

MADRAS RECORD OFFICE.

Government of Madras.

Indic DEPARTMENT.

G.O. No.	857	Press
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Dated	20-7-	19 (857)

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 21st July 1857.

No. 58. Read the following letter from GEORGE ELLIS, Esq., Register to the Court of Sudder Udaltut; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 10th July 1857, No. 66.

SIR,

1. I am directed by the Judges of the Court of Sudder Udaltut to submit, for the consideration of the Right Honorable the Governor in Council, the accompanying copy of a letter from the Civil Judge of Nellore, pointing out the burdened state of the District Moonsiff's files in that Zillah, and suggesting the advisability of establishing an additional Moonsiff's Court.

2. The Judges observe that, previous to 1853, there were 4 District Moonsiff's Courts in the Zillah of Nellore, but as the files of these Courts were low, and but very few suits were pending before the District Moonsiff of Naidoopett, it was then deemed unnecessary to continue the latter Court, and accordingly, when re-classifying the several District Moonsiff's Courts under the orders of Government, the District Moonsiffship of Naidoopett was abolished, and his jurisdiction transferred to that of Goodoor.

3. The files of these Courts have, however, since been progressively increasing, particularly since orders have been issued by this Court for the strict observance of the provisions of Act IX of 1844, and from the statement noted in the margin, it will be seen that, notwithstanding the utmost exertions of the District Moonsiffs, their files at the close of last year, were heavily in arrears.

4. Under these circumstances, the Judges are of opinion, that it is imperatively necessary that an additional District Moonsiff's Court should be created at Nellore, and they accordingly beg to recommend that the suggestion of the Civil Judge of Nellore may meet with the sanction of the Right Honorable the Governor in Council.

5. With regard to the provision of a Court-house for the additional Moonsiff, the Civil Judge has reported that no suitable building is at present available at Nellore, but that a room in the Moofly Sudder Ameen's Court could be used temporarily for this purpose, or a house at present vacant and conveniently situated, be rented at 25 Rupees per mensem. As however the latter charge is excessive, and a new Court-house will be absolutely required, the Judges beg to request, that authority be granted to the Civil Judge of Nellore to call upon the District Engineer, to prepare the necessary plan and estimate for approval.

(Signed) GEORGE ELLIS,
Register.

From F. H. CROZIER, Esq., Civil Judge of Nellore; to G. ELLIS, Esq., Register to the Court of Sudder Udaltut, Madras, dated 31st March 1857, No. 36.

SIR,

1. I have the honor to request you will have the goodness to lay before the Judges of the Court of Sudder Udaltut, the following particulars, regarding the very heavy state of the files of the District Moonsiffs in this Zillah, for their favorable consideration.

2. During the past year, 1,968 original suits were filed before the Ongole Moonsiff, 939 before that of Caligiry, and 901 before the Goodoor Moonsiff, of which 552, 289 and 309 suits remained undisposed of at the close of the year, under reference before these officers.

3. For the last 3 years, inclusive of 1856, an average number of 1,777, 1016, and 774 suits appears to have been instituted before the Moonsiffs respectively.

4. On consideration of the state of the files of these officers, I am of opinion, two new Courts could advantageously be established; one within the Ongole Moonsiff's jurisdiction, and the other at Nellore, for the convenience of the public, the speedy disposal of suits, and for facilitating the work at present very heavy; but instead of now applying for the establishment of two, I would suggest one for the present may be sanctioned; in which event, it is calculated one-fourth of the Ongole Moonsiff's file would be reduced. Suggestions will be made regarding the other, should the establishment of the proposed one be sanctioned, after a further consideration of the files.

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Fort St. George, Judicial Consultation, 21st July 1857.

5. From the report of Civil Justice, it appears that, at Chicacole, Rajahmundry, Masulipatam, Cuddapah, Bellary, Chittoor, Chingleput, Mangalore, and Honore, an average number of 416 original suits when the file is low, and 577 when heavy, was instituted before each of the Moonsiffs, during the years 1853, 1854 and 1855.

6. I am inclined to believe that in this Zillah, parties refrained from instituting suits they otherwise would, owing to the distance of the Moonsiffs' stations from their abodes. To remedy which, I would propose certain alteration in the Caligiry Moonsiff's station, and the establishment of new Moonsiff's Court at Nellore.

7. In many Zillahs, a Moonsiff's Court is established at the Hoozoor station. As the Principal Sudder Ameen and Moofy Sudder Ameen, were formerly allowed to take cognizance of suits for sums below 1,000 Rupees, the want of a Moonsiff at Nellore was not felt; but as they have been restricted from doing so, the establishment of a Moonsiff's Court at Nellore is greatly needed.

