M.R.O. 1—28,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	621	Press Mis.—	
178-180 Dated	25-4-	19 1865	

3/6

Not to be folded or roughly handled

1865

Proceedings of the Madras Government, Judicial Department,
25th April 1865.

Read the following papers:—

No. [illegible] From Major W. FAREWELL, Executive Engineer in charge of the [illegible]th Division; to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, dated Ootacamund, 16th January 1865, [illegible]31.

The enclosed Plan and Estimate* for constructing a room for the accommodation of Vakeels attending the Moonsiff's Court of Nedinganad at Wattapollum were countersigned and forwarded to me by the Civil [illegible] of Calicut on whose requisition they were prepared, the building being an out-h[illegible] the Court House, sanctioned in G. O. No. 1497, of 23rd Ma[illegible] progress, I have the honor to submit them for the sanction of Government, and to request, if sanctioned, and funds cannot be provided for the work in the current year, the amount may be entered in the Malabar Budget for 1865-66 if funds [illegible].

* Rupees 1360.

Referred to the Judicial Department.

(Signed) C. A. ORR, Colonel, R. E.,
Secretary to Government, P. W. D.

10th January 1865.

Referred to the Civil Judge of Calicut, who will explain on what grounds a separate room is considered necessary for the use of the Vakeels of the New Court House of the District Moonsiff of Nedinganad. Mr. Cook will state whether a separate room has been provided for the Vakeels in any other District Moonsiff's Court House in the Zillah.

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

FORT SAINT GEORGE,
10th February 1865.

No. 179. H. D. COOK, Esq., Civil Judge of Calicut, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated 8th March 1865, No. 86.

With reference to an endorsement of the Chief Secretary, upon a letter to the Secretary to Government, Department Public Works, dated 10th February 1865, the Civil Judge has the honor to state that the Executive Engineer was requested to prepare a Plan and Estimate for a Vakils' room to the Court of the District Munsiff of Nedinganad at the requisition of the latter Officer, who stated that his New Court House afforded enough of accommodation for the establishment, &c.; but that he considered it absolutely necessary that a distinct room should be built for the Vakils. It is certainly desirable that the Vakils should be accommodated separately. They are always surrounded by their own Clients, and the Civil Judge thinks it objectionable to have them alongside the regular establishment. The Civil Judge's aim would be that the practice should cease wherever existing.

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1 Plan.

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return

Given under my hand Seal of the Court, this 8th March 1865.

(Signed) H. D. C

No. 189. ORDER THEREON, 25th April 18 621.

The Governor in Council must decline to sanction the erection of the room referred to in the foregoing papers. The Government ar dled up fur-nish accommodation for the transaction of business between Vakeels and their Clients, which is purely of a private nature. Vakeels, as such, have no *locus standi* in a Court House, except during the hearing of Cases in which they are engaged

2. He approves of the course adopted by the Vakeels at the Co of the Additional Moonsiff at Calicut; and with a view to assisting the V her places towards providing accommodation for themselves, His Excellency will be prepared, whenever it can be conveniently done, to grant them a the compound of the Court House, on which they may erect a building at their own expense.

3. It must, however, be clearly understood that all such buildings will be the property of Government, and will be at their disposal when they shall no longer be required for the purpose for which they were erected. The buildings must not be constructed of inflammable materials, and ought to be substantial and neat.

4. The attention of the Civil Judge is called to the fact that the indiscriminate use of the Court Seal is irregular and open to grave objection. The Civil Code clearly specifies the Processes that are to be sealed, and it is wholly unnecessary for the Civil Judge at Calicut to affix his Court Seal to ordinary communications, such as his letter of the 8th instant.

(True Extract).

Chief Secretary.

To the Civil and Session Judge of Calicut.
" Honorable the Judges of the High Court.
" Public Works Department (with Plan and Estimates returned).
" Civil Judge of

Exd. R. H. Lee.

Jud. Dept.

No. 606.

From The Civil Judge of Calicut.
Dated 8th March 1865.

For Orders.

I beg to state that although the Court are called on to provide, on the Civil side in pressing times when so many civil cases come before it for disposal - is allowed under the head of public business - and not that of private business such as that between Vakeels and their clients; any more than it would be right in them to provide chambers for barristers & attorneys of the High Court.

If a Vakeel in the Mofussil

want such accommodation he
have to apply to the Treasury as
by law done in the Addl Provisions
Court of Cabinet.

Where it can conveni-
-ently be done let a Litigation
Office in the Court compound
and let them know and
advising at their own cost,
on condition that the building on
such ground be the property of
Govt and at their disposal
when no longer required for its
primary purpose, Public Works
to allot only slightly additional

and constructed of substantial
and at least non-inflammable
materials

15/3/65

JP

I quite agree. The C. Code seems
to me to be the position we should be in
assumed to assume in a public Court House.
Strict necessary a proper Mat they should
have to "surrounded by their Clients".—
It was not necessary that the C. Code in
a city to a complete separation of the Court
under which should apply but I consider
Govt in answer under the Govt Code
to any clear opinion or other procedure
to be agreed needed by a C. Code. and
certainly there would be no

15. 3. 65

[redacted]

Judicial Department

Proceedings of the Madras Government.

Read the following letter

From the Executive Engineer in charge, 7th Division —

From the Civil Judge of Madura — dr — 8th March 1865 No 86

Order thereon 25 April 1865 No 620.

The Governor in Council must decline to sanction the Erection of the Room referred to in the foregoing papers. The Govt are not called upon to furnish accommodation for the transaction of business between Vakeels and their Clients which is purely of a private nature. Vakeels, as such, have no <u>locus standi</u> in a Court-house, except during the hearing of Cases in which they are engaged.

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clearly specifies the processes

that are to be sealed; and

it is wholly unnecessary

for the Civil Judge at Calicut

to affix his Court seal

to ordinary Communications

such as his letter of the

8th Instant.

To

The Civil & Sessions Judge of Calicut
The Hon'ble the Judges of the High Court
The Public Works Department
with plan & Estimates &c &c
-All Civil Judges.

dated 21/5/05

[redacted]

[redacted]

[redacted]

Feb. 1563 665/68.
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180.