M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1799	Press ~~Mis.~~
146-147	
Dated 20-11-	~~19~~ 1863

3/3

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 20th November 1863.

No. 146. Read the following letter from T. KUPPUSAWMI AIYAR, and six others from Combaconum; to the Honorable A. J. ARBUTHNOT, &c., &c., &c., Commissioner for the Uncovenanted Civil Service Examinations, dated Combaconum, 26th October 1863.

The undersigned successful candidates in the late special test examination for the office of Pleader and District Moonsiff most respectfully beg to be informed whether they have not the same privilege of practising as Pleaders in the Mofussil Courts as the old diploma holders who passed an examination for the office of Pleader under the Order of Government promulgated by the Sudder Court under date the 5th September 1855. Paragraph 25 of the said Order contained a provision as follows:—"The appointment of passed candidates to the office of Pleader will "remain with Zillah Judges, and the holder of a diploma if not open to objection on the ground "of general conduct and character such objection being open to appeal to the Sudder Court, is "entitled to an appointment in any Zillah on application without reference to the number of "Pleaders at the time attached to the Courts in it." The above is the rule followed by the Courts up to this time with regard to the admission of Pleaders to the Mofussil bar. That the examination which we have passed under the Order of Government, dated 4th February 1862, is of a higher value, is admitted by the High Court since they require old diploma holders to pass an examination under the said Order of 4th February 1862. But we are sorry to see that we are not to be permitted to practise as Pleaders probably owing to the absence of a provision in the rule published on the 4th February 1862, similar to the one above quoted. In the examination rule published by Government under date the 4th March* 1858 the wording is this—

* Rule VI.

"Every candidate who shall pass according to the above standard shall be eligible for any "appointment in the Judicial Department including in the Judicial Department the privilege of "practising as a Pleader in the Sudder and lower Courts." The effect of Sections IV and VII of Act I of 1846, has made the profession of Pleaders in India the same as it is in England where the profession is open to every qualified person.

We therefore most respectfully request your honor to furnish us with a diploma so that we may practise where we find it to our advantage to practise, or to issue a notification in the Fort Saint George Gazette that we have the privilege of practising as Pleaders in the Mofussil Courts as the old diploma holders had.

MEMORANDUM.

Transferred to the Chief Secretary to Government.

By order,

OFFICE OF THE COMMISSIONER FOR THE UNCOVENANTED CIVIL SERVICE EXAMINATIONS,
16*th November* 1863.

(Signed) C. G. MASTER,
Secretary.

To the Chief Secretary to Government, Fort Saint George.

No. 147. ORDER THEREON, 20th November 1863, No. 1790.

The foregoing letter will be referred to the Honorable the Judges of the High Court for their opinion.

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

Exd. T. McMootry.

Order thereon 20 November 1863 L. 799

The foregoing letter
will be referred to the Honor-
able the Judges of the High
Court for their opinion.

For Colonial Secretary
Victoria 20th Nov 1863

C. J. Cuthbert
Chief Secretary

To
The Honorable the Judges
of the High Court

36