

Education *PH* (195 <sup>48</sup>) Department.

MS SERIES.

G.O. No. 2439 *Edn.*

Dated 24-9-48

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[Despatch Abstract.]

SUIT - Original O.S.No. 263/48 - ~~Fi~~ District Munsif's Court -  
Vizianagaram - Correction of date of birth - Sri  
D.C. Venkatapathiraju - Defence - sanctioned.

### Back Papers.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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### Further Papers.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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ORIGINAL O.S.NO. 263/48 - District Munsif's Court -  
Vizianagaram - Correction of date of birth - Sri D.C. Venkata-  
pathiraju - Defence - Sanctioned.

Education Department.  
G.O.Ms.No. 2439. Dated : 24th September 1948.  
Read the following:  
From the Director of Public Instruction, Re.No.2407-E2/48  
dated 27-8-48 and 16-9-48.

#### ORDER:

His Excellency the Governor sanctions the defence,  
at public expense, ~~the~~ of the Province of Madras in Original  
Suit No. 263, of 1948 on the file of the Court of the District  
Munsif, Vizianagaram.

2. The Government consider that it will be sufficient to  
put the applicant to proof of the allegation regarding the  
mistake in the date of birth as recorded in the S.S.L.C.  
Register and to undertake to carryout the necessary correction  
if the court finally accepts the evidence adduced by the  
applicant as satisfactory. The Government may also claim costs  
as the application was necessitated by the wrongful action  
of the party in having given an incorrect date.

3. The Director of Public Instruction is informed that  
the draft written Statement to be filed on behalf of the  
Government should be on the lines of the enclosed draft.

/By Order of His Excellency the Governor/

Sd. x x x  
Secretary to Government.

To:  
The Director of Public Instruction.  
The Collector of Vizagapatam.  
Copy to:  
Legal .

/True Copy/

rds/

A. Jhingan  
Office Assistant,  
MADRAS RECORD OFFICE.

18/12  
20/12  
21/12

I am referring this matter to the Government Solicitor Madras for his opinion as to whether this case needs to be contested at all at Government expense. On receipt of his opinion, I shall address the Government again in the matter.

O.S. 263/48.

and

(1) The Province of Madras represented by the Collector of Vizagapatam, Vizagapatam.

(2) The Andhra University represented by the Registrar, Andhra University, Waltair, Defendants. ) omit

Written statement filled by the defendant under order 8 rule 1 C.P.C.

(1) The Plaintiff's suit, so far as this defendant is concerned, is not just and maintainable in law.

(2) The Plaintiff (applicant) is put to strict proof of the allegation regarding the mistake in the date of birth as recorded in the S.S.L.C. Register.

(3) This defendant is prepared to undertake to carry out the necessary correction, of the court finally accepts the evidence adduced by the plaintiff (applicant) as satisfactory.

(4) The plaintiff should be ordered to bear the costs of this defendant, as the application was necessitated by the wrongful action of the party is having given incorrect date.

Certified that the facts stated above are based on information and I believe them to be true.

/True Copy/

