

(1) Number of pages 10.
(2) Date of receipt 26.11.40.
(3) Initials of the Referencer C

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. <u>721</u>	Press <u>M</u>
Dated <u>19</u> <u>3</u>	<u>18</u> <u>48</u>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
19th March 1868.*

No. 329. Read the following Despatch from the Right Honorable the Secretary of State for India, (Judicial,) to His Excellency the Right Honorable the Governor in Council, Fort St. George, dated India Office, London, 31st January 1868, No. 2:—

I herewith forward, in duplicate, a copy of Her Majesty's Order in Council, a copy of the Shorthand Writer's Notes of the Argument before the Judicial Committee of the Privy Council, a print of the Judgment, together with a perfect set of the printed papers of the Appeal case noted in the margin,* which I desire that you will place in the hands of the Law Officers of your Government.

* Cavalry Vencata Narainappah, Appellant,
versus
The Collector of Masulipatam, Respondent.

No. 330. [ORDER THEREON, 19th March 1868, No. 721.]

Miscellaneous.

1. Ordered that a copy of this despatch and the papers received with it be forwarded to the Government Pleader.

2. A copy of the Judgment of the Privy Council will be furnished to the Board of Revenue, and they will be requested to report on the question of asserting the right of redemption on behalf of the Crown.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Government Pleader,
the Board of Revenue.

Noted - Subscribed - Signed in large handwriting

High Court of Justice
at London 18th

My dear Friend,

I received your letter of the 11th

and I am glad to hear that you have
been so kind as to write on the subject of the
appellant's Petition for execution inasmuch
the decree of the Privy Council, and applied
for an adjournment. The court however
would only consent to adjourn the hearing
to Wednesday next. The appellant
have applied for a writ of Habeas Corpus
in the appellant and also for a writ
of the decree of the Privy Council and
as such to get the appellant's name put
down in the list of appellants. I will see that he has all the
papers in time for the hearing on Wednesday.
I saw the respondent to the Privy Council
this morning, and it is to the following
effect. The decree of the High Court is reversed.

Handwritten text in a cursive script, likely a ledger or account book, organized in columns and rows. The text is written on a piece of paper that is slightly aged and stained. The columns are separated by vertical lines, and the rows are separated by horizontal lines. The handwriting is dense and fills most of the page.

declared that on the 22nd April 1838 there
 was due to the appellant £1000 ... 6
 and that such sum was duly charged
 upon the debt to the mortgage & on the 22nd of
 April 1838 the appellant is therein entitled
 to hold the fundary against the Crown
 as mortgagor in the amount of principal
 and interest now due - That the above
 declaration is paid to the Crown's claim
 to its mortgage redemption & the fundary
 but will have an equity of redemption
 in the Crown - That the present mortgage
 might be discharged but if the parties
 agree the Privy Council will see to it
 in their order provision for the Crown's
 right of redemption - If the parties do
 not agree the mortgage will cannot be
 discharged without prejudice to the right
 of the Crown to redeem.

That appellant is entitled to the costs
 of the appeal and of the proceedings in
 the Court below under the 14th article of the
 1st January 1838 and also to the general
 costs of the suit except such portion as
 was occasioned by appellant contesting.

Judicial
 No 2

India Office
 London 31st January 1838

My Lord,

I herewith forward
 in duplicate a copy
 of Her Majesty's Order
 in Council, a copy of
 the shorthand writers
 notes of the argument
 before the Judicial
 Committee of the Privy
 Council, a print of the
 judgment, together
 with a perfect set of

I should like to see
 the enclosure to
 come WDN

His Majesty's
 Attorney General

The Right Honourable
 The Governor in Council
 Fort St George.

the printed papers
of the appeal case ⁺ *Cavalry Vencata Narayana*
noted in the margin ⁺ *appealant*
which I desire that ⁹² *The Collector of Manipalpetam*
you will place in the *Respondent*
hands of the dear
Officers of your
Government.

I have the honor to be,
My Lord,

Your Lordship's most
obedient, humble servant

Raffo H. Muthiah

No 24 Judicial
 Pro. of Government for India
 31. July 1868
 The
 Letter to Lord George.
 No 2

E. J. Per. M. J. P. O. S. E. J.

No. 721.

Ordered that a copy
 of this Despatch and the
 papers received with it be
 forwarded to the Governor
 of Madras.

2. A copy of the Judge
 ment of the Privy Council
 will be furnished to the
 of Revenue and they will be
 requested to report on the question
 of asserting the right of redemption
 on behalf of the Crown.

Forwarding her Majesty's
 order together with
 other papers relative
 to the case *Cavalry v. Muncata*
Narainappa, appellant
 vs. the Collector of *Munsulipatam*
 Respondent.

No. 329-330.

With an Order.

Copies to the Secretary of the
 Government of India.