M.R.O. 1—39,0FO—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1943-44 Press ~~Mis.~~

7-9

Dated 1.12.1862 ~~19~~ .

9/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
1st December 1862.

No. 7. Read the following Proceedings of the High Court of Judicature at Madras, dated 12th November 1862, No. 30.

Read letter dated the 25th ultimo, from the Acting Judge of the Court of Small Causes at Madura, requesting to be informed whether privilege leave now due will be available after the adjournment, or whether the intervention of an adjournment or adjournments will invalidate the claim.

1. It appears from the Order of Government, dated the 18th ultimo, *first*, that any Judicial Officer who was absent from his station during the last adjournment, (when the Rule laid down by the Government of India was not known), will be entitled, notwithstanding such absence, to take, at any time before the adjournment in 1863, any privilege leave that was due to him at the time of the Government Order, dated 18th August 1862; *secondly*, that any Judicial Officer remaining at his station during the next adjournment, or any future adjournments consecutively, will be allowed such leave at any time between any of the adjournments during which he may so remain at his station, and the adjournment next ensuing; and *thirdly*, that a Judicial Officer absenting himself during the next or any subsequent adjournment, will by such absence forfeit any privilege leave to which he may have been entitled on the date referred to.

2. The Chief Justice and Judges, however, think that the last mentioned rule might be modified, and that a Judicial Officer entitled to privilege leave on the 18th August 1862 might be allowed to take it after any adjournment during which he may have remained at his station, notwithstanding that he may have been absent during intermediate adjournments; and they will communicate this suggestion to the Government for their consideration. The Rule as it now stands might lead to much official embarrassment by compelling all Judicial and Ministerial Officers, to whom privilege leave may be due, to apply for the same before the next adjournment, or at the latest before the adjournment in 1864.

(True Extract.)

(Signed) C. F. CHAMIER,
Registrar.

To the Chief Secretary to Government.

No. 8. ORDER THEREON, 1st December 1862, No. 1,943.

His Excellency the Governor in Council does not deem it advisable to pass any further orders on the subject of leave to Judicial Officers until a reply shall have been received to the letter addressed by this Government to the Government of India, under date the 15th September last, and to which the attention of the Supreme Government will now be requested.

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

No. 9. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 1st December 1862, No. 1,944.

I am directed to request that the Madras Government may be furnished with early orders on the alterations of the rules under which leave is granted to Judicial Officers proposed in Mr. Pycroft's letter of the 15th September last, No. 1,512.

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

Exd. T. McMootry.

the Judges of the High Court dcdp 2.

Judl Departmt.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following Proc:
of the High Court of Judicature
at Madras.

(Here enter 12th Novr 1862 No 30)

Order thereon 1st December 1862 No 1943

His Excellency the
Governor in Council does not
deem it advisable to pass
any further orders on the
subject of leave to Judicial
Officers until a reply shall
have been received to the letter
addressed by this Government
to the Government of India
under date the 15th Septr last,
and to which the attention
of the Supreme Government
will now be requested.

JP

To
the Judges of the High Court
Copy
Secy to Govt

No 1964

To

The Secretary to the Govt. of India

Home Department

Sir,

I am directed to request that the Madras Government may be furnished with early orders on the alterations of the rules under which leave is granted to Judicial Officers proposed in Mr. Pycroft's letter of the 15th September last No 572.

Fort St. George
1st Decr 1860

I have &c

Judicial 1862. *Department.*

No. 1963

PROCEEDINGS OF GOVERNMENT,

Dated 1st Dec 62

Deferring to pass any further orders on the subject of leave to Judicial Officers until a reply shall have been received from the Govt of India to the letter dated 15th September last.

7876] Madras—Printed at the Government Press.