

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 2100	Press ~~His~~
230-231	
Dated 23.12.1862. 49	

3/3

Not to be folded or roughly handled

2100
9-7-30

*Proceedings of the Madras Government, Judicial Department,
23rd December*

Hono

The hon

(

A

RENTER IN THE Z

Renter in the Z

1.

ed Agency

Rup

2.

plained

nation of

the Se

led to

A.

liabilities they inc

6. Your Petitioner need not observe that this order of the Senior Assistant Agent, to lend his assistance to enable the Plaintiffs to evade engagements voluntarily entered into is perfectly legal.

7. The Plaintiffs appealed to the Agent who set aside the second decision of the Senior Assistant, and upheld the 1st, on the ground that your Petitioner by default, had lost his right to be heard; and that the agreement to pay "costs and roosooms," though entered in the cowles and cuddapahs, was irregular.

Vide Enclosure C.

8. Your Petitioner submits that this decision cannot stand.

1st. Because default is in law excusable.

2ndly. Because the Revenue Laws do not attach the same penalty to default as the Civil Procedure Law, and no Revenue enactment supports this ruling of the Agent.

3rdly. Because parties are bound by their engagements, and the Agent had not power, on a summary inquiry, to relieve the Plaintiffs of conditions to which they voluntarily and of their own free will and accord consented, as being in accordance with an established mamool.

4thly. Because when bidding for the Abkarry rent, your these "costs and roosooms" in their estimation of is a violation of good faith on the part of the A. interfere with the collection of any portion of th was regulated.

Madras Government, Judicial Department,
December 1862.

the amount
by all the
without
ment in
5 Plaintiffs
have no authority to interfere in

the decision of
number of persons who n
ing to conform to

the Plaintiffs, if aggrieved, had their
Court, the only authority empowered to grant
to cancel engagements of their own creation.

9. For these that your Excellency
proceedings of the Agent and to confirm those of the Sen
10. Your Petitioner further begs that he may be heard through
For which as in duty bound, &c.

(Signed) _____
Pl. the High
Jud.

ORDER THEREON, 23rd December 1862. 100.
s petition r Section XXXI
be disposed of in such as they may deem proper.
(Signed) _____

No 2100 23rd Decr 1862

Resolved that person
be served under ~~XXXX~~
of the High Court Rules,
to the High Court to be disposed
of in such manner as it
may deem

The Honble the Judges of the High Court
J. W. Sloan Enclaves returned } Dec 23