

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 624	Press
65-66	~~Mis.~~
45-46	
Dated 19.5.1860	19

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
for the month of May 1860.*

No. 65. Read the following letter from R. H. WILLIAMSON, Esq., Postmaster General, to T. PYCROFT, Esq., Chief Secretary to Government in the Public Department, Fort Saint George, dated 9th May 1860, No. 213.

With reference to the Orders of Government under date the 1st instant, No. 542, I have the honor to explain, that the Inspecting Postmaster of the Cuddapah Division having given out on contract the making of certain articles of furniture for the Department, the parties with whom he contracted quarrelled among themselves and separated; after which one of them agreed with the Inspecting Postmaster to finish the work according to the terms of the original agreement. He did not, however, keep to the terms, and after much trouble and delay and after the case had been brought before the Magistrate, the furniture was at last furnished, but in a state far from satisfactory or substantial. The Inspecting Postmaster therefore recommended that only a portion, Rupees 60, should be paid to the man who completed the work and the balance Rupees 42, carried to the credit of Government. Due notice was given again to the contractor that this would be done; and that if he intended to take proceedings at law he should do so at once. After a lapse of 7 months the contractor prosecutes the Inspecting Postmaster for the difference. The Inspecting Postmaster solicited that the Government Pleader might be called on to defend the case which the Magistrate declined to permit without the previous sanction of Government.

No. 66. ORDER THEREON, 19th May 1860, No. 624.

Under the circumstances represented in the above letter, the Post Master General is at liberty to arrange for conducting the defence of the action brought in the Moonsiff's Court against the Inspecting Post Master of the Cuddapah Division, by means of one of the Vakeels attached to the Moonsiff's Court. The Government Vakeel it is observed does not practise in that Court.

2. It is observed that on public servants who are subject to this Government having occasion to institute or defend actions on matters connected with their official duties, the regular course is for them to make a full report to Government of all the circumstances of the case with draft of the Plaint or Answer proposed to be filed, and to apply for authority to conduct the suit at the public expense, when such orders are passed by Government, as appear to be required.

3. The Post Office Department being directly under the control of the Government of India, the Post Master General should apply to that authority, in regard to any action which he may have to bring or to defend. On the sanction of the Supreme Government for the prosecution or defence of the suit at the public charge being granted and communicated to this Government, the services of the Government Pleader of the Zillah wherein the action lies will be available for conducting it, if it be instituted in the Civil or Subordinate Courts—or if in a District Moonsiff's Court, one of the Pleaders practising in such Court.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial Department
Proceedings of the Madras Government

Read the following
letter from the Postmaster
General -

(Here enter 9th May/60. p. 2/3)

Order thereon 19th May 1860 No 624.

Under the circum-
stances represented in the
above letter the Government
~~authorizing an official order~~
~~the Government order~~
is at liberty to arrange
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brought in the almonds
Court against the Inspecting
Post-Master of the Ad-
-pach Division - by means
of one of the Vakeels of
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however that on public
servants who are subject
to this Government having
occasion.

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the Morning's
Courier - The Fort Cassell
is observed over
our practice
in that Court

occasion to institute or defend actions on matters connected with their official duties, the regular course is for them to make a full report to Government of all the circumstances of the case with draft of the Plaint or Answer proposed to be filed, and to apply for authority to conduct the suit at the public expense, when such orders are passed by Government, as appear to be required.

3. The Post Office Deptt. being directly under the control of the Govt. of India, the Postmaster Genl. should apply to that authority in regard to any action which he may

have to bring or to defend. On the sanction of the Supreme Govt. for the prosecution or defence of the suit at the public charge being granted and communicated to this Govt. the services of the Govt. Pleader of the High Court wherein the action lies will be available for conducting it, if it be instituted ⁱⁿ ~~at any~~ of the

Civil or Subordinate Courts ~~at the High Court~~ ~~station~~, or if in a District Munsiff's Court one of the Pleaders practising

in such Court
Postmaster Genl. }
Judge }
Collector }
Sd/- 23rd
J. P.

20 May

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Proceedings of Court

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