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Judicial Department

G.O. No 2509-10

Dated: 29-9-1879

AH

2509-10
1

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

29th September 1879, No. 2509.

Court Fees Act.

Read the following paper:—

WEIR, Esq., Acting Registrar of the High Court of Madras, at Madras, Appellate Side, to the Acting Chief Secretary to Government, dated Madras, 23rd September 1879, No. 1582.

I am directed to forward, for the approval and confirmation of his Grace the Governor in Council and for sanction by the Government of India, an amendment in the schedule of fees (Schedule A) chargeable under the rules framed in accordance with the provisions of Section 20 of the Court Fees Act VII of 1870.

The circumstances in which the amendment now made has become necessary are as follows.

In the revised Schedule A submitted with the Registrar's letter of the 15th April 1874 (G.O., 21st April 1874) no provision was made for the levy of a fee on processes in a District Munsif's or Subordinate Revenue Court exceeding in value or amount Rupees 2,500. The latter sum represents the pecuniary limits of the District Munsif's ordinary jurisdiction, and in framing the revised schedule of April 1874 it was not foreseen that execution might occasionally have to issue in a Munsif's Court for sums exceeding this limit, as for instance when a decree is given in a suit on a bond for a sum not exceeding Rupees 2,500 *with interest*. The addition of the latter item may and does occasionally raise the aggregate of the amount decreed to a sum considerably in excess of the pecuniary limit of the District Munsif's jurisdiction.

The amendment now submitted is intended to meet the omission in the schedule of April 1874 by providing that whenever it is sought to execute a decree of a District Munsif's Court for a sum exceeding Rupees 2,500 the fee leviable on the warrant shall be a fee of Rupees 8, that is to say, the same fee as is now leviable on a warrant for a sum exceeding Rupees 2,500 and not exceeding Rupees 5,000 in a Subordinate or District Court.

ENCLOSURE No. 1.

Amendment in Revised Schedule A (Civil and Revenue Courts) annexed to the Rules framed by the High Court under the provisions of Section 20 of the Court Fees Act.

Whenever it is sought to execute a decree of a District Munsif's Court for a sum exceeding Rupees 2,500, the fee leviable on the warrant shall be a fee of Rupees 8.

(Signed) T. WEIR,
Acting Registrar,
Appellate Side.

No. 223. ORDER THEREON, 29th September 1879, No. 2509.

For the reasons set forth in the foregoing letter His Grace the Governor in Council approves and confirms the amendment proposed to be made by the High Court in revised Schedule A (Civil and Revenue Courts) annexed to the rules framed by the High Court under the provisions of Section 20 of the Court Fees Act, and directs that the same be sent to the Government of India for sanction.

(True Extract.)

C. G. MASTER,
Acting Chief Secretary.

To the Honorable the Judges of the High Court

Ed. G. Freeman.

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JUDICIAL DEPARTMENT.

Court Fees Act.

No. 2510.

FROM

C. G. MASTER, Esq.,

Acting Chief Secretary to the Government of Fort St. George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,

HOME, REVENUE, AND AGRICULTURAL DEPARTMENT.

SIR,

I am directed by His Grace the Governor in Council to request that His Excellency the Governor-General in Council will be pleased to sanction an amendment* of the revised Schedule A (*vide* this office letter, dated 21st April 1874, No. 706) which has been proposed by the High Court and has been approved and confirmed by the Governor in Council.

I have the honor to be,

Sir,

Your most obedient servant,

OOTACAMUND,
29th September 1879.

Acting Chief Secretary.

Exd. G. Freeman.

RECEIVED
JUDICIAL
DEPARTMENT
OCT 1 1879
NO. 2510-901
The following is a copy of the original document as received from the High Court of Madras, dated 29th September 1879, and forwarded to the Secretary to the Government of India, Home, Revenue, and Agricultural Department, on 1st October 1879.

Regt. No.

HOME 1879 DEPT.

From the Hon. Secy. to the Govt.
Madras.

Date of receipt 1879. No.

From the Hon. Secy. to the Govt.

Date of receipt 1879. No.

D. No. 2510. No.

L. No. 2510. No.

Chief Secy. to Govt.—In reply to letter of the Hon. Secy. to the Govt. dated 18th April 1879, in relation to the proposed amendment of the rules framed in accordance with the provisions of Section 20 of the Courts and Fees Act of 1870, and approved and confirmed by the Governor in Council.

No. 1582.

10

From

T. Weir Esquire,

25/10/79

Acting Registrar of the
High Court of Judicature
at Madras.

To

C. G. Master Esq.,

Acting Chief Secretary to
Government.

