

(1) Number of pages_____

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(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 708	Press Mis.
26-27	
Dated 1-3	1866.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department.
1st March 1866.

No. 26. Read the following letter from the Government Pleader, Madras, to the Secretary to Government, Public Works Department, dated Madras, 21st February 1866, No. 31 :—

With reference to the letter 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 copy of the Decree passed by the High Court in Special Appeal Suit No: 453 of 1864.

In the High Court of Judicature at Madras, Monday the 20th day of February 1865.

PRESENT.

The Honorable Sir C. H. SCOTLAND, Knight, Chief Justice.

And

The Honorable Mr. Justice HOLLOWAY.

Special Appeal No. 453 of 1864.

Muthusami Naiken ... Special Appellant (9th Plaintiff.)

And

Ramaiyan and eighteen others ... Special Respondents (Defendants.)

L. S.

Special Appeal against the Decree of the Additional Principal Sadr Ameen's Court of Tanjore, in Regular Appeal No. 173 of 1864, confirming the Decree of the District Moonsiff's Court of Mannargoodi in Original Suit No. 31 of 1863.

DECREE.—This Special Appeal coming on for hearing: Upon perusing the grounds of Special Appeal, the Judgments and Decrees of the Lower Appellate Court and Court of First Instance, and the material papers in the suit; and upon hearing the arguments of Mr. Miller, Counsel for the Special Appellant, and of Rajagopala Charlu, Vakeel for the 1st, 5th, 7th, and 13th, and of Mr. Government Pleader for the 18th and 19th Special Respondents—the other Special Respondents not appearing in person or by Counsel—this Court doth order and decree that the Decree of the Lower Appellate Court be, and the same hereby is confirmed, and this Special Appeal dismissed; and this Court doth further order and decree that the Special Appellant do pay to the 1st, 5th, 7th, 13th, 18th, and 19th Special Respondents Rupees 86-8-2, for their costs in opposing this Special Appeal.

(Signed) C. H. SCOTLAND, Chief Justice.

(Signed) W. HOLLOWAY, Judge.

Special Respondents' (1st, 5th, 7th and 13th Defendants) costs :—

	RS.	A.	P.
1 Stamp for Vakalatnamah ...	2	0	0
Vakeel's fee on Rupees 756-4-3 ...	37	12	9
1 Printed copy purchased ...	4	7	4
	41	4	1

Special Respondents' (18th and 19th Defendants) costs :—

	RS.	A.	P.
Government Vakeel's fee, as above ...	37	12	9
1 Printed copy supplied to the Government Vakeel. ...	4	7	4
	42	4	1

To be paid to the Special Respondents (1st, 5th, 7th, 13th, 18th and 19th Defendants) by the Special Appellant (19th Plaintiff) ... 86 8 2

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

Witnesses & respondents not appearing in person
Council,

Proceedings of the Madras Government, Public Works Department.
1st March 1866.

No. 27. ORDER THEREON, 1st March 1866, No. 703.

CIVIL WORKS, No. 3.

Communicated to the Superintending Engineer of the 6th Division, in continuation of the Proceedings of

Government No. 603, dated 6th March 1865.

(True Extract.)

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

To the Superintending Engineer, 6th Division.

Exd. S. T. Augustin.

In the High Court of Judicature at Madras.

Monday, the twentieth day of February,
One thousand eight hundred and sixty
five.

Present.

The Honourable Sir, B. H. Scotland, Knight
Chief Justice.

and

The Honourable Mr. Justice Holloway.

Special Appeals Nos. 53 of 1864.

Muthusami Naikun — Special Appellants.
(9th Plaintiff)

and

Ramayan and 18 others — Special Respondents.
(Defendants)

Special Appeal against the Decree of the
Additional Principal Sone Ancestral Court of
Tanjore, in Regular Appeals Nos. 173 of 1864,
confirming the Decree of the District Munsiff's Court of
Mannargudi in Original suits Nos. 31 of 1863.

