

3524/63
Govt. of 1883 Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 18th April 1883, No. 1048.

B/L 1253 W27-4-83

APRIL.

District Courts.

Passing orders on letters from the High Court requesting that the security of the Court-house at Calicut be at once tested by the Department of Public Works, and suggesting that the appointment of Additional Sub-Judge for the Malabar Division be held in abeyance for the present.

18TH APRIL 1883, No. 1048,

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READ—the following papers :—

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ABSTRACT.—Requesting, with reference to the sanction accorded to the establishment of a temporary Subordinate Court in South Canara, that the usual permanent advance of Rs. 100 may be placed at the disposal of the Subordinate Judge to be drawn from the Treasury at Calicut.

From T. WEIR, Esq., Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, dated Madras, 14th April 1883, No. 1405.

I am directed to forward, for the early orders of Government, a letter addressed to the High Court by F. H. Wilkinson, Esq., District Judge of South Malabar, dated 2nd April 1883, No. 179.

2. The questions raised in Mr. Wilkinson's letter are two, viz. :—

1st.—The security of the present Court-house at Calicut and its capability of accommodating the additional Subordinate Court, recently sanctioned by the Secretary of State (G.O., 12th February, No. 375, Judicial).

2nd.—Whether it is desirable to abstain at present from taking advantage of the sanction to the entertainment of the Additional Subordinate Judge.

3. As regards the building now used as a Court-house, the High Court is of opinion that the District Judge has shown good reasons for requesting that its security be at once tested by an officer of the Department of Public Works, and such steps taken as may be found necessary.

4. If repairs be found necessary and possible, the High Court suggest that advantage be taken of the present adjournment of the Court to carry them out.

5. It is not probable that the new buildings, the plans of which have been approved of in the G.O., 29th March 1883, No. 888 (Miscellaneous), can be completed (even if funds are provided) before two or more years, and meantime the existing Court-house or some other building must continue to be used.

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7. If compensation is to be made, it might be in the shape either of an increased rent or of a partial payment of the expenditure on repairs.

8. As regards the second question, viz., deferring the appointment of the Additional Subordinate Judge, the High Court proposes that Mr. Wilkinson should have the opportunity of observing whether he can for the present and without serious inconvenience to the public dispense with the services of an Additional Subordinate Judge.

9. As the state of the buildings at Calicut appears to be critical, and as it is necessary that whatever may have to be done in the matter of repairs should be done during the vacation, I am to request that early orders may be passed and communicated to the District Engineer at Calicut.

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2. As the High Court will see from the enclosed letter, the building has been, condemned as unsafe by the Department of Public Works. The Sub-Judge has to hold his Court in his private room, and the portion of the building in which the District and Sessions Court is held is considered so unsafe that the District Engineer in 1875 recommended that its use should be discontinued.

3. I have now to provide accommodation for an additional Sub-Court and for the Copyists under the new arrangement; and to locate them in this tumble-down building will probably facilitate its fall.

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ORDER—dated 18th April 1883, No. 1048, Judicial.

The second of the foregoing letters will be referred to the Public Works Department, in view to the issue of early orders for the inspection of the Court-house at Calicut and the submission of an estimate for the necessary repairs.

2. Referring to the Honorable Judges' suggestion as to deferring the appointment of the Additional Subordinate Judge, the Right Honorable the Governor in

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