

(1) Number of pages 18(2) Date of repair 10-1-66(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 1922

422-423

Press
~~Min.~~

Dated 20-6-1866.

Not to be folded or roughly handled

(1)

Proceedings of the Madras Government, Public Works Department,
20th June 1866.

No. 422. Read the following letter from the Government Pleader, Madras, to the Secretary to Government, Public Works Department, dated Madras, 5th June 1866, No. 85 :—

In continuation of the letter which I had the honor of addressing to you, under the date and number noted in the margin, I do myself the honor of enclosing, for the information of His Excellency the Governor in Council, a manuscript copy of the Decree passed by the High Court in Special Appeal Suit No. 469 of 1864.

IN THE HIGH COURT OF JUDICATURE AT MADRAS,
Saturday, the Nineteenth day of May, One thousand eight hundred and sixty-six.

PRESENT.

The Honorable Mr. Justice HOLLOWAY,
and

The Honorable Mr. Justice INNES,
Special Appeal No. 469 of 1864.

L. S.

Joseph George Ryves, Special Appellant (4th Defendant),
and
Appavaiyen and ten others, Special Respondents (Plaintiffs).

Special Appeal against the Decree of the Civil Court of Trichinopoly in Regular Appeal No. 253 of 1861, confirming the Decree of the Court of the Principal Sudr Amin of Salem in Original Suit No. 3 of 1857.

Decree.—This Special Appeal coming on for final hearing after the return of the findings of the Lower Appellate Court upon the issues referred by this Court for trial: Upon perusing the grounds of Special Appeal, the judgments and decrees of the Lower Appellate Court and Court of First Instance, the findings of the Lower Appellate Court upon the said issues; and the Memoranda of objections to the said findings; and upon hearing the arguments of Mr. Government Pleader for the Special Appellant, and of Mr. G. E. Branson, Vakil for the 3rd Special Respondent, the other Special Respondents not appearing in person or by Counsel: it appearing that the present Civil Judge has found that the Principal Sudr Amin of Salem had no jurisdiction to entertain the suit and no substantial objection to this finding having been made by the Vakil for the 3rd Special Respondent, this Court doth order and decree that the Decrees of the Lower Appellate Court and Court of First Instance be, and the same hereby are, reversed, and the original suit dismissed as having been brought in a Court without jurisdiction; and this Court doth further order and decree that the Special Respondents do pay to the Special Appellant Rupees 34-3-2 for his costs in this Special Appeal together with his costs in the Lower Appellate Court and Court of First Instance.

(Signed) W. HOLLOWAY, }
(„) L. C. INNES, } Judges.

Memorandum of Costs.

Special Appellants (4th Defendant's) costs.				RS.	A.	P.
4	Stamps for Special Appeal Memorandum...	...	...	12	0	0
2	Do. for copy of the Original Decree ...	...	...	1	8	0
1	Do. for copy of the Original Judgment ...	...	...	0	8	0
4	Do. for copy of the Appeal Decree ...	...	...	2	8	0
1	Do. for copy of the Appeal Judgment ...	...	...	0	8	0
3	Do. Memorandum of Objection ...	...	...	6	0	0
2	Do. Memorandum of Objection ...	...	...	4	0	0
	Government Pleader's fee on Rupees 144 ...	...	...	7	3	2

To be paid to the Special Appellant (4th Defendant) by the Special Respondents (Plaintiffs) ... 34 3 2

(Signed) P. P. HUTCHINS,
Registrar, Appellate Side.

Proceedings of the Madras Government, Public Works Department,
20th June 1866.

No. 423.

ORDER THEREON, 20th June 1866, No. 1,922.

CIVIL WORKS, No. 64.

Communicated to the Superintending Engineer of the 6th Division, in continuation of the Order of the 29th ultimo, No. 1,695.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer of the 6th Division.
,, Executive Engineer at Trichinopoly.

Exd. S. T. Augustin.