Decree:

This Special Appeal coming on
for hearing: Upon perusing the grounds of special
Appeal, the Judgments and Decrees of the Lower
Appellate Court and Court of First Instance, and
the material papers in the suit; and upon hearing
the arguments of Mr. Miller Counsel for the special
Appellant and of Rajagopala Chari, Vakool for
the 1st, 5th, 7th and 13th and of Mr. Government Pleader,
for the 18th and 9th Special Respondents; the other
Special Respondents not appearing in person or by
Counsel,

Council, this Court doth order and decree that the Dues
of the Lower Appellate Court be, and the same hereby is
confirmed and this Special Appeal dismissed, and this
Court doth further order and decree that the Special
Appellant do pay to the 1st 5th 7th 13th 18th and 19th
Special Respondents Rs. 86-0-2 for their costs
in opposing this Special Appeal.

(Signed) B. H. Scotland — Chief Justice

(Signed) W. Holloway — Judge

Special Respondents (1st 5th 7th and 13th Defendants) costs.

1 Stamp for Takalatnamah — 3-0-0
Takalat fees on Rs. 756-4-3 — 37-12-9
1 Printed Copy purchased — 4-7-4 44-4-1
Special Respondents (18th & 19th Defendants) costs —

Government's costs for, viz.

1 Printed Copy supplied to the Government } 4-7-4 42-4-1
Takalat —

- Collected to the Special Respondents
(1st 5th 7th 13th 18th & 19th Defendants) by the } 86-0-2
Special Appellant (9th Plaintiff) —

(Signed) D. D. Hutchins
As. Registrar.
Appellate side

20/12/1866

Deceased in A. D. 1853
1867.

V. N. Dept. No. 743/66.

In looking through the papers in
this bundle my attention has been attracted
to para 6 Captain Keam's letter 31 Dec. 64-
No. 2293.

Surely the off. Sup. Ins. cannot mean
that on a mere application for a Mirasidar,
P. H., a Res. M. H. will issue an injunction of
the kind noted by Captain Keam, or even
as much one?

In Collection on the spot, or the Sup. Ins. will
respond receive notice of the Res. M. H. app. H.
to the District M. H. Ins. (at least, so will there be
subject to the issue of such an injunction.

Sometimes must be wrong in the manuscript
of the down here or we should never have
had on our hands the Andapuram D. A.
case in St. L. D. from a paper usually
circulated in the res. a judicial department.
That the Res. M. H. have been ordered
to pay value, suitable to paper judgment
on what was furnished to them by

Counsel, this Court doth order and decree that the Decree
of the Lower Appellate Court be, and the same hereby is,
confirmed and this Special Appeal dismissed, and this
Court doth so forth.

Appellan
Special
in opposu
Special
1 Stamp
Tals
1 Print
Special
Govern
1 Print
- Tele
C
Special

The late C. Judge (Karni) I have accordingly
sent it back for the fourth time to the
Civil Court for further ruling. They
suppose may occupy an unlimited
period. Is contented that Colonel
Perrin may shall meanwhile remain
there to advise a civil proceedings? -

24.2.66

WV

22/4/66

7:31

From Colonel Pate Esquire Government Pleader Madras
To J. C. S. C. R. C. Secretary to Government S. W. Dept

Madras 21 February 1866

Sir,

21 February 1866 148

With reference to the letter that the
honour of addressing to you under the
date and number noted in the margin.

I do beg of the honour of enclosing for the information
of this authority the Government in favour of a copy of
this case passed by the High Court in Special
Appeal Decree of 1854.

I have the honour to be,

Sir,
Yours most respectfully,
W. D. D. -
Government Pleader
Madras

Council, this Court doth order and decree that the Decree
of the Lower Appellate Court be, and the same hereby is,
confirmed. *At 10. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27.*

Court doth
Appellate
Special
in office

Special
Stamp
Tabled
Print
Special
Govern
Print

Obey
Special

6536 Div 1111
March 1865 -
of the 6th Dec, in continuation of
the Dec of Court No 608, dated 1st
Council & the Supr Engin

e. 23rd Feb 1866. At 26th

Enclosed

To Wth 10/1866 Dept
No. 1 of Court for March 1866
To Secretary to Government
P. M. D.
Dated 21st February 1866
Recd 22nd

At 31
(With an enclosure)
Enclosing copy of the
Decree in Dec. No 453 of
1864 -

e. 27th 08 - 12th March 1866.
With an order

27/4/3/66