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Divorce Act, 1869

Section 11 - Adulterer or Adulteress to Be Co-respondent

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1 [11. Adulterer or adulteress to be co-respondent

On a petition for dissolution of marriage presented by a husband or wife on the ground of adultery, the petitioner shall make the alleged adulterer or adulteress a co-respondent, unless the petitioner is excused by the Court from so doing on any of the following grounds, namely:--

(a) that the wife, being the respondent is leading the life of a prostitute or the husband, being respondent is leading an immoral life and that the petitioner knows of no person with whom the adultery has been committed;

(b) that the name of the alleged adulterer or adulteress is unknown to the petitioner although the petitioner has made due efforts to discover it;

(c) that the alleged adulterer or adulteress is dead.".]

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1. Substituted by Act 51 of 2001, section 7, for section 11 (w.e.f. 3-10-2001).

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