M.R.O. 1—50,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	639	Press ~~Mis.~~
Dated	27. 4	1866

7/7

Not to be folded or roughly handled

Government {1866} of Madras.

JUDICIAL.

Rsed.	} 1866.		*Enclosures*
Regd.			*Spare copies*

Letter, No. 639, 27th April 1866.

APRIL.

Recommending to the Government of India the establishment of an additional Principal, Sudder Ameen's Court at Calicut.

JUDICIAL DEPARTMENT.

No. 639.

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 for the favorable consideration of the Government of India an application * from the Honorable the Judges of the High Court for the establishment of an additional Principal Sudder Ameen's Court at Calicut.

* 9th April 1866, No. 20.

2. As pointed out by the High Court, there are heavy arrears on the Civil files of the Courts in that Zillah. At the close of 1865, there were nearly 500 appeals, with 2 original suits, in the Civil Court. Before the Principal Sudder Ameen also, besides about 200 appeals, there were as many as 338 original suits, of which upwards of two-thirds are of more than one year's standing. The Criminal work of the Zillah is also heavy. The Governor in Council concurs, therefore, with the Honorable the Judges of the High Court in thinking that no serious impression is likely to be made on the existing mass of long pending litigation, unless an additional Principal Sudder Ameen be appointed to Calicut; and I am directed, accordingly, to submit this proposal for the favorable consideration of the Supreme Government.

3. A tabular statement of the proposed Establishment is herewith submitted in the prescribed form.

I have the honor to be,

Sir,

Your most obedient Servant,

A. J. ARBUTHNOT,
Chief Secretary.

FORT SAINT GEORGE,
27th April 1866.

JUDICIAL DEPARTMENT.

Office to which the proposition refers.	Nature of Charge.	Proposition.										Casual, of extraordinary.	Grounds of proposition.	Local Government's recommendation.	Orders of the Government of India.		
		Present Scale.	Proposed Scale.	Permanent.				Temporary.							Home Department.	Financial Department.	
				Increase per month.		Decrease per month.		Increase per month.		Decrease per month.							
				Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	Period.	Rs. A. P.				Remarks.	Remarks.	Orders.
Additional Principal Sudder Ameen's Court at Calicut.		Rs. A. P.	1 Principal Sudder Ameen. 500 0 0										*Vide* letter to the Government of India, dated 27th April 1866, No. 639.	Favorable.			
		None.	1 Head Gumastah .. 80 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														
			8 Peons at Rs. 6 each. 18 0 0														
			Total .. 654 0 0	654	0 0												

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

A. J. ARBUTHNOT,
Chief Secretary to Government.

FORT SAINT GEORGE,
27th April 1866.

No.	Date.	Extract from Home Department, Government of India.

/No. 20./

From

P. P. Hutchins, Esquire

Registrar of the

High Court of Judicature

at Madras.

To

The Honorable A. J. Arbuthnot

Chief Secretary to

Government.

Honorable Sir,

1. 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

Sadr Amin's Court now at Chittoor, and which is to be closed at the end of this month, may very conveniently be reopened at an early date next month at Billary.

The arrears in the Civil Courts 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 in the end of the calendar year.

11. The state of things in the Cuddapah Zillah is more serious. At the close of 1865 the file of the Civil Court included only 2 original suits, but nearly 500 appeals; and before the Principal Sadr Amin, 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 2 years' standing, 45 of more than 3, 11 of more than 4 and 2 of more than 5 years' standing. The Criminal work in this Zillah is also very heavy. The Judges have constantly urged the Principal Sadr Amin to increase dispatch 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 Sadr Amin be appointed, well acquainted with the language

and peculiar customs of the Districts. The appointment should take effect after the adjournment of the Calicut Courts, and in all probability it will have to be permanent.

In the other Zillahs his special assistance as 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 Sadr Amin 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 Sadr Amin but as enabling the Judges to gauge his work and insist upon the performance of a proper quantity.

I have the honor to be,
Honorable Sir,
Your most obed.t Serv.t,

High Court of Judicature, Madras,
9th April, 1866.

Registrar,
Appellate Side

Wandlamen

Pro. 8th March 1866 Nos 266.
" 13th Do. " Nos 99–100.

Jud. Letter to Govt 26th June No. 11 of 1866

Judicial 1866 Departt.
No.

From

The Registrar of the
High Court of Judicature
at Madras.

To The Chief Secretary
to Government

Dated 9th April 1866.
Recd 10—

No. 20

Recommending the establishment of a temporary Principal Sadr Amins Court at Bellary and of an additional Principal Sadr Amins Court at Cuddapah designating that at Bellary as the Head Quarters of the Assistants to be stationed at all events for a time at Bellary and Madgalore.

241

Judicial DEPARTMENT.

Year.	Revenue.		Charges.		Total.		Net.	
	Ordinary.	Extra-ordinary.	Ordinary.	Extra-ordinary.	Revenue.	Charges.	Surplus.	Deficit.

Extract from Home Department Government of India.		Office to which the proposition refers.	Nature of Charge.		Proposition.				Casual or Extraordinary.	Grounds of Proposition.	Local Government's recommendation.	Orders of the Government of India.		
			Present Scale.	Proposed Scale.	Permanent.		Temporary.					Home Department.	Financial Department.	
					Increase per Month.	Decrease per Month.	Increase per Month.	Decrease per Month.				Remarks.	Remarks.	Orders.
No.	Date.				Rs. A. P.	Rs. A. P.	Period. Rs. A. P.	Period. Rs. A. P.						
		Additional Principal Sudder Ameen's Court Salaries	Rs. A. P.	Rs. A. P.					Casual					
			None	1 Principal Sudr. Ameen 500 " " 1 Head Cowasta 30 " " 1 2d do 16 " " 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 " " Total 654 " "	654 " "					vide letter to the Government of India dated 27th April 1866 No 639.		Favorable	

Fort Saint George,
The 26th April 1866.

Judicial Department.

No

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

Chief Secretary to the Govt. of Fort St. George.

Judicial Distrito Cing 28 de Junio No 10 de 1866.