8. As Nellore and its suburbs are the residence of numerous tradesmen, they must naturally find it very inconvenient to proceed to a distance of about 30 miles to institute their claims. I have been informed, and think it likely, many forego instituting their claims, in consequence of the inconvenience they experience in proceeding to Goodoor.

9. I therefore would propose making the following arrangement in the limitation of the talooks over which the present Moonsiffs' jurisdictions extend.

10. By transferring the talooks of Patchavadavagudur, Baddepudy, Marella and Chundy, at present under the jurisdiction of the Ongole Moonsiff, to that of Caligiry, 1,307 suits on an average for the past 3 years, and 1,492 for the last year will appear to have been instituted before the Ongole Moonsiff from the remaining talooks, thus reducing nearly one-fourth of his file.

11. By the transfer of the above named talooks to the jurisdiction of the Caligiry Moonsiff, and the withdrawal of some of the talooks from that officer's jurisdiction, as shewn in para: 13, 972 suits on an average for the past 3 years, and 1,034 for the last year, will appear as having been instituted on his file. The removal of this Court to the village of Candacur would be convenient to the suitors resorting to the Moonsiff's station, and no additional expense will be incurred as sanction has been already received for the erection of a new Court house at Caligiry.

12. By the removal of the talooks of Nellore, Talamauchy and a half of Sangam, at present under the Goodoor Moonsiff's jurisdiction, and adding that of Revur, at present under that of Caligiry to Goodoor, 548 suits on an average for the past 3 years and 534 for the last year will appear to have been instituted on his file. The average number of suits that was instituted from the talooks formerly under the late Naidpett Moonsiff's Court for the past 3 years, is 191, and that of 1856, 160. The average number of suits from the 5 talooks inclusive of Revur, now proposed to be transferred to Goodoor, is 357 for the past 3 years, and 366 in that of 1856. It is also understood that many suits are not filed in the Goodoor Moonsiff's Court, in consequence of the distance of the residence of several of the parties from the Moonsiff's station; but it is considered not advisable at present to add the undermentioned talooks to that of Goodoor.

13. If the talooks of Caligiry, Cavalry, and a half of Sangam, now under the jurisdiction of the Caligiry Moonsiff, and those of Nellore, Talamauchy and the other half of Sangam, at present under that of Goodoor, be included in the jurisdiction of the proposed Moonsiff at Nellore, 740 suits on an average for the past 3 years, and 859 for the last year will have appeared as instituted before the proposed Court. It is also understood that many suits from Talamauchy to the north of Nellore, and from Sangam about 20 miles off, are not filed in consequence of the distance. If a Moonsiff is stationed at Nellore, a very large number of suits will be instituted, and there appears not the least doubt that the file will considerably rise. This proposed arrangement will, I consider, be very convenient to the public, and also tend to the speedy disposal of suits. I would therefore urge the establishment of a 2nd class Moonsiff's Court at Nellore as highly expedient.

(Signed) F. H. CROZIER,
Civil Judge.

(True Copy.)

(Signed) GEORGE ELLIS,
Register.

Fort St. George, Judicial Consultation, 21st July 1857.

No. 59.

ORDER THEREON, No. 857; dated 20th July 1857.

1. Under the circumstances represented in the foregoing communication, the Right Honorable the Governor in Council will be prepared to recommend to the Government of India the establishment of a fourth District Moonsiff's Court in the Zillah of Nellore on receiving from the Court of Sudder Udalt an application, in the prescribed tabular form, for transmission to that authority.

2. The District Engineer will be meanwhile instructed, through the Public Works Department, to prepare, in communication with the Civil Judge of that Zillah, a plan and estimate for a Court House for the new District Moonsiff.

(Signed) E. MALTBY,
Acting Chief Secretary.

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Judicial Department

N^o 1070

From the Register of the
Sudder Adalat:

Dated 10th July 1857.

For Orders.

I approve in the recommend-
ation of the Sudder.

At

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India Department.

N^o. 857

Extract from the Minutes of Consultation

Dated 20th July 1857.

*Recd the following Letter from the
Register of the Court of Sudder Adalat
(Here enter 10th July 1857 No 65)*

*1. Under the circumstances
represented in the foregoing com-
munication, the Right Honble
the Governor in Council will
be prepared to recommend to
the Government of India the
establishment of a fourth
District Moonsiff's Court in
the Zillah of Kallah on
receiving from the Court of
Sudder Adalat an applica-
tion, in the prescribed tabular
form*

form, for transmission to the
authority.

2. The District Engineer
be meanwhile instructed, thro'
the Public Works Department,
to prepare, in communication
with the Civil Judge of that
Zillah, a plan and estimate
for a Court House for the
new District Mousiff.

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10/10/15

Copy to Govt of Sd District }
" Public Works Dept. } Dispt. 23^d

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*In the form: 2100
Medical 1857 Department*

No. 857

Extract Mins. Cons.

Dated 20 July 1857

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