M.R.O. 1—30,000—16-10-29.

# MADRAS RECORD OFFICE.

## Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1584 Press ~~Mis.~~

9-10

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Dated 1.12.1860 ~~19~~

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**Not to be folded or roughly handled**

1584

## *Proceedings of the Madras Government, Judicial Department, 1st December 1860.*

No. 9. Read the following Proceedings of Government in the Revenue Department, dated 20th November 1860, No. 2,188.

*Forwarding Proceedings of the Board of Revenue, No. 5,354, dated 16th November 1860, in order that the 1st paragraph of the Proceedings may be communicated through the Judicial Department to the Sudder Court, relative to the late date at which notice of the Appeal Suit, No. 72 of 1860, instituted by certain Mirasdars of Tuluvur in the Civil Court of Chengleput, &c., was given to the Collector of Madras for defence of said Suit.*

(Vide Proceedings Revenue Department, dated 20th November 1860, Nos. 344 and 345.)

No. 10. ORDER THEREON, 1st December 1860, No. 1,584.

Communicated to the Sudder Court.

(Signed) T. PYCROFT,
*Chief Secretary.*

Exd. T. O'Connor,

REVENUE DEPARTMENT.

## *PROCEEDINGS OF THE MADRAS GOVERNMENT.*

Read the following Proceedings of the Board of Revenue, dated 16th November 1860, No. 5,354:—

Read the following letter from the Collector of Madras, dated 14th November 1860, No. 455.

(In Cons., 15th November 1860, No. 5,886.)

1. Ordered that the above letter be submitted to Government with reference to their Proceedings dated 19th November 1858, No. 1,552, and 29th June 1860, No. 1,070, Revenue Department, and with the Board's recommendation that the Collector be authorized to defend the Appeal Suit as proposed by him. The 21st instant is fixed for the hearing. The very late date at which notice of the Appeal Suit was given to the Collector and the insufficient time thus allowed for filing the answer on behalf of Government might have led to the serious injury of public interests; and the practice of granting such short notices appears to the Board particularly objectionable in any suit to which Government is a party as tending to cause it imperfect defence.

*In Cons., 20th October* 1858, *No.* 5,232.
" *28th September* 1860, *No.* 4,870.

2. Should the orders of Government not reach Mr. Cunliffe in time, he will please to act as proposed in his letter in regard to instructing the Government Vakíl.

(A true Extract.)

(Signed) W. HUDLESTON, *Acting Secretary.*

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ORDER THEREON, 20th November 1860, No. 2,188.

1. Under the circumstances stated the Honorable the Governor in Council approves of the instructions issued to the Collector by the Board for the defence of the Appeal Suit No. 72 of 1860 instituted by certain Mirásdárs of Tuluvúr in the Civil Court of Chingleput against the Collector of Madras and others. In the absence of the documents themselves the Government are unable to judge whether an objection by the Collector to the admission of the exhibits C and E will be consistent with his defence in the original suit as sketched in paragraph 4 of the Board's letter to Government dated 15th November 1858, No. 4,250, or whether the objection should be left to the other Defendents in the action.

2. Paragraph 1 of the Board's Proceedings will be communicated to the Sudder Court through the Judicial Department, for such notice as they deem proper. It will be remarked that though the Appeal Petition was filed in Court on the 9th May 1860, the Collector received notice of it only on the 26th October and was allowed in the first instance 14 and ultimately but 28 days to prepare for the suit and obtain the orders of the Board and Government. The contrast between the length of time the Appeal lay in the Court and the brief period allowed the Collector will also be noticed.

(True Extract.)

*Acting Secretary to Government.*

To the Board of Revenue.
" Judicial Department.
" Collr of Madras

Bxd. S. T. Augustin.

Sent 7 Dec. /60

Pros. of Govt.
Judicial 1860 Dept.

Pros: of Govt. in the
Rev: Dt. 2188.

Dd. 20th
Rd. 22nd } Novr. /60

3 spare copies.

No. 1943.

Forwarding Pros: of the Board of Revenue No. 5354 dd. 16th Novr. /60 in order that the 1st Para of the Pros: may be communicated thro' the Judl. Dt. to the Sudder Court relative to the late date at which notice of the appeal Suit No. 72 of /60 instituted by certain Mirasdars of Tulnom in the Civil Court of Chengleput &c. was given to the Collector of Madras for defence of said Suit.

With an Order

No. 1584 – 1 December 1860.
Communicated to the Sudder Court.

JF

The Sudder Court
With Nos. 1552/58
& 1070/60 – Rev. } dispt. 3rd

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