

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1298

Dated 18th June 1895

INDEXED.

[Despatch Abstract.]

ILLEGAL WARRANT.

Communicating to the District Judge of Godavari, copy of letter from the Inspector-General of Prisons and its enclosure regarding the issue of a warrant by the District Munsif of Amalapuram in Small Cause Suit No. 236 of 1893 alleged to be illegal.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	5675		95				

CURRENT NO. 2436
JUDICIAL. Sept

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF JAILS,

To

THE CHIEF SECRETARY TO GOVERNMENT.

H. M.

under dt 18th June 1895 No 1298

For a copy of the letter of the J. S. of the
to the D. Judge of
and its enclosure will be forwarded

Endanari. for ~~sent~~ ~~as may be necessary~~

8
12.8.95
17/6/95

Dated

Despatched

Received

Regd 31/6/95

May 1895.

To the S. J. of Prisons
D. Judge, Endanari (And)

CHIEF SECRETARY
30 MAY 1895
GOVERNMENT OF MADRAS
ENCLOSURES.

Subject.

Submitting copy of a Warrant
issued by the District Munsiff
of Andalapur in S. C. Suit No.
286 of 1893 which appears to
be illegal, and requesting that
if this is so, the necessary ac-
tion may be taken for its
amendment in order that the
law on the point raised may
be brought authoritatively to the
notice of the Court concerned
12/6

Note

Section 617 of the Code of Civil
Procedure appears to govern
the case. The Court seems to
have no locus standi in
the matter.

H.
5/6/95

A. 3341

Process for R. 1 - - - levied 25-4-95

seal.

Warrant of Commitment. B. 3881

In the Court of the District Munsiff at
Anjalapur.

Small Cause Suit No 236 of 1893

Sri Jillella Bharioji Ramareu Zamindar } Plaintiff
of Perur -

Syed Lal Sahib of Tandavapalli - Defendant.

To
The Keeper of the Civil Jail
at Pajalimundly.

Whereas ~~by~~ the decree made in the above suit the
abovesaid Defendant Syed Lal Sahib of Tandavapalli
was adjudged to pay the sum of Rs 50.7.8 into Court;
and whereas the said sum has not been paid, you
are hereby required to receive the said Defendant into
your custody for the term of three weeks from 24th April
unless the said Amount be sooner paid.

Given under my hand and the seal of the Court
this 26th day of April 1895

A sum of Rs 4-8-0 is herewith
sent for subsistence of the
at Rs 0-4-0 a day from
27th April 1895

(Signed) B. Rajanyam
District Munsiff
26-4.

(True copy).

Pajalimundly Civil Jail }
15th May 1895 }

M. M. M.
Superintendent
Civil Jail

CURRENT NO. 2656

Colacacumund Prisons
OFFICE OF THE INSPECTOR-GENERAL OF JAILS,

Dated 29 May 1895.

No. 3008

From

A. G. CARDEW, Esq., M.A.,

INSPECTOR-GENERAL OF JAILS, Prisons.

To

THE Honble Mr. T. F. Price, C. S. J.

CHIEF SECRETARY TO GOVERNMENT,

SIR,

1 Enclosure.

Copy of Warrant.

Under Section 18, Act V of 1871,
I have the honour to submit copy of
a Warrant issued by the District Munsiff
of Amalapur in Small Cause
Suit No 236 of 1893 directing the con-
finement in the Rajahmundry Central
Jail of one Syed Lal Sahib of Taudava-
palli for a period of 3 weeks unless
his judgment debt be sooner paid.
In the case of Subudhi versus Singi
reported at pp. 141-142 of the Indian
Law Reports No. XIII Madras, the High
Court has held that a Civil Court has
no authority to fix any term of im-
prisonment for a Civil Debtor, subject,
of course, to the maxima prescribed
by Section 342 of the Code of Civil Pro-
cedure. The District Munsiff's Warrant,
therefore,



therefore, appears to be illegal, and, if this is so, I request that the necessary action may be taken for its amendment, in order that the law on the point raised may be brought authoritatively to the notice of the Court concerned.

I have the honour to be,
Sir,
Your most obedient servant

R. G. Cardew
Inspector General of Prisons.

When given for copying _____
When copied _____
When examined _____
When signed _____

189 .

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURE TO C. No

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.