

Fort St. George, Judicial Consultation, 9th June 1857.

3. It is further observed in the Register's letter that there is nothing on the records of the Sudr Udalt to lead the Judges to conclude that Sarepullah Sattanah is otherwise disqualified for the office of Government Pleader.

4. Under these circumstances, the Government consider that Sarepullah Sattanah's conduct on the occasion thus brought under notice does not warrant his removal from the office of Government Pleader, and they accordingly direct his restoration.

5. In his letter of the 4th April, the Acting Judge states that on several general grounds Sarepullah Sattanah is disqualified for the duties of this office, but as the Sunnud of appointment was recently conferred on him after he had acted in the office for 5 years, at Mr. R. R. Cotton's recommendation, and with the concurrence of the Collector of the District, the Government cannot sanction his removal without some marked misconduct or incapacity being displayed by him subsequent to his appointment, or without facts coming to light, which affect his moral character, and were not known when he was nominated to the Pleadership.

(Signed) E. MALTBY,
Acting Chief Secretary.

W. B. 10
Mins. of Cons. Dated 9th June 1857

Read letter from the
Register of the Sudr Udalt
dated 29 May 1857

In M. of C. dated the 4
May Govt referred for the
opinion of the Judges of the
Sudr U. the papers relating
to the dismissal of Sarepullah
Sattanah from his office of
Govt Pleader in the Zillah
Court of Rajahmundry. -
The present letter states the
view taken of the case
by the Judges.

2. - The direct cause assigned
by the Act Judge of Rajahmundry
for taking away Sare-
pullah Sattanah's Sunnud
of appt., was his having
acted as pleader for a
notorious character Rednam
Sharmaroydoo, in a suit
where Rednam Sharmaroydoo
produced a forged document
for which offence he was released.

on his trial, & sentenced to
imprisonment. But it appears
that the Govt. Vakeel ^{who pre-} ~~did not~~
presented the forged document in
Court did not receive it directly
from Reddam Bharmaroyloo. &
that as soon as the document
was objected to by the opposite
party he threw up his Vakeelat
namah. That he was then
examined ^{for the prosecution} as a witness on the
trial that ensued, & that there
was nothing in the evidence
given by him to lead the Court
of Fardary Kdawlul to suppose
that he had presented the
document knowing it to be
forged, nor did the Act. Sepim
Judge in his remarks on the
trial express any opinion
as to the Vakeel's complicity
with Reddam Bharmaroyloo
in uttering the forged docu-
ment.

- 3 - ~~The Court~~ It is further observed
in the Register's letter that
there is nothing on the record
of the Judge to lead the
Judge to conclude that
Sarepallah Sattanah is
otherwise disqualified for
the office of Govt. Pleader.

4 - Under these circumstances
the Govt. consider that
Sarepallah Sattanah's con-
duct on the occasion ^{thus} brought
under notice does not
warrant his removal from
the office of Govt. Pleader,
& they accordingly direct
his restoration.

- 5 - In his letter of the 4th April
the Acting Judge states
that on several general
grounds Sarepallah Sattanah
is disqualified for the
duties of ^{this office} ~~Govt. Pleader~~ -
but as the sanction of
appt. was ^{recently} conferred on him
after he had ^{acted} ~~officiated~~ in
the office for 5 years at
Mr. R. D. Cotton's recom-
mendation & with the
concurrence of the Colls.
of the District, the Govt.
cannot sanction his remo-
val ^{without} ~~unless~~ some marked
misconduct or incapacity
being displayed by him
subsequent to his appt. or

without ~~fact~~ coming
to light which affect his
moral character & were
not known when he
was committed to the
Pleasure of the

W

To the Judge of the C of S of the Admiralty

the Acting Civil Judge of
Rajahmundry with
an original signed -

} Sept 13th

In com: g. by me
Judicial. 1837. Sep 14th

C. M. 6790

Extracdo. Minto of Court

2/19th June 1837.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 670

Press

~~Mis.~~

44-42

Dated

9-6-18 57

Not to be folded or roughly handled

12

Fort St. George, Judicial Consultation, 9th June 1857.

No. 41. Read the following letter from GEORGE ELLIS, Esq., Register to the Court of Sud-der Udalut; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 29th May 1857, No. 56.

SIR,

1. I have the honor to acknowledge the receipt of the Extract from the Minutes of Consultation, under date the 4th May 1857, forwarding copy of a letter from the Acting Civil and Session Judge of Rajahmundry, together with a Petition from Sarepullah Sattannah, late Government Vakeel of the Rajahmundry Zillah Court, and requesting the Court to report on the conduct of the Vakeel and his fitness to represent the Government.

2. I am directed by the Judges to state, that the case quoted by Mr. Cotton, and the one in which the Government Vakeel, S. Sattannah was concerned, are in no way analogous, and which would have been apparent had Mr. Cotton placed before Government the case even as reported by Morley.

3. The case referred to, in justification of the dismissal of the Government Vakeel, is briefly this, (as gathered from volume I, page 293, Nizamut Adalat Report). An authorized Vakeel of the Furruckbad Court was placed on his trial with three others for perjury, subornation of perjury and forgery, the document which the Vakeel had presented in support of his Client's claim knowing it to be forged, was disclaimed both by his Client as well as by the Defendant in the suit; the witnesses he had brought forward to support the document, were convicted of wilful perjury; the Vakeel was acquitted, but the suspicion against him of having been concerned in the subornation of perjury was so strong, that he was dismissed from his office.

4. In the present case, the Government Vakeel did not receive the forged document directly from Rednum Dhurmaroydoo; and as soon as the document was objected to by the Plaintiff, the Government Vakeel threw up his Vakalatnamah; he was examined as a witness for the prosecution in the trial that ensued, and there was nothing in the evidence given by him to lead the Court of Foujdaree Udalut to suppose, that he had presented the document knowing it to be forged, nor did the Acting Session Judge, in his remarks on the trial which were forwarded to this Court, express any opinion as to the Vakeel's complicity with Rednum Dhurmaroydoo, in uttering the forged document.

5. Under these circumstances, the Court of Sudder and Foujdaree Udalut do not consider that the Acting Session Judge was justified in removing the Government Vakeel from his office, more particularly as there is nothing on the records of this Court to lead them to conclude that the late Government Vakeel was in any other way disqualified for the situation.

(Signed) GEORGE ELLIS,
Register.

No. 42. ORDER THEREON, No. 670; dated 9th June 1857.

In Minutes of Consultation, dated the 4th May, Government referred for the opinion of the Sudr Udalut the papers relating to the dismissal of Sarepullah Sattannah from his office of Government Vakeel in the Zillah Court of Rajahmundry. The present letter states the view taken of the case by the Sudr Judges.

2. The direct cause assigned by the Acting Judge of Rajahmundry for taking away Sarepullah Sattannah's Sunnud of appointment, was his having acted as Pleader for a notorious character, Rednum Dhurmaroydoo, in a suit where Rednum Dhurmaroydoo produced a forged document, for which offence he was placed on his trial, and sentenced to punishment. But it appears that the Government Vakeel who presented the forged document in Court did not receive it directly from Rednum Dhurmaroydoo, and that as soon as the document was objected to by the opposite party, he threw up his Vakalatnamah, that he was then examined as a witness for the prosecution in the trial that ensued, and that there was nothing in the evidence given by him to lead the Court of Foujdaree Udalut to suppose that he had presented the document knowing it to be forged, nor did the Acting Session Judge in his remarks on the trial express any opinion as to the Vakeel's complicity with Rednum Dhurmaroydoo in uttering the forged document.

*procure -
in which offence he was placed*