

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2043

DATED 3rd Oct. 1895

INDEXED.

[Despatch Abstract.]

SUCCESSION CERTIFICATE ACT.

Declining to accede to the request of the Sahitya Samaj, Vizianagram, to invest the Vizianagram District Munsif's Court with the powers of a District Court under section 26 (1) of the VII of 1879.

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

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Resolved that a Memorial be submitted
to Government of Madras, praying that power
to grant Succession certificates may be
conferred on the District Collector of Vijaya-
nagar.

Secretary

Vijayanagaram
3rd July 1895

To

The Honorable Chief Secretary to Govt.
Madras

Most Honored Sir,

In submitting to you under
the Resolution of the Meeting of the Hindu
Association called Pahlga Panchayat of
Vijayanagaram, I humbly beg to request
your honor may kindly be pleased to lay
the same before His Excellency the Governor
in Council for their favorable consideration
as the Public are put to much expense,
and labor for want of powers to the District
Magistrate of Vijayanagaram to grant suc-
cessive certificates to the applicants for
the same.

I beg to remain

Most Honored Sir,

Your most obedt. Servt.

Shanmugaswami
Secretary

1895

July

Encls. 1

C. No.

3998

CHIEF SECRETARY
23. SEP. 1895
GOVERNMENT OF MADRAS

No. 869.

FROM

H. W. FOSTER, Esquire,
Registrar of the High Court of Judicature,
Appellate Side, Madras.

TO

THE DISTRICT JUDGE OF

SIR,

The High Court has recently received suggestions from different quarters as to the desirability of investing certain Courts subordinate to District Courts with the powers of a District Court under Section 26 (1) of the Succession Certificate Act, VII of 1889, and on consideration of the subject, has come to the conclusion that, in the interests of public convenience, it may be necessary to empower some inferior Courts to exercise the jurisdiction in the following cases :—

- (1.) Where the ordinary local jurisdiction of the inferior Court includes a considerable or important tract from which the District Court can be reached only by a journey of
 - (a) not less than 50 miles by road alone, or
 - (b) not less than 100 miles by railway alone, or
 - (c) not less than 20 miles by road and 60 miles by railway.
- (2.) Where the number of applications received by a District Court is so large as to cause serious delay or inconvenience to suitors in the Court.

2. I am to say, therefore, that the High Court will be prepared to consider the advisability of recommending the investiture with the special powers in the former case, of the inferior Court having jurisdiction over the remote tract in question, and in the latter case, of the Court whose exercise of the jurisdiction will afford the greatest relief to the District Court.

3. I am directed to request you to report whether, having regard to the above conditions, you think that any Court should be so empowered in your District. In making proposals, you will be good enough to support them with the requisite statistics.

I have the honor to be,

Sir,

Your most obedient servant,

H. W. FOSTER,
Registrar.

Exd.—P. K. Singra Chari.

Every letter, whether printed or in manuscript, should be docketed and abstracted on the back ; and the abstract should state clearly the purport of the letter and not merely its title subject.

Enclosures and statements also, whether sent with letters, or merely under cover, should be numbered, docketed and abstracted. The headings of statements should be written in full to prevent mistakes. (G. O. 8th April 1893, No. 289, Public.)

Enclosure No. I ; to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 20th September 1895, No. 2643.

*Copy of a circular
letter explaining the circum-
stances necessary to invest
Courts subordinate to a
District Court with the
powers under section 26(1)
of the Succession Certificate
Act, VII of 1879.*

No.

CURRENT No. 4576
High Court of Judicature,
MADRAS, 20th September 1895.

From

D. W. G. Cowie, Esquire,

Acting Registrar of the High Court

of Judicature, Appellate Side, MADRAS.

To

The Honorable J. F. Price, C. S. I.,

Chief Secretary to Government,

FORT SAINT GEORGE.

Honorable Sir,

In reply to G. O. dated the 2nd instant, R. No. 984,
Judicial, I am directed to forward a copy of the High
Court's Circular letter to all District Judges, dated 24th
March 1891, No. 869, explaining under what circumstances
it may be necessary to invest Courts subordinate to a Dis-
trict Court with the powers of that Court under section
26/1/ of the Succession Certificate Act, VII of 1889, and
to state that the case of the Vizianagaram District Munsif's
Court does not comply with any of the conditions indicated
in that letter. Vizianagaram is only 36 miles from Vizaga-
patam by railway and it has not been shown that the number
of applications for succession certificates received by the
District Court is so large as to cause inconvenience to
suitors. I am to state that the High Court is not prepared
to recommend the grant of such powers generally to all Dis-
trict Munsifs' Courts.

I have the honor to be,
Honorable Sir,
Your most obedient servant,

D. W. G. Cowie

Acting Registrar.

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

189 .

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.-

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