

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 335

Press
~~Mis.~~

126-127

Dated

9-3-1918

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
9th March 1864.*

No. 126. Read the following letter from P. GRANT, Esq., Magistrate of Coimbatore; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, dated Coimbatore, 26th February 1864, No. 8.

I need hardly inform Government that I am constantly absent from head quarters, especially at this season of the year when the annual settlement is being carried out. I have this morning returned to Coimbatore after an absence of more than three weeks. During my absence Mr. Walker, Acting Head Assistant Magistrate, and in the event of his not being present, the Treasury Deputy Collector and Magistrate have been in the habit of opening communications from the Session Court to the address of the District Magistrate. This course has been pursued to save time, as it often happens that a precept has to be executed and replied to within a prescribed period, or that witnesses or documents are required without loss of time. On the 18th or 19th of this month, proceedings of the Session Court of Ootacamund were received, they directed that certain proceedings in a case tried by the Joint Magistrate of Wellington should be transmitted to that Court. A true copy of the Court's proceedings attested by Cooppa Rao, Deputy Magistrate, for Magistrate, was sent to the Joint Magistrate of Wellington, with the following endorsement:—"To the Joint Magistrate of Wellington, with a request that he will forward the proceedings direct to the Session Judge of Ootacamund." To my mind the course followed appears to have been not only reasonable, but perfectly courteous and tending to the expedition of public business. Major Young, the Joint Magistrate of Wellington has, however, taken exception to it, and written to the effect that he declines to receive any orders from my subordinates, especially from a Native Deputy Magistrate. Copies of the correspondence which has passed between the Joint Magistrate and myself are forwarded. The attention of Government is asked to the wording of the endorsement, which the Joint Magistrate calls an order, and I request that they will pass such orders as they deem most expedient for my future guidance. Under similar circumstances, I may remark that the course objected to by the Joint Magistrate of Wellington is followed in the case of the Ootacamund and Caroor Joint Magistrates, the Acting Head Assistant Magistrate, and all other subordinate Magistrates.

2. I regret that I should be obliged to trouble the Government on such a small matter, but as the Joint Magistrate declines to receive any official communications forwarded by my subordinates during my absence, in pursuance of directions from me, I have no course left but to refer the case for their orders.

From Major F. YOUNG, Joint Magistrate of Wellington; to P. GRANT, Esq., Magistrate of Coimbatore, dated Wellington, 20th February 1864, No. 42.

I have the honor to inform you that I have forwarded my Proceedings in Case No. 4 of 1864, of Breach of Contract, as called for by the Session Court of Ootacamund, but I must beg to decline in future receiving orders from any of your subordinates, but more especially from a Native Deputy Magistrate.

2. I allude to the order at foot of the copy of the proceedings of the Session Court, "requiring me to forward my proceedings direct."

No. 52.

OFFICIAL MEMORANDUM.

In reply to his letter of the 20th instant, the Joint Magistrate of Wellington is requested to return, for inspection, the order to which he has taken exception.

COIMBATORE, MAGISTRATE'S OFFICE,
Sooloor, 22nd February 1864.

(Signed) P. GRANT,
Magistrate.

Proceedings of the Madras Government, Judicial Department,
9th March 1864.

No. 44.
MEMORANDUM.

* Copy of proceedings of Session Court of Ootacamund, dated 17th February 1864, signed by Cooppa Rao, Deputy Magistrate, and with order at foot for the proceedings to be forwarded direct.

WELLINGTON, JOINT MAGISTRATE'S
OFFICE, 24th February 1864.

The undersigned has the honor to return, for inspection, the document* requested in the District Magistrate's Memorandum, No. 52, of the 22nd instant.

(Signed) F. YOUNG, Major,
Joint Magistrate of Wellington.

(True Copies.)

(Signed) P. GRANT,
Magistrate.

Proceedings of the Sessions Court of Ootacamund, dated 17th February 1864.

Read report of a case disposed of by Major Young, Joint Magistrate of Wellington, on the 12th instant, in which Nursinga Pillai was charged with Breach of Contract.

2. The Session Judge will request the Magistrate to forward the proceedings in this case to the Sessions Court.

(Signed) L. C. INNES,
Session Judge.

To the Magistrate of Coimbatore.

(True Copy.)

(Signed) B. COOPPA RAO,
Deputy Magistrate for Magistrate.

To the Joint Magistrate of Wellington, with a request that he will forward the proceedings direct to the Session Judge of Ootacamund.

(True Copy.)

(Signed) P. GRANT,
Magistrate.

No. 127.

ORDER THEREON, 9th March 1864, No. 335.

The Governor in Council concurs in the opinion of the Magistrate, that the objection made by the Joint Magistrate of Wellington to receive communications from any of the Magistrate's subordinates, is altogether inadmissible.

2. The communication referred to was not an order but a request, couched in language perfectly courteous and proper, and one with which it was clearly the duty of the Joint Magistrate to comply.

3. The Magistrate will communicate these remarks to Major Young for his future guidance.

(True Extraset.)

Chief Secretary.

To the Magistrate of Coimbatore.

Exd. J. Tulloch.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Magistrate of Coimbatore

(Here enter 25: Feb. 1864. N: 8.)

Order thereon, 9th March 1864 N: 335.

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Handwritten initials and signatures: "W.D.", "J.H.", "E.H.", "M.D."

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To the Mag^{ty} of Coimbatore des^d 19

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Judicial 1864. Department.

No. 335

PROCEEDINGS of GOVERNMENT.

Dated 9 March 1874

General

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