did not convert to Hinduism.

Held that: The acceptance of marriage in Hindu form - was sufficient proof of conversion, followed by conduct of community taking a person into their fold. No formal ceremonies are required. The suit for share in property succeeded.

Mohandas v. Pannuswami Board

- Jendras, Catholic Christian, usages - rendered devotional songs and declaration of bonafide declaration to be following Hindu faith.

Hindu Law Notes

M Carnoy



Hindu Law Notes:

Reviewing **Hindu Law Notes**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is truly astonishing. Within the pages of "**Hindu Law Notes**," an enthralling opus penned by a highly acclaimed wordsmith, readers embark on an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve into the book's central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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