

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1663	Press
		Mis.
	16-17	
Dated	10-12-1978	

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 15th December 1857.

No. 16. Read the following Extract from the Minutes of Consultation in the Revenue Department, dated 26th November 1857, No. 1229.

Read the following Extract from the Proceedings of the Board of Revenue, dated 20th November 1857, No. 4072.

Read the following letter from B. CUNLIFFE, Esq., Collector of Madras; to J. D. SIM, Esq., Acting Secretary to the Board of Revenue, dated 4th November 1857, No. 173.

SIR,

1. I beg to bring to the notice of the Board, the great inconvenience felt by this office, by its servants being so constantly summoned as witnesses by the Court of Small Causes, and the adjudication of the case postponed, thus rendering necessary a second attendance.

2. These remarks apply especially to my Superintendent of Abkarry, Amildar and Jawabneviss, the late Amildar, this latter officer attended to-day for the fifth time as a witness in an action brought by Eremboor Arnagherry Moodelly, and was told to present himself again on the 11th Instant, the hearing of the case having been postponed to that date.

3. Putting aside the personal inconvenience to the parties, I must represent that their duties as public servants are materially interfered with by these frequent summons. I hope therefore that the Board will request the Government to move the Court to direct the preparation of the cases within the date first fixed for the hearing, that public servants may be taken away from their proper duties as seldom as possible.

(Signed) B. CUNLIFFE,
Collector.

Resolved that the foregoing letter and the Acting Collector's communication of the 11th May last† on the same subject be submitted for the consideration of Government, with reference to Extract Minutes Consultation, 17th November 1853, No. 1270, R. D.

2. Mr. Cunliffe in the letter now submitted complains chiefly of the inconvenience caused by the frequent adjournment of cases in the Court of Small Causes and the consequent necessity of the servants of his office when summoned as witnesses (as they are very frequently) having to attend the Court several times before the case in which they are called is adjudicated.

3. In the instance mentioned by Mr. Cunliffe in para. 2, one Officer of his establishment has thus attended the Court six times in a single action, the final hearing of which may after all have been postponed.

4. The Board conclude that a case is never adjourned without the assignment of reasons which are sufficiently valid in the estimation of the presiding Judge, still the inconvenience and impediment to business in the Collector's office are so great, that Government may deem it desirable to have the matter brought specially to the notice of the Judges.

(A true Extract.)

(Signed) J. D. SIM,
Acting Secretary.

From W. E. COCHRANE, Esq., Acting Collector of Madras; to J. D. SIM, Esq., Acting Secretary to the Board of Revenue, dated 11th May 1857, No. 59.

SIR,

1. I beg to bring to the notice of the Board of Revenue, that on the 2nd Instant, my Head Sheristadar received a subpoena from the Small Cause Court, calling upon him to appear in person, and to give evidence in a case of which he knew nothing, he was ignorant of the parties, and was unable to ascertain what the case was, until he had an opportunity of seeing on the evening of the 4th Idem, another subpoena served upon myself, directing me to produce the records of the case in question.

Judicial Department

N^o 1003

Extract from the Minutes of Consultation
Dated 10th December 1857

Read the following
Extract Minutes Consultation in the Revenue
Department.

Here enter 26th Nov 57. 19229

At
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1. The Board of
Revenue bring to notice
the inconvenience experienced
by the Collector of
Madras in consequence
of the frequent adjourn-
ment of cases at the
Court of Small Causes
in which his subordi-
nates are subpoenaed as
Witnesses, and submit
that Government may
deem it desirable to have
the matter brought
specially to the notice
of the Judges of that Court.
The

From Collr 11th May 4th Nov 57.
Rev Boarders Pro. 29th May 26th Nov 57.

2. The Right Hon
noble the Governor in
Council resolves to for-
ward the papers as per
margin to the Judges
for any remarks they may
wish to make on them.

JR

To the Judges of the Court of Small Causes
Revenue Depart^{mt}

Dispd 15th
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R.C. No. 1-3
22-11-57

Q4 to Dec 15th Dec
Audial. 1887 Dec 15th

Wth 11/10/53

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2/10 Dec 1887

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