M.R.O. 1—4,002—6 9-48.

(1) Number of pages 16

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(3) Initials of the Referencer

MADRAS RECORD OFFICE

Government of Madras

Judicial DEPARTMENT

G.O. No. ~~B.P. No.~~	2147	~~Press~~ Mis.
Dated	20th October 1891.	

Not to be folded or roughly handled

1/2
to

To CNo 17

The Right Honorable The Governor in Council, Madras;

CHIEF SECRETARIAT 3 JAN 91 GOVERNMENT OF MADRAS

May it please Your Excellency;

The Humble Memorial of the undersigned (the residents of Chicacole &c. in Ganjam District) most respectfully showeth:—

1 That the Act No: VII of 1889 (The Succession Certificate Act) is come into force on the 1st day of May 1889.

2. That the provisions of the Act compel the representatives of deceased persons to obtain a certificate in the District Courts to enable them to secure a decree against a ~~the~~ debtor of a deceased person and to execute a decree against such a debtor (Vide Sec. 4. Cl. 1. a)

3. That the District Court in Ganjam is situated at Berhampore, at a distance of about 100 miles from the [illegible] extremity of the District and 30 miles from the other end; and consequently the representatives of the deceased creditors and decree-holders are under the obligation of taking [illegible] at a great cost to prove that the applicants are the legal representatives of the deceased [illegible] cases out of 100 there is [illegible] of truth [illegible] petitioner's claim and the Judge in such cases would not take the trouble of examining the petitioner's witnesses. The costs incurred by the petitioner are as a rule to

be

borne by himself. Thus a petitioner, before he obtains a decree on a Bond of Rs25, has to spend Rs2 for the certificate stamp and Rs3 to serve with notices to all the relations of the deceased and Rs25 to secure the attendance of a 2d class witness to prove, if necessary, that he is the son of his own father or widow of her husband &c. The total cost would be Rs30 to be borne by the petition

That under the above circumstances the residents of the towns and villages in the jurisdiction of the District Munsif's Court of Chicacole pray Your Excellency be plea to invest the Munsif's Court of Chicac the functions of a District Court under in accordance with the provisions of Cl. 1 of the Act and relieve Your H petitioners from unnecessary troubl expense.

22nd September 1890
Chicacole

We beg to [illegible]
Your Excellency's [illegible] petitioners

[illegible]

Kalagiry

Ponnanaiah

Poraman

[illegible]

S. Nagaiah

M.S.R. Murthy

A. Lakshminarayana

K. Narayana Suryanarayana

[illegible]

Ramakrishnaiah

B Kamasastry

[illegible]

I.H.C. No 993/91

No.

High Court of Judicature,
Madras, 25th September 1891.

4

From

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

To

The Honorable J. F. Price,
Chief Secretary to Government,
Fort St. George.

Sir,

In reply to your letter dated 17th Febru 1891, Judicial Reference on C. No. 17 of 1891, forwarding a Petition (herewith returned) from certain residents of Chicacole and other Villages in the Ganjam District, and requesting an expression of the High Court's opinion on the proposal contained therein, I am directed to state that the Judges, having received suggestions that the powers of a District Court under Act VII of 1889 should be conferred on various other Subordinate Courts, besides that of the District Munsif of Chicacole, deemed it advisable, on receipt of the Government reference, to take into consideration the circumstances of all the Districts in the Presidency, and after consultation with the District Judges, have come to the conclusion that the public interests and convenience require that each

of

of the Courts mentioned in the accompanying list should be invested with the powers in question within the local limits of its jurisdiction.

2. I am therefore to request that His Excellency the Governor in Council may be pleased to issue orders accordingly under Section 26(1) of the Act.

I have the honor to be,
Sir,
Your most obedient Servant,

Registrar.

List of Courts subordinate to District Courts recomme -ed to be invested with the functions of a District Court under Secti 26(1) of the Succession Certificate Act, VII of 1889.

Districts.	Names of District Munsifs' Courts.	Other Courts recommended for similar powers.	Remarks.
Arcot (South)	Vriddhachalam		
Bellary	Penukonda.		
Canara (South)	Kundapur.		
Coimbatore	Kollegal.		
Ganjam	Chicacole.		
Madura	. . .	* (1) Subordinate Judge's Court, Madura (East) (2) Subordinate Judge's Court, Madura (West)	* It is proposed to transfer the powers of the District Court to these Courts as the Sessions delay the disposal of the petitions in that Court.
Malabar (South).	Vayiteri		
—Do—	. . .	Sub-Judge's Court at Cochin	
Nellore	(1) Kanigiri & (2) Ongole.		
Tinnevelly	Srivilliputtur.		
Vizagapatam	(1) Razam (2) Parvatipur and (3) Ellamanchili.		

Registrar.

Ref. on C. 2nd 17/7/91

12-5-90 - 553 Rule J
4-12-89 - 1339 — "
9-8 89 - 872 — "
27-5 89 - 912 Je. "

Judicial {1891} Department.

No

From

THE — REGISTRAR OF THE HIGH COURT
OF JUDICATURE AT MADRAS,
APPELLATE SIDE.

Dated 25th September 1891.
Received

No. 2360
& one.

UNDER SECRETARY
27 SEP 91
PUBLIC ETC. DEPT.

Submitting a list of Courts subordinate to District Courts recommended to be invested with the functions of a Distt. Court under Sec. 26(1) of Act VII of 1889.

FROM CIRCULATION
WITH REMARKS.

Jud. Department.

8

~~Price the list of~~ Put Sub Judges' Courts before that of Dt. Munsifs' Courts

AS GOVERNMENT.

Read the following paper :— C No 43

Put Sub Judges' Courts first. Yes

Yes 16 Oct

Order. 20th Oct/91 No 21

Under the provisions of Section 26(1) of the Succession Certificate Act 1889. H.E. the Govr. in Council invests the Courts of ~~Distt. Munsifs~~ Subordinate Judges & Dt. Munsifs' ~~specified~~ specified below with the functions of a District Court under that Act within the local limits of their respective jurisdiction.

District Munsifs' Courts
Vriddhachalam
Penukonda
Kundapur
Kollegal
Chicacole
Vayitiri
Kanigiri
Ongole.

2

Srivilliputtur
Rajam
Parvatipur
Ellamanchili

Succession Certificate Act

bordinate Judges' Court.
Madura (East)
Madura (West)
Cochin

Alw

No. 390 of 1892

343/92 (Similar)

3/2/92 (Petn.)

[illegible]

[7]

ORDINARY, MS.

Judicial DEPARTMENT
G.O., DATED 20-10-91
No. 2147

INDEXED.

When given for copying

[Despatch Abstract.]

Investing the Courts of the Subordinate Judges & Dist Munsifs specified with the jurisdiction of a Dist Court under Sec. 26(1) of the Succession Certificate Act [illegible] 1889.

27-4-05

27.3.16

23-10-20 V

9.9.21 V

8.10.24 V