

## Divorce Act, 1869

### Chapter 7 - Restitution of Conjugal Rights

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When either the husband or the wife has, without reasonable excuse, withdrawn from the society of the other, either wife, or husband may apply, by petition to the District Court<sup>1</sup>[\*\*\*] for restitution of conjugal rights, and the Court, on being satisfied of the truth of the statements made in such petition, and that there is no legal ground why the application should not be granted, may decree restitution of conjugal rights accordingly.

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1. The words "or the High Court" omitted by Act 51 of 2001, section 18 (w.e.f. 3-10-2001).

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### Section 33 - Answer to petition

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Nothing shall be pleaded in answer to a petition for restitution of conjugal rights, which would not be ground for a suit for judicial separation or for a decree of nullity of marriage.

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