M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 334 Press Mis. —

22-23

Dated 5. 3. 19 1886

5/6

Not to be folded or roughly handled

No. 22. Read the following letter from the Registrar of the High Court of Judicature at Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 12th February 1866, No. 9.

At the suggestion of the Civil Judge of Cuddalore I am directed by the Judges of the High Court to recommend that the Judge of the Court of Small Causes at that station may be invested with the Appellate jurisdiction of a Principal Sudder Ameen and the Original jurisdiction of a Sudder Ameen.

2. The annexed Statements of Suits determined by and pending before the Civil and Small Cause Courts shew both that assistance is urgently required by the former, and that the Judge of the latter is in a position to afford it. Mr. Carr has stated that his Small Cause work is occasionally very heavy, but that he will be prepared to take up the duties now recommended whenever he has leisure. The Judges have little doubt that by making proper arrangements he will be able, without hindrance to his proper duties, to render material assistance to the Civil Judge.

STATEMENT of work in the Cuddalore Civil and Session Court.

		Civil.							Criminal.					
		Original.				Appeals.			Number of persons.			Appeals.		
		Pending and filed.	Disposed of. On merits.	Disposed of. Otherwise.	Pending at the close of the last quarter.	Pending and filed.	Disposed of. On merits.	Disposed of. Otherwise.	Pending at the close of the last quarter.	Pending and received.	Disposed of.	Pending at the close of the last quarter.	Pending and received.	Disposed of.	Pending at the close of the last quarter.
1863.	Principal Sudder Ameen...	588	145	443	...	43	30	13	...	70	70	...	...	...	...
	Civil and Session Court... ...	56	1	1	54	261	88	35	138	204	178	26	33	32	1
1864.	Civil and Session Court....	87	2	11	74	240	72	14	154	349	295	54	51	49	1
1st to 3rd Quarter.	1865, do..	100	6	11	83	259	64	12	183	258	205	53	33	26	7

Statement of work in the Court of Small Causes at Cuddalore.

	Pending and filed.	Disposed of. On merits.	Otherwise.	Pending on the 31st December.
1863.....	1,898	1,463	402	33
1864.....	1,265	1,019	201	45
1865.....	1,557	1,261	211	85

(Signed) P. P. HUTCHINS,
Registrar, Appellate Side.

Proceedings of the Madras Government, Judicial Department,
5th March 1866.

No. 23. To the Honorable the Chief Justice of the High Court of Judicature, Madras, dated Fort Saint George, 5th March 1866, No. 334.

I am directed to acknowledge the receipt of Mr. Hutchins' letter of the 12th ultimo, No. 9, submitting the recommendation of the Honorable the Judges of the High Court that the Judge of the Court of Small Causes at Cuddalore may be invested with the appellate jurisdiction of a Principal Sudder Ameen, and the original jurisdiction of a Sudder Ameen.

2. It appears to the Governor in Council, on reference to the provisions of Section 51, Act XI of 1865, to be questionable whether it is competent to the Government to invest a Judge of a Small Cause Court with a part and not with the whole of the powers of a Principal Sudder Ameen. The only limitation which it seems to be within the competency of the Local Government to impose is a limitation of the local jurisdiction. Before finally disposing of the Judge's recommendation, His Excellency in Council would wish for their opinion with reference to the foregoing observations.

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

Sept 7/3.

3

Judicial Department.

No. 334.

To

The Honorable Sir G. A. Scotland Kt
Chief Justice of the High Court of
Judicature.

Hon'ble Sir,

I am directed to acknowledge the receipt of Mr Hutchins's letter of the 12th ~~instant~~ ultimo No. 9; submitting the recommendation of the Honorable the Judges of the High Court that the Judge of the Court of Small Causes at Cuddalore may be invested with the appellate jurisdiction of a Principal Sudder Ameen and the original jurisdiction of a Sudder Ameen.

2. It appears to the Governor in Council, on reference to the provisions of

of Section 51 Act XI of 1865, to be questionable whether it is competent to the Government to invest a Judge of a Small Cause Court with a part and not with the whole of the powers of a Principal Sudder Ameen. The only limitation which it seems to be within the competency of the local Government to impose, is a limitation of the local jurisdiction. Before finally disposing of the Judge's recommendation, His Excellency in Council would ~~suggest for this opinion that it should be re-considered~~ with reference to the foregoing observations.

Fort St. George
5th March 1866

Judicial 1866. Depart.

No. 354.

To
The Honble
The Chief Justice of the
High Court of Judicature
Madras.

No. 729
Dated 5th March 1866.

22. 23.