M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1378	Press ~~Mis.~~
216-217	
Dated 26 — 8 —	19 1923

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 26th August 1863.

Read again Proceedings of Government, 10th July 1863, No. 1,111.

No. 216. Read also the following letter from G. R. SHARPE, Esq., Acting Registrar of the High Court of Judicature at Madras; to J. D. SIM, Esq., Secretary to Government, in charge of the Judicial Department, dated Madras, 18th July 1863, No. 77.

I am directed by the Judges of the High Court to acknowledge the receipt of Proceedings of Government, Judicial Department, dated 10th instant, No. 1,111, and to state that, prior to their recommending Palamanair as one of the stations of the Judge of the Chittoor Court of Small Causes, they had ascertained from the Acting Collector of North Arcot that the population of the parts of the District above the Ghauts, viz., the Palamanair Taluk and the Poonganoor and Kangundi Zemindaries, amounted to 1,99,638.

2. The entire population of the District is believed to be in round numbers about a million, and it appeared therefore desirable that the Court should be held occasionally above the Ghauts. In the opinion of the High Court two sittings of six weeks each in the year will suffice.

No. 217. ORDER THEREON, 26th August 1863, No. 1,378.

Before sanctioning the arrangements proposed in the foregoing letter, the Governor in Council thinks it desirable that the Honorable the Judges of the High Court should consider, in communication with the Civil Judge, the expediency of replacing the Court of Small Causes at Chittoor and vesting the Judge of that Court with the powers of a Principal Sudder Ameen, giving him an exclusive special jurisdiction in the town of Chittoor and, possibly, in the Taluk in which Chittoor is situated.

2. The District Moonsiffs having been all invested with Small Cause Court jurisdiction up to Rupees 50, it seems questionable whether it is necessary in all cases that the Judges of the Courts of Small Causes should hold sittings at other than the head-quarter station. It may also be a question whether the local limits of their jurisdiction should not be narrowed.

3. It appears from the Administration report recently furnished by the Judges of the High Court that the average duration of a suit in the Courts of Small Causes during the five months that they were in operation in 1862 was no less than 95 days, and a return which has been since obtained from the High Court shows that in one Zillah (Tanjore) the average duration of a suit was 204 days. Such results are very different from those which were expected when the Courts were established, and prove that there must be something seriously wrong either in their constitution or in their working. They are possibly in some measure attributable to the local jurisdiction of the Courts having been made so extensive. The whole question of the position of these Courts, now that District Moonsiffs have been invested with Small Cause Court jurisdiction, appears to require immediate attention. The Governor in Council requests that the Honorable the Judges will consider the subject and favor him with their views on it.

4. Reverting to the Chittoor Zillah, the Governor in Council understands that the Appeal file in the Civil Court is very heavy, as is the Criminal work of the Session Court. If, therefore, the time of the Judge of the Court of Small Causes be not fully occupied, it would be well that he should aid the Civil Judge in the disposal of appeals.

5. Copies of these Proceedings will be sent direct to the Civil Judges of Chittoor, Cuddalore, Tanjore, Negapatam, Madura and Tellicherry; and they will be requested after communicating with the Judges of the Court of Small Causes to address the High Court direct on the subject referred to, sending copies of their letters to Government.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Indian Act Amendment

Proceedings of the Madras Government
(Read proceedings of 10th July 1863 No 1111)
Read the following letter from the
Registrar of the High Court of Judicature
(Vide letter 18th July 1863 No 77)

Bellary 26th August 1863 No 1358

Before proceeding to the
consideration of the proposal
in the foregoing letter, the
Governor in Council thinks
it desirable that the
Honorable the Judges of the
High Court should be asked,
in communication with
the Civil Judge, the Superintendent
of Police & the Collector
of all Cases at Chittoor
and meeting the Judges
of Court with the Heads
of Principal Native
Officers from the
Exclusive special jurisdiction
in the Town of Chittoor
and generally of the Talook

Indian Act Amendment

Proceedings of the Madras Government

Dated 20th August 1863
No 1358

To Registrar of the High Court of Judicature at Madras

Sir

I am directed by the Honorable the Governor in Council to transmit for the information of the Judges of the High Court a copy of a letter from the Collector of Chittoor dated 29th July 1863 No 237 with its enclosures on the subject of the Indian Act No XXVI of 1850 and to request that you will be pleased to lay the same before the Judges of the High Court for their consideration and report

I have the honor to be
Sir
Your most obedient Servant
Chief Secretary to Government

in which Chittoor is situated.

2. The District Munsiffs having been all invested with Small Cause Court jurisdiction up to Rs. 50, it seems questionable whether it is necessary in all cases that the Judges of the Courts of Small Causes should hold sittings at other than the head quarter station. It may also be a question whether the local limits of their jurisdiction should not be narrowed.

3. It appears from the Administration report recently furnished by the Judges of the High Court that the average duration of a suit in the Small Cause Courts for five months that they were in operation in 1862 was no less than 95 days, and a return which has been since obtained from the High Court shews that in the Zillah (Tanjore) the average duration of a suit was 208 days. Such results are very different from those which were expected when the Courts were established, and prove that there must be something seriously wrong in their Constitution or in their working. They are possibly in some measure attributable to the local jurisdiction of the Courts having been made so extensive. The whole question of the position of these Courts, now that District Munsiffs have been invested with Small Cause Court jurisdiction,

is deserving

appears to require ~~the~~ immediate attention ~~of the High Court~~.

4. Reverting to the Chittoor Zillah, the Governor in Council understands that the Appeal file in the Civil Court is very heavy, as is the Criminal work of the Session Court. If, therefore, the time of the Judge of the Court of Small Causes be not fully occupied, it would be well that he should aid the Civil Judge in the disposal of Appeals.

5. Copies of these Proceedings will be sent direct to the Civil Judges of Chittoor, Cuddalore, Tanjore, Negapatam, Madura & Tellicherry, and they will be requested to

the Governor in Council ~~expects that the~~ trusts the Judges will consider the subject a favor ~~[illegible]~~ with their views on it.

to communicate with the Judges of the Courts of Small Causes to address the High Court direct on the subject referred to, sending copies of their letters to Govt.

[illegible]

The Hon'ble the Judges of the High Court

to the Civil ~~[illegible]~~ Judges of ~~Small Causes~~ ~~Chittoor~~ Cuddalore. Tanjore, Negapatam Madura, Tellicherry.

To the Judges of the Courts of Small Causes at Chittoor Cuddalore, Tanjore Negapatam, Madura & Tellicherry

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Judicial 1863 Dept.

No. 1378.

Proceedings of the Madras Government

Dated 26th Augt 1863

Fd. 1917 – 1989.

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Requesting the Honorable the Judges of the High Court with reference to their letter recommending Palmanair as one of the stations of the Judge of the Chittoor Court of Small Causes, to consider the expediency of replacing the Court of Small Causes at Chittoor Hqrs. and observing that it seems questionable whether it is necessary in all cases that the Judges of the Courts of Small Causes should hold sittings at other than the Head quarter station, the District Moonsiffs having been

Seem invested with Small Cause Court jurisdiction

216-d 21/-