

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1963	Press
		~~Mis~~
Dated	2-12-1986	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
2nd December 1867.*

No. 7. Read the following letter from the Magistrate of Tanjore, to the Chief Secretary to Government, Fort Saint George; dated Vallam, 15th November 1867, No. 248.

With reference to the Proceedings of Government, dated the 13th August 1867, No. 1307, I have the honor to submit, for their information, copy of the judgment passed by the Principal Sudder Amcen in the case therein referred to.

2. The Government will observe that the 6th defendant; the party that purchased the bullock, has been adjudged to restore the animal or its value to the plaintiff with costs, and that the other defendants, including the Deputy Magistrate, have been relieved of all liability, his (the Deputy Magistrate's) cost being charged to the plaintiff.

3. I have directed the Government Vakeel to collect for himself the cost, viz., Rupees 5, awarded to the Deputy Magistrate, which is his own fee; no other cost having been incurred for the defence on behalf of that officer.

In the Principal Sudder Ameen's Court, Tanjore.

SMALL CAUSE SUIT, No. 177 of 1867.

A. Annoosawmy Moodelliar, Present.

Plaintiff.

Samy Udian.

Sundaram Pillay, Vakeel.

versus

Defendants.

1. Nurudeen.

4. Athal.

2. Kupu Row.

5. Muttu Udian.

3. Streenivasa Row.

6. Kather Moideen.

3rd defendant's Vakeel, Samy Iyer.

Judgment for plaintiff against 6th defendant for the bullock claimed, if alive, or its value, Rupees 35, with proper costs Rupees 13-8-0; other defendants are relieved of liability; 3rd defendant's costs, Rupees 5, to be paid by plaintiff.

21st October 1867.

(Signed) A. ANNOOSAWMY,

Acting Principal Sudder Ameen.

(True Copy).

(Signed) G. L. MORRIS,

District Magistrate.

No. 8.

ORDER THEREON, 2nd December 1867, No. 1963.

To be recorded.

(True Extract).

R. S. ELLIS,

Chief Secretary.

Exd, J. Tulloch.

No. 12th Aug. 1867 No. 132-133

The Magistrate has done what he was required to do in the G. O to W. This letter is a reply. But, it occurs to me, that the printed draft order for cases of the kind, requires alteration. That order directs the submission of a copy of the "Decree" which may be proper. It should, I think, be "Decree and judgment" because it is only from the latter, that the Govt. are a conversant of the reasons given by a Court. In this sense, & reasons appear in the "judgment", are able to guide when there has been an error in the conduct or proceedings of those of its officers who may be sued. — In the present case it would seem that there has been some thing wrong with the Sub Magistrate but what it was cannot be stated in the stereotyped form used in a Decree. W.D.

The following judgment by the Magistrate is mentioned in form of order, but I fear the decree in the judgment was in a fault as the decree of the Court cannot be made out.

C 20-1
P 25-1
S 27-1
132 Dec 7-8

1867
Tanjore Department
From
The Magistrate
of
Tanjore
To
The Chief Secretary
to Government,
Fort St. George
Dated 15th Aug 1867
No. 19 } No. 1867
A. 248.
Enclosure 1

No. 2522
Submitting for the information of Government, Copy of the judgment passed by the Magistrate of Tanjore in a case referred to in the Govt. Procs. dated the 15th August 1867 No. 1337. — over the same.