M.R. O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 354 Press ~~Mis.~~

15-16

Dated 3. 3. 1862 ~~19~~

4/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 3rd March 1862.

No. 15. Read the following letter from C. F. CHAMIER, Esq., Registrar of the Sudder Court; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated 26th February 1862, No. 29.

1. I am directed by the Judges to acknowledge receipt of the Proceedings of Government, dated the 11th instant, referring to the Sudder Court a Despatch from the Secretary of State for India remarking on the great length of time that suits remained on the files of the several Courts of this Presidency in the year 1860, and suggesting the advisability of the District Moonsiffs being required to submit separate monthly Returns shewing the average duration of cases of the nature of those cognizable by Courts of Small Causes, and of those of a more complicated character, accompanied by a Memorandum stating the number of cases in which the parties attended in person, and distinguishing those in which they had attended voluntarily, from those in which they had attended on summons.

2. The Judges will lose no time in giving effect to these instructions; but they observe that there are no cases in which a defendant appears without summons, this process being issued in every suit immediately after the plaint has been filed.

3. In regard to the average delay in deciding suits, the Judges remark that this is attributable to the burdened state of many of the District Moonsiffs' files, and to the large proportion of suits for immoveable property, involving the measurement of lands, the examination of ancient revenue accounts, &c.

4. In the few Zillahs where the files are light and the suits of a simple nature, corresponding in these respects with the litigation existing in Bengal and the North West Provinces, the average duration of suits on the files of the District Moonsiffs will bear favorable comparison with that of suits in those Provinces.

	Months.	Days.
Bellary..	2	23
Guntoor.	1	19
Nellore...	2	14
Average...	2	8

5. No endeavours have been spared by the Judges to promote the expeditious determination of suits. Thus, they have raised by one-third the minimum number of decisions required to be passed by District Moonsiffs, *i.e.*, from twenty to thirty a month; and have directed that one or two days shall be set apart in every week for the trial of suits in which the decrees are not subject to appeal.

6. The Judges will continue to impress upon the District Moonsiffs the importance of giving full effect to the provisions of the Code of Civil Procedure; but to prevent disappointment they think it right to give expression to their conviction that for several years to come the *average* duration of suits in this Presidency will continue to be considerable, on account of the large number of old suits on many of the files, unless the proposition now about to be submitted to the Government of India for the establishment of Courts of Small Causes be approved, and the system extended to all the Zillahs where the causes of delay exist.

No. 16. ORDER THEREON, 3rd March 1862, No. 354.

A copy of this letter will be forwarded to the Secretary of State, in reference to his Despatch of the 31st December last, No. 33.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 354 – 3d March 1862.

A copy of this letter will be forwarded to the Secretary of State, in reference to his Despatch of the 31st Dec. last No. 33.

JP

To the Sudder Court. Dep. 3/4

Rec'd 11th Feb'y 1862 Dec'n 207.

Ind'a 1862 Depat.

No.

From

The Registrar of the
Sudder Court.

To

The Chief Secretary
to Government

Dated 26th February 1862.
Rec'd 27th N° 29. N° 386.

Submitting observations
of the Judges with reference to the
despatch from the Sec'y of State
for India remarking on the
great length of time that suits
remained on the files of the several
Courts of this Presidency in the
year 1860, & stating that, as sug-
gested in the said despatch
the Dt Juffs will be required to
submit monthly returns shewing

Write and Order.

List 14 - 3 - 62.

Ind'a Dep. to Engd. 27th
March N° 5 of 1862.

Replied to - N° 23 of 1862

15 & 16