

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1417	Press
		Mis.
119-120		
Dated	20. 11. 1861	BF

9/8

Not to be folded or roughly handled

Handwritten signature/initials

*Proceedings of the Madras Government, Judicial Department,
20th November 1861.*

No. 119. Read the following letter from O. F. CHAMIER, Esq., Registrar of the Sudder Court; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 23rd October 1861, No. 103.

1. I am directed by the Judges, in connection with the question put by the Secretary of State for India, respecting the number of Judges which will be required for the High Court at Madras, to solicit the attention of Government to the large arrears pending in the Sudder Court.

2. The Judges have communicated to the Honorable the Chief Justice their opinion that for that portion of the work of the High Court which will consist of appeals from the Courts in the provinces, not less than four Judges will be requisite.

Year.	Cases undecided.
1853	88
1854	110
1855	142
1856	292
1857	154
1858	329
1859	448
1860	507
22nd October 1861.	781

3. This opinion, however, has reference merely to ordinary current work, for the disposal of which three Judges have been insufficient. For the disposal of the arrears above adverted to they consider it will be necessary to adopt some special measures.

4. There are depending at this date 652 special appeals, 66 regular appeals, and 63 petitions, making a total of 781 cases, which at the average monthly rate of decisions (58), amounts to more than one year's work.

Year.	Pending and filed.
1854	1,066
1855	1,200
1856	1,900
1857	2,107
1858	2,048
1859	2,242
1860	1,627
22nd October 1861.	1,680

5. This accumulation of cases, it should be remarked, is attributable partly to the system of hearing special appeals introduced by the Code of Civil Procedure, under which the Court has so to master the details of each case as to be prepared to proceed at once to judgment, if the application be admitted; and partly to the frequent absence at the Supreme Court of the Barristers and Attornies of that Court, who are now retained by the parties in a large proportion of the appeals coming before the Sudder Court. There has also been a great growth of business during the last eight years.

6. It appears to the Judges that to throw upon the High Court a year's arrears of cases, would be to embarrass its action from its very establishment; and they are, therefore, of opinion that it will be expedient to appoint temporarily two Judges, to dispose of the arrears only, either in the capacity of extra Judges of the High Court, or as a Court constituted like the present Sudder Court.

No. 120. ORDER THEREON, 20th November 1861, No. 1,417.

The Government are not prepared at present to support the suggestion of the Judges of the Sudder Court.

2. The Chief Justice of the Supreme Court has expressed his opinion that six Judges should be appointed to the High Court, being one Judge in addition to those now attached to the Supreme and Sudder Courts. The Government are aware that for some years one Judge has done all the work at the Supreme Court. With a fourth Judge added to the present Sudder, the Government think there could always be sitting two Courts for Sudder work, and one of these could be occupied in the arrears. The new Criminal Procedure Code will besides tend greatly to reduce the work of the Sudder Judges.

3. It appears, moreover, that the accumulation of arrears is occasioned by the non-attendance of the Barristers. The appointment of additional Judges will not obviate this.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

I do not think we ought at
present to support the re-
fection of the Judges of the Su-
perior Court -

One Judge has for several
years done all the super-
ior Court work. With a
fourth Judge - added to
the present number - I trust
there would always be
sufficient two Courts for super-
ior work - one might be sessing
at the same time

drafted according to
the Hon. Mr. Morehead's
note. J.P. - Judicial
Department.

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PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
Sudder Court - Inter 23 Oct. 61 N. 103.

Order - 20 November 1861. No. 1417.

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MR

W. H.

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3. It appears, more-
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The appointment
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Brookston

Judicial 1867. Department.

21.5.12

No. 1417

PROCEEDINGS OF GOVERNMENT.

Dated 20 November 1867.

*Declining to support
the suggestion of the Judges
of the Madras Court to appoint
temporarily two additional
Judges for the disposal of the
large arrears pending in the
Madras Court.*