M.R.O. 1—38,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 638 Press
~~Mis.~~

241-243

Dated 27—4— ~~19~~ 1866

7/8

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Government {1866} of Madras.

JUDICIAL.

Recd. } 1866. *Enclosures*

Regd. } *Spare copies*

G.O., No. 638, 27th April 1866.

APRIL.

Nos. 241—243.

Bellary Zillah.

Authorizing the establishment of a temporary Principal Sudder Ameen's Court at Bellary.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers:—

No. 241. From the Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, Fort Saint George, dated Madras, 9th April 1866, No. 20.

I am directed by the Chief Justice and Judges of the High Court to acknowledge the receipt of your letters, dated the 8th and 13th ultimo, Nos. 360 and 374.

2. The Zillahs in which the Civil files of the superior Courts are heaviest, are Calicut, Bellary, Chingleput, Mangalore, Cuddalore and Trichinopoly.

3. It appears to the Judges that the temporary Principal Sudder Ameen's Court now at Chittoor, and which is to be closed at the end of this month, may very conveniently be re-opened at an early date next month at Bellary. The arrears in the Civil Court are chiefly Appeal suits, and the Judges do not anticipate that any permanent assistance will be needed, but on this point a further report will be submitted at the end of the Calendar year.

4. The state of things in the Calicut Zillah is more serious. At the close of 1865, the file of the Civil Court included only two original suits, but nearly 500 appeals; and before the Principal Sudder Ameen, besides about 200 appeals, there were as many as 338 original suits, of which 239 had been pending for more than one year. Of these 239, according to the last returns, 98 are of more than two years' standing, 45 of more than three, 11 of more than four, and 2 of more than five years' standing. The Criminal work in this Zillah is also very heavy. The Judges have constantly urged the Principal Sudder Ameen to increased exertions, but without producing any material improvement, and it is manifest that his file has increased far beyond his powers of management. It appears to the Judges that no serious impression is likely to be made on this mass of long pending litigation, unless an additional Principal Sudder Ameen be appointed, well acquainted with the language and peculiar customs of the Disirict. The appointment should take effect after the adjournment of the Calicut Courts, and in all probability it will have to be permanent.

5. In the other Zillahs no special assistance is at present needed. The work at Trichinopoly and Chingleput is comparatively light, and the High Court look to the present Civil Judges to correct the existing state of things. In Mangalore a new Principal Sudder Ameen has lately been appointed, and is working hard to clear off the arrears to which he has succeeded. Of his own accord, he has given up the benefit of the usual adjournment this year, and before the close of the year, he expects to have disposed of all the very old suits, and reduced his file to manageable proportions. It will, however, be of great assistance to him, if the Government can arrange to relieve him, at all events for a time, from all Magisterial work, by the appointment of an extra Assistant, competent to exercise the full powers of a Magistrate. A similar arrangement would, also, be of the greatest advantage at Calicut, not only as a relief to the Principal Sudder Ameen, but as enabling the Judges to gauge his work, and insist upon the performance of a proper quantity.

No. 242. Proposed establishment for the additional Principal Sudder Ameen's Court of Calicut.

		Amount. Rs.	A.	P.
1 Head Goomastah	.. ..	30	0	0
1 2nd do.	.. ..	16	0	0
1 3rd do.	.. ..	14	0	0
1 4th do.	.. ..	14	0	0
1 5th do.	.. ..	13	0	0
1 Head writer ..	.. ..	30	0	0
1 2nd do. ..	.. ..	12	0	0
1 Messenger ..	.. ..	7	0	0
3 Peons, at Rs. 6 each	.. ..	18	0	0
	Total ..	154	0	0

The above is the establishment allowed for the additional Principal Sudder Ameen's Court of Mangalore, and is recommended, subject to any change that may be proposed by the Hon'ble Mr. Justice Innes, with regard to that Court.

HIGH COURT OF JUDICATURE,
MADRAS, 23*rd April* 1866.

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

To the Under Secretary to Government, with reference to his official memorandum, dated 20th instant.

No. 243. ORDER THEREON—No. 638, Judicial, dated 27th April 1866.

Under the circumstances brought to notice as to the heavy arrears on the file of the Civil Court at Bellary, the Governor in Council directs that the temporary Principal Sudder Ameen's Court now at Chittoor, which it has been resolved to close from the 30th instant, be re-opened at Bellary on the 1st of June.

Proceedings, 13th March 1866, No. 374.

2. Such of the servants now in the Chittoor Court as may be qualified, by their knowledge of Telugu, for employment in Bellary, should be taken on the establishment of the new Court.

3. The honourable the Judges of the High Court will be requested to favour the Government with a report on the operations of the new Court at Bellary at the end of the present Calendar year.

