

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	312	Press
		~~Mis~~
79-80		
Dated	5. 3.	~~11~~ 1864

5/b

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
5th March 1864.*

No. 79. Read the following letter from T. WILKINS, Esq., Deputy Registrar of the High Court of Judicature at Madras, Appellate Side; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, dated Madras, 26th February 1864, No. 14.

With reference to the Order of the Government of India, dated 8th June 1863, No. 2441, authorizing the retention of the Additional District Moonsiffs' Courts of Combaconum and Paupanassum to the end of April next, I am directed to state that the Civil Judge of Tanjore has brought to the notice of the High Court the necessity of retaining those Courts for, at least, a further period of one year, as the files of the Courts in the Taluks of Combaconum and Trivady, to relieve which the Additional Courts were established, and those of the Additional Courts are nearly as heavy now as when the latter Courts were first established, and that by the removal of those Courts, the permanent Moonsiffs cannot be expected to bring down the files within due limits before an inconveniently long period.

2. The Civil Judge reports that the heavy arrears still remaining on the files of the Additional District Moonsiffs are attributable to the working of Act XIV of 1859, the provisions of which began to be understood by the public generally towards the end of 1860, and by its operation, between the 1st October 1860 and 31st March 1862, an extraordinarily large amount of suits was thrown into the Courts, and an overwhelming arrear left on the last mentioned date, which, however, has now been reduced to less than one-third of what it was then, and that the improvement is to be attributed to the action of the Court of Small Causes, as well as to the District having been, in a great measure, exhausted of litigation by the operation of the new Limitation Act.

3. The Civil Judge also states that the jurisdiction given to District Moonsiffs under (Madras) Act IV of 1863 has had the effect of trebling their monthly average file, and that the number of such suits now coming into the Courts of the District Moonsiffs is at the rate of about five to two to that filed in the Court of Small Causes when vested with exclusive jurisdiction in all suits from 1 to 500 Rupees.

4. Under these circumstances the High Court are of opinion that it is absolutely necessary to retain the Additional Moonsiffs' Courts, and I am accordingly directed to recommend their retention for a further period of one year from the 1st May next. The necessary charge for those Courts has been provided for in the Budget Estimate for 1864-65.

5. I am also directed to bring to the notice of Government that in the Court's letter, dated the 12th February 1863, No. 26, sanction was recommended for the retention for another year of only the two Additional District Moonsiffs' Courts of Combaconum and Paupanassum; but in the Proceedings of the Government of India above referred to, sanction has inadvertently been granted for the retention for a twelve-month of three Additional District Moonsiffs' Courts in the Zillah of Tanjore, apparently including therein the permanent Additional District Moonsiffs' Court at Tanjore which was substituted for the late Sudder Ameen's Court, under the sanction of Government dated the 21st August 1862, No. 1363.

No. 80. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 5th March 1864, No. 312.

I am directed by the Governor in Council to submit the annexed copy of a letter from the High Court, dated 26th ultimo, No. 14, with a tabular Statement appended, recommending the retention of the Additional District Moonsiffs' Courts at Combaconum and Paupanassum for a further period of one year from the 1st May next, on which date the present sanction for the charge will expire.

2. The grounds on which the Honorable the Judges have made the application are fully stated in their letter. As it is clear from the state of the files of the District Moonsiffs that the Courts in question cannot be closed at once, I am directed to request a renewal of the sanction for the period specified.

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

Recd no 180-181
157-62

the

Proceedings of the Madras Government, Judicial Department,
5th March 1864.

