

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1178	Press
		~~Mis.~~
Dated	24 — 8 —	1918.

23-204

4/5

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
24th August 1865.*

No. 203. Read the following letter from the Honorable D. ARBUTHNOTT, Collector of Salem, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Salem, 10th August 1865, No. 26.

With reference to the Government Proceedings, dated 8th December 1864, No. 1772, I have the honor to forward, for the information of Government, a copy of the Order of the High Court, on appeal petition, No. 251 of 1864, against the Order of the Civil Court of Salem, dated the 4th August 1864, referred to in my letter, dated the 3rd December 1864, No. 109, on the subject of recovery of costs incurred by Government in Original Suit, No. 1 of 1863, on the file of the Civil Court of Salem, instituted by Samba Linga Moorthy.

2. The costs incurred by Government, viz., Rupees 214-12-2, were recovered from the Plaintiff in September 1864, and Rupees 213-2-2, were paid to the Government Vakeel, being his fee in the suit, carrying the remaining sum of Rupees 1-10-0 to the credit of Government.

3. I, therefore, request the sanction of Government to my refunding the sum of Rupees 1-10-0, credited to Government, and to my disbursing from the Treasury Rupees 213-2-2, paid to the Government Vakeel.

4. Translation of the petition presented by the Plaintiff to the Civil Court is herein enclosed.

Translation of a Petition presented to the Civil Court, Salem, by Appasawmy Pillay, Vakeel of Samba Linga Moorthy, Plaintiff in Original Suit, No. 1 of 1863.

As the High Court have, on the 4th February 1865, cancelled the order of this Court passed on the 4th August 1864, directing the Plaintiff to pay the costs incurred by the 27th Defendant, Collector of Salem, the Plaintiff requests that the sum of Rupees 214-10-2, including interest, recovered from him, under a Warrant issued by this Court may be recovered and paid back to him.

17th July 1865.

(Signed) APPASAWMY PILLAY.

(True Translation).

(Signed) D. ARBUTHNOTT.
Collector.

No. 204. ORDER THEREON, 24th August 1865, No. 1178.

In Original Suit, No. 1 of 1863, on the file of the Civil Court of Salem, the District Magistrate was made the 27th Defendant. At the first hearing of the case, on the 2nd September of that year, the Civil Judge directed the removal of the Magistrate's name from the list of Defendants, and the payment of costs to him by the Plaintiff. On the 4th August 1864, a further order was passed by the Court, specifying the sums payable by the Plaintiff, and a Warrant was granted for the recovery of the amount. In paragraph 2 of the foregoing letter, it is shown how the money obtained from the Plaintiff was disposed of.

2. The Order of the 4th August 1864 having been reversed by the High Court in appeal, the same amount must now be refunded. The Governor in Council accordingly sanctions the disbursement of Rupees (214-12-2) two hundred and fourteen, Annas twelve, and Pice two.

(True Extract).

Chief Secretary.

To the Collector of Salem.
" Accountant General.

Exd. J. H. Burns.

21
General Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Collector
of Salem. Enter 10th Augt '65 N^o 26.

Order — 24th August 1865 N^o 1178.

In O. S. N^o 1 of '63 on
the file of the Civil Court
of Salem, the District
Magistrate was made
the 2^d Defendant. At
the first hearing of the
case, on the 2^d Sept. of that
year, the Civil Judge
directed the removal
of the Magistrate's name
from the list of defen-
dants, & the payment
of costs to him by the
Plaintiff. On the 4th
Augt. '64, ~~an order~~
~~was granted~~ a further
order was passed ^{by the court} spe-
cifying the sums paya-
ble by the Plaintiff, &

W.D.

W.D.

a

...a warrant was granted
for the recovery of the a-
mount. In para 2
of the foregoing letter,
it is shown how the
money obtained from
the Plaintiff was
disposed of.

2. The Order of the 4th Aug.
'64 having been revers-
ed by the High Court
in appeal, ~~it is neces-~~
~~sary that~~ the same
amount must now
be refunded. The
Governor in Council
accordingly sanctions
the disbursement of
Rs 214.12.2 Two Hun-
dred & Fifteen Rupees.

The Collector of Salem
Acct. Genl.

Dec 28/81

Report of cost
of the
of the
by the

203.207.

Pro. of Aug.

General 1865. Department.

No. 1178.

PROCEEDINGS OF GOVERNMENT.

Oct. 1828.

Dated 24 Aug 1868.