Sir,

I am directed to forward for
the approval and confirmation of His Grace
the Governor in Council and for sanction by
the Government of India an amendment in
in the Schedule of fees (Schedule A) chargeable
under the rules framed in accordance with
the provisions of Section 20 of the Courts and
Fees Act of 1870.

The circumstances in which
the amendment now made has become necessary
are as follows:—

In the revised Schedule A
submitted with the Registrar's letter of
the 15th April 1874 (G.O. 21st April 1874),

no provision was made for the levy of
a fee on processes in a District Munsiff's
or Subordinate Revenue Court exceeding
in value or amount Rupees 2500.

The latter sum represents the pecuniary
limits of the District Munsiff's ordinary
jurisdiction, and in framing the revised
Schedule of April 1874, it was not fore-
seen that execution might occasionally
have to issue in a Munsiff's Court for
sums exceeding this limit—as for instance
when a decree is given in a suit on a
bond for a sum not exceeding Rs. 2500
with interest. The addition of the latter
item may and does occasionally raise
the aggregate of the amount decreed
to a sum considerably in excess of the
pecuniary limit of the District—
Munsiff's jurisdiction.

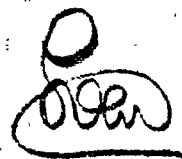
The amendment now submitted
is intended to meet the difficulty in the

2
Schedule of April 1874, by providing
that whenever it is sought to execute
a Decree of a District Munsiff's
Court for a sum exceeding Rs. 2500, the
fee leviable on the warrant shall be a
fee of Rs. 8, that is to say the same fee
as is now leviable on a warrant for a
sum exceeding Rs. 2500 and not exceeding
Rs. 5000 in a Subordinate or District Court.

High Court of
Judicature, Madras,
23rd September 1879 }

I have the honor to be,
Sir,

Your most obedient servant,



Acting Registrar,
App. Side.

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Amendment in revised Schedule
A (Civil and Revenue Courts) annexed
to the Rules framed by the High
Court under the provisions of Section 20
of the Court Fees Act.

Whenever it is sought to
execute a Decree of a District Munsiff's
Court for a sum exceeding Rs. 2500, the
fee leviable on the warrant shall be
a fee of Rs. 8.

Deen

Ag Registrar
Appellate File.

222

For 929 of 1879.
Messrs. Registrar of the
High Court of Judicature
at Madras

of 1879.
Messrs. Chief-Deputy
to Government
Dated 25th September 1879

of 1879.
One enclosed

Forwarding for the approval
& confirmation of His Honor
the Government Council & for
sanction by Government of
India on Amendment in the
Schedule of fees chargeable in
under the rules framed in accordance
with the provisions of Section 20 of
the Court Fees Act of 1879.

Encl 222

1864 290/25

For of 29: 25/11/79 No 509
one enclosed

In a letter from the
S. Registrar of the High
Court of Judicature at
Madras dated 23rd Sept^r
1879. No 1582.

Judicial Department.

2510

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:-

From the Registrar of the High Court
dated 23rd Sept 79 No 1582

Order 29 Sept. 1879 No 2509.

20 Court Fees Act.

For the reasons set forth
in the foregoing letter &
passed the Governor in
Council approves &
confirms the amend-
ment proposed to be
made by the High Court
in revised Schedule A
(Civil & Revenue suits)
annexed to the rules
framed by the High Court.

Sum No 222

under the provisions
of Section 20 of the
Court Fees Act, +
direct that the same
may be sent to the
Government of
India for sanction.

AK
26/9

To the Hon. the Judges of the High Court.

To
No 25/0.
The Secretary to the
Government of India
Home Revenue & Agricultural Department.

Sir,

5/10
2570/8
I am directed by
His Grace the Governor
in Council to request
that His Excellency
the Governor General
in Council will be
pleased to sanction
an amendment
of the revised Schedule
A (vide my preceding
letter No dated 21st
April 74 No 706) which
has been proposed

See No 222

by the High Court and Judicial Deptt
has been approved
& confirmed by the
Governor in Council

Govt. of Madras.
Sd/-
Jusd

To

26/9

4111

Dated 29th Sept 1879, No. 1
Recd.

Nos. 222 & 224

29 September 1879

Request for sanction to
amendment of the revised
Schedule A (Civil & Revenue
Cts) proposed by the High
Court & approved & confirmed
by the Govt in Council.

Courts & Cts. The amendment
proposed to be made by the
High Court in revised schedule
of (Civil & Revenue Cts) and added
to the Rules framed under
the provisions of section 20 of
this Act, approved and
forwarded to Govt. for sanction.

c27/9
229/9