JUDICIAL

Number.	Date.	Extract from Home Dept. Govt. of India.	Office to which the Proposition refers.	Present scale.	Proposed scale.	Proposition.			
						Permanent.			
						Increase per month.	Decrease per month.		
				RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.		
			Zillah of Tanjore.	Salary of Civil and Session Judge.....	2333 5 4				
				Establishment of do....	702 0 0				
				Salary of the Judge of the Small Cause Court.	1400 0 0				
				Establishment of do....	390 8 0				
				Salary of Principal Sudder Ameen.....	500 0 0				
				Establishment of do....	577 0 0				
				Salary of Additional Principal Sudder Ameen.....	500 0 0				
				Establishment of do....	148 0 0				
				Salary of 1st Class District Moonsiff.....	300 0 0				
				Establishment of do....	120 0 0				
				Salaries of five 3rd Class District Moonsiffs.....	1000 0 0				
				Establishment of do....	600 0 0				
				Salaries of three 3rd Class Additional District Moonsiffs.....	600 0 0				
				Establishment of do....	360 0 0				
					9530 13 4				
				Civil Judge and Establishment as particularized in preceding column.....	3035 5 4				
				Small Cause Court Judge and Establishment.....	1790 8 0				
				Principal Sudder Ameen and Establishment.....	1077 0 0				
				Additional Principal Sudder Ameen and Establishment.....	648 0 0				
				District Moonsiffs and do.	2020 0 0				
				1 3rd Class Additional District Moonsiff at Tanjore.....	200 0 0				
				Establishment of do.	120 0 0				
				2 3rd Class Additional District Moonsiffs at Combaconum and Paupanassum at Rupees 200 each.....	400 0 0				
				Establishment of do.	240 0 0				
					9530 13 4				

FORT SAINT GEORGE,
5th March 1864.

Proceedings of the Madras Government, Judicial Department,
5th March 1864.

DEPARTMENT.

Period.	Temporary.			Period.	Decrease per month.			Casual or Extraordinary.	Grounds of Proposition.	Local Government's recommendation.	Order of the Govt. of India.		
	Increase per month.	Decrease per month.			Increase per month.	Decrease per month.					Home Dept.	Financial Department.	
	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.					Remarks.	Remarks.	Orders.
The following Statements show that the state of the files in the Combaconum and Trivady Taluks has not been much improved since the establishment of the Additional Courts:—													
I.													
Statement of Suits pending on the dates mentioned below in the two old and in the two new Courts in the Taluks of Combaconum and Trivady.													
	Combaconum.	Trivady.	Combaconum.	Combaconum, Additional.	Total.	Trivady.	Paupanassum, Additional.	Total.					
On 30th June 1859—													
Fide first application for Additional Courts, 11th August 1859....	1333	1247	...	...	...	...	...	...					
On 31st December 1863. Regular....	...	...	580	611	1191	491	445	936					
Small Cause Suits....	...	...	24	24	48	8	14	17					
	1333	1247	604	635	1239	499	459	958					
II.													
Statement of Suits disposed of in the above four Courts, between 1st March 1860 and 31st December 1863.													
Between 1st March and 30th Sept. 1860.....													1926
Do. 1st October 1860 and 1st July 1861.													2290
Do. 1st July 1861 and 31st March 1862.													4962
Do. 1st May and 31st December 1862..													3076
Do. 1st January and 31st Dec. 1863....													3970
													16,224

One year to 30th April 1865 for the two Additional District Moonsiffs' Courts at Combaconum and Paupanassum.

Forwarded for sanction to the Home Department of the Government of India.

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

3
Judicial Department:
No. 3/2.

To

The Secretary to the Government
of India.

Home Department.

Sir,

I am directed by the
Governor in Council to
submit the annexed
copy of a letter from
the High Court, dated
26. Uto. N^o. 14, with a
tabular statement ap-
pended, recommend-
ing the retention of
the Additional Dis-
trict Munsiff Courts
at Combaconum &
Pampasum for a
further period of one
year from the 1st May
next, on which date
the

the present sanction for
the charge will expire.

2. The grounds on which the
Honble the Judges have
made the application
are fully stated in their
letter. As it is clear from
the state of the files of
the District Almoonsiffs
that the Court in ques-
tion cannot be closed
at once, I am directed
^{to request}
a renewal of the sanc-
tion for the period spe-
cified.

Fort St. George.
5th March 1864

list of 15 March

Lucille 1864 Report

1862

To the Secy. of the Gov.
of India

Recd. 15 March 1864.
1864.

1862/65

Recommendation to the
of the additional Secy.
of the Secy. of the Gov.
of India
for a further period of one
year from the 1st July and