In the High Court of Judicature at Madras.

Saturday, the nineteenth day
of May. One thousand, eight
hundred and sixty six.

Present

The Honorable Mr. Justice Holloway

and
The Honorable Mr. Justice Innes.

Special Appeal No. 469 of 1864.

Joseph George Pyres - Special App't
and (4th Def't.)

Appraiser, and
10 others } Special Resp'ts
(Plffs.)

Special Appeal against the Decree
of the Civil Court of Trichinopoly in
Regular Appeal No. 253 of 1861, confirming
the Decree of the Court of the Principal
Sudder Ameen of Salem in Original Suit
No. 3 of 1857.

Decree. - This Special Appeal coming
on for final hearing after the return of
the findings of the lower Appellate Court
upon the issues referred by this Court for
trial. Upon perusing the grounds of
Special Appeal, the judgments and
decrees of the lower Appellate Court
and Court of First Instance, the Findings
of

of the Lower Appellate Court upon the said issues; and the Memoranda of objections to the said Findings; and upon hearing the arguments of Mr. Government Pleader for the Special Appellant, and of Mr. L. C. Branson, Vakil for the 3rd Special Respondent, the other Special Respondents not appearing in person or by Counsel it appearing that the present Civil Judge has found that the Principal Sudra Anwar of Salem had no jurisdiction to entertain the suit and no substantial objection to this finding having been made by the Vakil for the 3rd Special Respondent, this Court doth order and decree that the Decrees of the Lower Appellate Court and Court of First Instance be, and the same hereby are, reversed, and the original suit dismissed as having been brought in a Court without jurisdiction; and this Court doth further order and decree that the Special Respondents do pay to the Special Appellant Rupees 34-3-2 for his costs in this Special Appeal together with his costs in the Lower Appellate Court and Court of First Instance.

(Signed) W. Holloway
(") S. C. Jones } Judges.

Memorandum

Memorandum of costs.

Special Appellants (4th Dept.) costs.

4 Stamps for Special Appeal } Rs. A. P.
Memorandum ——— } 12-0-0

2 Rs. - for copy of the Origl. Decree - 1-8-0

1 Rs. for copy of the Origl. Judgt. - 8-0-0

4 Rs. for copy of the Appeal Decree - 2-8-0

1 Rs. for copy of the Appeal Judgt. - 8-0-0

3 Rs. Memorandum of objection - 6-0-0

2 Rs. Memorandum of objection - 4-0-0

Government Pleader's fee on Rs. 144-0-0 - 7-3-2

To be paid to the Special Appellants (4th Dept.) by the Special Respondents (Plffs.) } 34-3-2

(Signed) P. P. Houtchins,
Registrar,
Appellate side

S. B. S.

No 85

(1)

From Clement Dale Esquire Government Pleader Madras.
To Colonel C. A. Orr R. E. Secretary to Government P. W. Dept.

Madras 5 June 1866.

Sir

In continuation of the Letter which I had
the honor of addressing to You under the
19th May 1866 No 76] Date and Number noted in the Margin;

I do myself the honor of enclosing for the information
of His Excellency The Governor in Council a Manuscript
Copy of the Decree passed by the High Court in
India C. A. Appeal No 469 of 1864.

I have the honor to be

Sir

Your Obedt. Servant
Clement Dale

Government Pleader:
Madras

8002333/16

J. A. No 469 of
1864.

Proceedings
19th May 1866.

800 1005 2000
The 1st 1/2 of 1st for Mary Allen
from Epidemic
to Secretary to Government

100 97 1000
No. 2333

Detected
Receipt

100 85

(with the letter)

The following is copy of the
letter received by the
1st of Dec. 1894
100 100 100 100 100 100

100 1922 100 100 100
with an order

100 100 100

100 100 100

100 1922

Communicated to the Engineer

standing Engineer of the Division, in
connection of the order of the 29th
100 100 100 100 100 100

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