4. The Civil files of the Courts in the Calicut Zillah are represented to be even heavier than those of Bellary. At the close of 1865, the arrears in the Civil Court comprised nearly 500 appeals with two original suits. Before the Principal Sudder Ameen also, besides about 200 appeals, there were as many as 338 original suits, of which upwards of two-thirds were of more than one year's standing. The Criminal work of the Zillah is also heavy. The Governor in Council, therefore, concurs with the High Court in thinking that no serious impression is likely to be made on the existing mass of long-pending litigation in this Zillah, unless an additional Principal Sudder Ameen be appointed to it, and resolves, accordingly, to solicit the sanction of Government of India to the measure.

5. Adverting to the recommendation of the High Court, in the last paragraph of their letter above recorded, the Governor in Council resolves to invest Mr. John Cameron, Assistant Collector and Magistrate of Malabar, with the powers of Magistrate, under Section 23 of the Code of Criminal Procedure. An Assistant, with full powers, will also be appointed to Canara.

(True Extract.)

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

To the Honourable the Judges of the High Court.
" Civil Judge of Bellary.
" " of Calicut.
" " of Chittoor.
" Accountant-General.

Proposed Establishment for the additional Principal Sudr Amins Court of Calicut

		Amount. Rs	As	P
1	Head Gumasta	30	-	-
1	2d Do	18	-	-
1	3d Do	14	-	-
1	4th Do	14	-	-
1	5th Do	13	-	-
1	Head Writer	30	-	-
1	2d Do	12	-	-
1	Messenger	7	-	-
3	Peons at 6 Rs each	18	-	-
		154	-	-

The above is the Establishment allowed for the additional Principal Sudr Amins Court of Mangalore, and is recommended subject to any change that may be proposed by the Honorable Mr. Justice Innes with regard to that Court.-

W M Mathews
Registrar
Appellate Side.-

High Court of Judicature
Madras.
23rd April 1866

To
The Under Secretary to Government
with reference to his Official Memo: dated 20 Instant

L.F.C.
C. Vandlauer.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Registrar of the Sup. Court of Judicature.

(Here entering 4th April 1866 No. 20)

Order thereon 27th April 1866 No. 638.

Under the circumstances brought to notice as to the heavy arrears on the file of the Civil Court at Bellary, the Governor in Council directs that the temporary Principal Sudder Ameen Court now at Chittoor, which it has been resolved to close from the 30th instant be re-opened at Bellary ~~by the 1st May~~ ~~and that the Judge be authorized on the Judge's arrival~~ ~~Bellary to~~.

2 Such of the servants now in the Chittoor Court as may be qualified by their knowledge of Telugu for employment in Bellary

Read 13th March 1866 No. 370.

JP

Judl. Letter to Sup. Court 26th June 1866.

Judicial 13th March 1866 No.

Registered 10th April 1866

Issued 10th April 1866

Submit list of the establishment proposed for the additions & Principal Sudder Ameen Bellary.

Bellary should be taken on the establishment of the new Court.

3 The Honorable the Judges of the High Court will be requested to favor the Government with a report on the question of the proper Station of Bellary at the end of the present Calendar year.

4 The Civil files of the Courts in the Cadapah Zillah are represented to be even heavier than those of Bellary. At the close of 1865, the arrears in the Civil Court comprised nearly 500 appeals with 2 original Suits. Before the Principal Sudder Amin also, decided about 200 appeals, there were at many as 338 original suits, of which upwards of two thirds were of more than one years standing. The Criminal work of the Zillah is also heavy. The Governor in Council therefore concurs with the High Court in thinking that no decision on the question is likely to be

made on the existing mass of long pending litigation in the Zillah, unless an additional Principal Sudder Amin be appointed to Cuddapah, and resolves accordingly to recommend the translation of one Government of Nellore for the measure.

5 Adverting to the recommendation of the High Court in the last para of their letter above recorded, the Governor in Council resolves to invest Mr. John Cameron, Assistant Collector and Magistrate of Bulladoy, with the powers of a Magistrate under section XXIII of the Code of Criminal Procedure. An Assistant with full powers will also be appointed to Canara.

To the Hon. the Judges of the High Court
" Civil Judge of Bellary
" — " Cuddapah
" — " Clifton
" Accountant General &c
Copy &c — forwarded for the Military Board &c &c &c

Judl. Let. to Engd. 26th
June 22. 10 of 1866.
Rept. to Ltr. 14 of 1866.

Judicial. 1866. Department.

No. 638.

PROCEEDINGS OF GOVERNMENT,

Ft. 1195. 1819.
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Dated 27th April 1866 49767