M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 779	Press ~~Mis.~~
261-262	
Dated 30-5-	~~19~~ 1884

4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 30th May 1864.

No. 261. Read the following Proceedings of the Government of India, in the Financial Department, dated 20th April 1864, No. 2115.

Read letter from the Chief Secretary to the Government of Fort Saint George, dated 5th March 1864, No. 312. Requests a renewal of sanction to the retention of the Additional District Moonsiff's Court at Combaconum and Paupanassum for a further period of one year from the 1st of May 1864.

Sanctioned.—Original papers returned to the Home Department, a copy thereof being sent to the Civil Paymaster and the Deputy Auditor and Accountant General, Madras, and a copy kept for record.

(By order of the Governor General in Council.)

(Signed) E. H. LUSHINGTON,
Secretary to the Government of India.

COUNCIL CHAMBER,
20th April 1864.

No. 3366.

Copy forwarded to the Government of Fort Saint George for information.

(By Order.)

(Signed) A. HOWELL,
Offg. Under Secy. to the Govt. of India.

FORT WILLIAM,
HOME DEPARTMENT,
12th May 1864.

No. 262. ORDER THEREON, 30th May 1864, No. 779.

Communicated to the Honorable the Judges of the High Court, and to the Civil Judge of Tanjore.

(True Extract,)

Chief Secretary.

To the Honorable the Judges of the High Court.
Civil Judge of Tanjore.

Exd, J. Tulloch.

JUDICIAL DEPARTMENT.

No. 312.

FROM A. J. ARBUTHNOT, Esq.,
Chief Secretary to the Government of Fort Saint George,

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 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.

I have the honor to be,
Sir,
Your most obedient Servant,

FORT SAINT GEORGE,
5th March 1861.

Chief Secretary.

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.

JUDICIAL DEPARTMENT.

Extract from Home Dept. Govt. of India. Number. 2012. Date. 11th April 1864.

Office to which the Proposition refers. Zillah of Tanjore.

Present scale.	Rs.	A.	P.	Proposed scale.	Rs.	A.	P.	Proposition. Permanent. Increase per month. Rs.	A.	P.	Permanent. Decrease per month. Rs.	A.	P.	Temporary. Increase per month. Rs.	A.	P.	Period.	Temporary. Decrease per month. Rs.	A.	P.	Period.	Casual or Extraordinary.
Salary of Civil and Session Judge.....	2333	5	4	Civil Judge and Establishment as particularized in preceding column.....	3035	5	4															
Establishment of do...	702	0	0																			
Salary of the Judge of the Small Cause Court.	1400	0	0	Small Cause Court Judge and Establishment.....	1790	8	0															
Establishment of do....	390	8	0																			
Salary of Principal Sudder Ameen..	500	0	0	Principal Sudder Ameen and Establishment.....	1077	0	0															
Establishment of do.. ..	577	0	0																			
Salary of Additional Principal Sudder Ameen...	500	0	0	Additional Principal Sudder Ameen and Establishment.....	648	0	0															
Establishment of do....	148	0	0																			
Salary of 1st Class District Moonsiff...	300	0	0	District Moonsiffs and do.	2020	0	0															
Establishment of do. ...	120	0	0																			
Salaries of five 3rd Class District Moonsiffs.....	1000	0	0	1 3rd Class Additional District Moonsiff at Tanjore.....	200	0	0															
Establishment of do....	600	0	0	Establishment of do. ...	120	0	0															
Salaries of three 3rd Class Additional District Moonsiffs.	600	0	0	2 3rd Class Additional District Moonsiffs at Combaconum and Paupanassum at Rupees 200 each...	400	0	0															
Establishment of do. ...	360	0	0	Establishment of do. ...	240	0	0															
	9530	13	4		9530	13	4															

Fort Saint George,
5th March 1864.

DEPARTMENT.

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Grounds of Proposition.

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, Additional.	Total.	Trivady.	Paupanassum, Additional.	Total.
On 30th June 1859—*Vide* first application for Additional Courts, 11th August 1859...	*1333	71247	...	...	...	...	...
On 31st December 1860...	...	...	600	611	1191	401	1196
Small Cause Suits...	...	...	34	34	48	3	1
	1333	1247	634	645	1239	404	449

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.	2200
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

Local Government's recommendation. Favorable.

Order of the Govt. of India.

Home Dept. Remarks.

Financial Department. Reference. Orders.

One year to 30th April 1865, for the two Additional District Moonsiffs' Courts at Combaconum and Paupanassum. 640 0 0

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

By order of the Governor in Council,
H. Chamier
Chief Secretary to Government.

Fort St. George, 11th April 1864.

By order of the Governor in Council,
H. Chamier
Chief Secretary to Government.

Fort St. George, 11th April 1864.

Council Chamber, 5