

MADRAS RECORD OFFICE.

Government of Madras.

General DEPARTMENT.

G.O. No.	1209	Press
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Dated	1-5	19-11-58

Not to be folded or roughly handled

S. V.

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Fort St. George, Judicial Consultation, 7th September 1858.

No. 5. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Sudr Udalut; to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 30th August 1858, No. 98.

SIR,

O. S. No. 103 of 1855, Masulipatam,
The Collector of Masulipatam.
Vers.
Cavalry Venkata Narainapah.
A. S. Nos. 103 and 136 of 1857, Sudr Udalut.

With reference to the suits noted in the margin, I have the honor to report for the information of the Right Honorable the Governor in Council that I have this afternoon re-

ceived from J. D. Mayne, Esq., copies of two petitions presented to the Court of Sudr Udalut by Cavalry Venkata Narainapah, which he informs me are posted for hearing on Thursday next, I do myself the honor of enclosing copies of those two petitions and of soliciting the instructions of His Lordship in Council for my guidance.

2. The orders referred to by the petitioner were passed when Mr. Norton was Government Pleader, and I have not been able to find any of the papers relating to those matters. I have seen the orders and will do myself the honor of forwarding copies to you so soon as they can be made.

To the Honorable the Court of Sudr Udalut.

The humble petition of Cavally Venkata Narainapah, Jadeergar of Tennanore and Zemindar of Vissunnapett.

SHEWETH,

That your petitioner begs to bring to the notice of your Court, that the levy of the money from the Collector of Masulipatam as directed in their precept to the Civil Court of Masulipatam, under date 10th September 1855, was suspended on the 22nd October 1855, pending the decision of the suit brought by the said Collector in the said Civil Court.

That the said suit was dismissed by your Court in Decree in Nos. 103 and 136 of 1857, with costs.

That therefore he prays your Court to direct the Civil Judge of Masulipatam, to execute the said precept of 10th September 1855, and to levy from the Collector of Masulipatam the mesne profits of his Zemindary of Vissunnapett from the year 1849, until the date when possession of the estate was given to him, together with the interest that may be due on the said sum and to remit the same to your Court for delivery to your petitioner.

Madras, 17th July 1858.

(Signed) EDWARD SALMON,
Vakeel for the Petitioner.

To the Honorable the Court of Sudr Udalut.

The humble petition of Cavally Venkata Narainapah, Jageerdar of Tinnanore and Zemindar of Vessunnapett.

SHEWETH,

That this petition is presented in A. S. Nos. 103 and 136 of 1857, that the parties to said suits are the Collector of Masulipatam and your petitioner. That the Decree is dated the 12th of July 1858; that in substance dismisses the claim of the Original Plaintiff (the Collector of Masulipatam) and awards costs to your petitioner to the amount of Rupees 2,942-1-7, to be paid by the Original Plaintiff.

That no appeal has been preferred or admitted from the decision, nor has any adjustment of the matter in dispute been made between the parties subsequently to the Decree. That the specific amount due to your petitioner under the Decree on account of costs as stated is Rupees

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2,942-1-7, and the individual against whom the enforcement of the Decree is solicited, is the Collector of Masulipatam.

Therefore it is prayed that an order may forthwith issue for execution of this Decree, and the costs may be recovered with interest thereon from the date of the Decree, and that the same may be remitted to this Court for payment to your petitioner.

Madras, 17th July 1858.

(Signed) EDWARD SALMON,
Vakeel for the Petitioner.

(True Copies.)

(Signed) CLEMENT DALE,
Government Pleader.

No. 6. ORDER THEREON, No. 1209; dated 1st September 1858.

The Government authorize their Pleader in the Court of Sudr Udalut, to take such steps as may appear to him to be expedient on their behalf, in the matter of the two petitions, which have been filed in that Court by Cavelly Venkut Narainappah, Jaghiredar of Tinnanore and Zemindar of Vissunnepet, and which are posted for hearing on Thursday next.

2. The papers in this office connected with the case, are forwarded.

(Signed) T. PYCROFT,
Chief Secretary.

No. 1209

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Fork. Sec.
1 Sep/58.

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Copies for Pleader in the S. U. Dalut
with papers collected with this letter } Dept 1/9. ms.
vide Reference Book. } J. Pycroft

D. L. C. - 1-9/58