

Educational (1897) Department.

ORDINARY MS.

G.O., No. 565

DATED 8-10-97

INDEXED.

8/8

114
9/10

[Despatch Abstract.]

Accepting the recommendation of the High Court that those who have passed the old "Civil Higher" or "Civil Lower" or "Pleaders' Tests" may be exempted from passing the Civil Judicial Tests for promotion in the Jud^e Deptt., as in the case of the Registration Deptt., & directing that a note to that effect be entered in the Public Service & Special Test Notification.

P
14/10/97

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Judicial (1897) Department.

CURRENT No. 3969

80/97 Edl ✓
67 ✓ 94th Jany 1898
317 ✓ 94th Jany 1898
818/93 Edl ✓
Sp. Tel. Noll ✓

From

The Registrar,
High Court of Judicature,
Madras.

(Nos 3967 + 3969)

Order

Edl. No. 1111

Enrollment No. 1990 of 24 Sept. 1897. Ref. No. 2005797

Transferred to the Educational

Dept.

Admn. App.

Dated 13th September 1897.

Received 16.

Registered 17.

Enclosures one

Spare copies



At
23/9/97

By Under Secretary

SUBJECT.

Forwarding copy of a letter from the Subordinate Judge of Negapatam and stating that the High Court concurs in the view of the Subordinate Judge as to the eligibility of the Head Clerk of his Court to the post of Sheristadar and requesting that an exemption similar to that in the Registration Department may be notified in regard to officers in the Judicial Department.

To the Edl. Dept.

mo. 18
15/9/97

BACK PAPERS.

G.O.	No.	Department.	Date.
	80 hirs Edl		4-2-94
	314 SC - u -		9-5-94
	67-u - -		2-2-94
	818-u - -		8-11-93
	Spl. Test notification		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 1143.

Negapatam Sub Court,
23rd August 1907.

From

P. Narayanasamy Iyer,
Subordinate Judge, Negapatam.

To

F. H. Hamnett, Esquire,
Acting District Judge, Tanjore.

Sir,

I have the honor to acknowledge the receipt of the District Court Proceedings of the 17th instant, No. 1077.

2. Regarding the observation made therein of the ineligibility of R. Samminadhier, Head Clerk of this Court to the place of Sheristadar of this Court, I beg to be permitted to point out that though under the old rules, the Criminal Lower Test along with the Civil Lower Test was a necessary qualification for the post of Sheristadar of a Sub. Court, the new rules have substituted the Civil Judicial Test in the place of the said two tests. The Civil Judicial Test comprises no subjects relating to the Criminal Law and hence since the coming into force of the new rules, the impression has gained ground that in the case of officers who qualified themselves under the old rules, the Civil Lower is a sufficient qualification for the post of Sheristadar. That this impression was not unwarranted by the altered rules will be apparent from a G.O., relating to the Registration Department (copy of which I enclose) which exempts officers who have passed the old Civil Higher or Civil Lower or the Pleader's Test from passing the Civil Judicial Test for promotion to District Registrars. This G.O., treats the old Civil Lower as a test

equivalent to the Civil Judicial Test and Government may be pleased to extend a similar exemption to officers of the Judicial Department if the difficulty which has now arisen be brought to their notice. As there may be other officers in a similar position, it seems advisable to obtain a Government ruling on the point for general guidance.

3. Under these circumstances, I request you will be good enough to obtain the necessary orders for the exemption of R. Sawminatha Iyer, Head Clerk of this Court, from passing the new Civil Judicial Test and that you will be pleased to sanction his appointment as Sheristadar of this Court. I need hardly repeat what I have already said that he is, in other respects, in every way qualified for the place to which I have nominated him.

I have, &c.,

(Sd.) P. Narayana Sanyal Iyer,
Subordinate Judge.

(True Copy.)

(Sd.) F. H. Hammett,
Ag. District Judge.

(True Copy.)

High Court of Judicature,
MADRAS,
15th September 1897.

D. W. G. Cowie
Registrar.

1897
Edw. J. Price
Encl: 1 to Govt. 11/11

7
final
1
3969

CURRENT No. 3969

Ref. on Cur. No. 2005/97.

High Court of Judicature, Madras.

13th September 1897.

From

D. W. G. Cowie, Esquire, Esq.,

Registrar of the High Court of Judicature, Madras.

To

THE HON'BLE MR. J. F. PRICE, C.S.I.,

Chief Secretary to the Government of Madras.

HON'BLE SIR,

The Subordinate Judge of Negapatam recently nominated his Head Clerk for the post of Sheristadar of his Court, but the District Judge observed that as the Head Clerk had not passed the Civil Judicial Test he was not eligible for the appointment.

2. The Subordinate Judge in reply pointed out that while under the former rules the Criminal Lower and the Civil Lower Tests were necessary qualifications for the post of Sheristadar of a Subordinate Judge's Court, under the present rules the Civil Judicial Test has been substituted. Further the Civil Judicial Test comprises no subjects relating to the Criminal Law, and there is therefore ground for the impression, generally prevailing, that officers who have passed the Civil Lower need not pass the new Test.

3. The Subordinate Judge also drew attention to G.O., No. 30, Registration, dated February 4th, 1897, which directs

that Sub-Registrars who have passed the old "Civil Higher" or "Civil Lower" or "Pleader's Tests" may be exempted from passing the Civil Judicial Test for promotion to District Registrarship and suggested that the matter should be referred for the orders of the Government.

4. I am directed to state that the High Court concurs in the view of the Subordinate Judge and to request that an exemption similar to that granted to officers of the Registration Department may be notified in regard to those in the Judicial Department.

5. A copy of the letter of the Subordinate Judge of Negapatam above quoted is forwarded herewith.

I have the honor to be,
Honorable Sir,
Your most obedient servant,

D. G. Coor
Registrar.

J.
52.
2,000-5-3-07.

Judicial (1897) Department.

CURRENT No. 3967.

From

Sambasivam

Order

No. -

Dated -

Received 15 Sep 17 } 17

Registered 16. .

Enclosures -

Spare copies -

SUBJECT.

*Protecting against the
appointment of one Saminadas
as Sheristadar of the Sub
Judges Court of Negapatam*

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

[$\frac{G}{24}$]
1,0 0-18-0-97.

Ed. DEPARTMENT.

Papers to be read in proceedings:--

Again G.O., No. , dated 189 .
Again G.O., No. , dated 189 .
Current No. 1111 of 1897, dated 24th sept, from the Jud. sepl.
" " " 189 , " " "
" " " 189 , " " "

Attn Sir
Mr. J. H. H. H.

ORDER.
mis.

No 56588. 10-97.

The Govt accepts the recommendation of the High Court and a note to that effect will be entered in the Public Service and Special Inst. Notifications.

MA
25/9/97.

MA
30/9/97

To

The Honble the C.J. with C.L. 140
-- C. 4-5- add.

Dep
14/10/97

Important

Most Honorable Sir

OFF SECRET

SEP 28 1897

GOVERNMENT OF MADRAS

that in these golden days of graduates
in arts and laws easily available
for appointments under government,
while so the Subjudge of Negapatam
has selected out of several qualified men,
one unpaired man for the Shenishtadar's
place vacant in this Court since July
last. The District Judge declined to
sanction the appointment of one Sami-
nada Iyer as Shenishtadar, he not
having passed the required tests.
The Sub Judge thereupon quoting a
P. O of Madras which is purely
applicable to the Registration Dept,

c 2.10.97

III

about the favoritism shown by heads of offices in filling up vacancies. It is at the request of several District & Sessions Judges the Government ruled that the Sub Court Sheristadars too like the District Court Sheristadars should pass Criminal Law Tests as serious difficulties were felt by Sub Judges who were invested with powers of asst Sessions Judges. I need not write anything more about the troubles, officers who are longing for promotion have had in getting through the examinations.

Praying and that strict orders of Government hitherto in force maybe adopted and begging for liberty of thus taken.

I beg to remain,

Most Honorable Sir

Yours honor's most obedient and humble servant
Sankardevan

P.S. As the papers are now before the Government I pray that justice may be done.

CURRENT No 396
requested again the St Judge to move
Government.

Several Sub Judges have been invested
with powers of ass Sessions Judges,
and it is therefore the Government ruled
that the Sheristadars of Sub Courts
should also pass Criminal Law
acts too as in the case of District
Court Sheristadars. I on behalf of
the many passed men longing for
promotion in the Courts venture to
request that no indulgence should be given
to unpassed men. The Government is always
against making exemptions. Specially
in Tanjore District many can be had for
this vacant post from the Courts of the
District. I am afraid to give my address
but intend publishing in the mails.

14/6/97

43

the first copy.

The first copy of the
reproduction of the
High Court and a note to
that effect will be entered
in the Public Service and
Special Out Department.

10/10/10

The Public Service
C. P. P. 100.

When given for copying
When copied 11/10
When examined 12/10 } 1897
When signed

READ AGAIN G.O., No
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.