

B. no 1171 W. 27/18 May 1885

(6) 236/85

Govt. of 1885 Madras.

JUDICIAL.

B. no 1171 W. 27/18 May 1885

Recorded.

CY
27.5

25.5.85

Issued

Recd. 12/5/85

Encl.

G.O., 27th April 1885, No. 1089.

B. no 1171 W. 27/18 May 1885

APRIL.

Suits.

Transmitting, with remarks, to the Secretary of State, papers showing the litigation in the courts of this presidency for 1884, to which Government was a party.

Reg. 130/85

Q. 23.5.85 R. 28.5.85

27TH APRIL 1885, No. 1089, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers :—

From J. W. HANDLEY, Esq., Chief Judge, Small Cause Court, Madras, to the Chief Secretary to Government, dated Madras, 4th February 1885, No. 79.

With reference to the Proceedings of Government, Judicial department, and the order thereon, dated 29th March 1865, No. 484, I have the honor to forward the accompanying statement showing the number of suits instituted in this court during the year 1884, to which Government was a party.

ENCLOSURE.

STATEMENT showing the number of suits to which Government was a party in the Madras Court of Small Causes during the year 1884.

Number of suit.	Plaintiff.	Defendant.	Cause of action.	Remarks.
1884. 20062	The Right Honorable the Secretary of State for India in Council.	Buckingham Canal Company.	RS. A. P. 214 12 0 claim for rent.	Decree for the amount claimed, which was satisfied by payment to the Government Solicitor.
6778	The Right Honorable the Secretary of State for India in Council.	Buckingham Canal Company.	421 10 11 claim for rent.	Decree for the amount claimed, which was satisfied by attachment and sale.
10759	The Right Honorable the Secretary of State for India in Council.	1. Woodroffe and Co. and 2. Cayzer Irvine and Co.	26 10 2 being fees for shipping goods.	Decree for the amount claimed, which was satisfied by payment to the Government Solicitor.

Suit No. 15562 of 1883, Mr. Venkiah Pantalu *versus* the Secretary of State for India in Council, which in the statement of litigation for 1883 was stated to be adjourned to 1884 was dismissed.

MADRAS,
1st February 1885.

(Signed) R. M. MASKELL,
Registrar.

From W. MORGAN, Esq., Deputy Registrar of the High Court of Judicature at Madras, Appellate side, to the Acting Assistant Secretary to Government, dated Madras, 19th March 1885, No. 909.

I am directed to forward the statement showing the extent of litigation in which the Government were a party in the High Court and the Courts subordinate to it during the year 1884.

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* Suits under the Land Acquisition Act X of 1870.

From the Acting Registrar of the High Court of Judicature at Madras, Appellate side, dated 10th April 1885, No. 1158.

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The foregoing papers, showing the litigation in the courts of this presidency for the year 1884 to which Government was a party, will be transmitted to the Secretary of State.

2. Judgment was passed in favor of Government and full satisfaction entered up in the three suits filed during the year in the Madras Court of Small Causes. The suit pending from 1883 was dismissed at the adjourned hearing in January 1884.

3. Of the 3 original suits on the file of the High Court, 1 was decided in favor of, and 1 against, the Government. The remaining suit has not yet been decided. There were 23 regular appeals pending, in 9 of which Government was appellant, and in 14 respondent; of these 17 were decided during the year, 11 being in favor of, and 6 against, Government. Of the 6 summary appeals, 3 were decided in favor of Government and 1 against them.

4. In the provincial courts there were pending at the beginning of 1884, 184 original suits, 36 of which were brought by, and 148 against, Government; of the former, 21 were decided against, and 6 in favor of, Government; of the latter, 50 cases were decided in favor of, and 21 against. Of the 18 appeals pending, 7 were decided in favor of, and 4 against Government. Of the 8 summary appeals 6 were decided, judgment in all being in favor of Government.

5. Judgment was given in 27 original suits brought by Government; of these only 22 per cent. were decided in favor of Government, as against 90 per cent. in 1883. These figures seem to show that sufficient care is not always exercised before suits are brought.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Honorable the Judges of the High Court, with C.L.
 „ Judges, Small Cause Court.
 „ Revenue department.
 „ Financial department.
 „ Military department.
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Exd. J. Wright.

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J. S. S.
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ENCLOSURE.
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Names.	ORIGINAL SUITS.						REGULAR APPEALS.						SUMMARY.					
	Government, Plaintiff.			Government, Defendant.			Government, Appellant.			Government, Respondent.			Government, Plaintiff or Appellant.			Government, Defendant or Respondent.		
	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.
High Court	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17
Arcoot (North)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Arcoot (South)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Bellary	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Canara (South)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Chingleput	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Coimbatore	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Nilgiris	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Cuddapah	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Ganjam	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Godavari	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Kistna	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Kurnool	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Madura	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Malabar (North)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Malabar (South)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Nellore	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Salem	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Tanjore	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Tinnevely	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Trichinopoly	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Vizagapatam	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Ganjam (Agency)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Godavari (Agency)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Vizagapatam (Agency)	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Total	36	6	21	27	22	78	151	51	22	73	69	31	36	6	21	27	22	78

* Suits under the Land Acquisition Act X of 1870.

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4. In the provincial courts there were pending at the beginning of 1884, 184 original suits, 36 of which were brought by, and 148 against, Government; of the former, 21 were decided against, and 6 in favor of, Government; of the latter, 50 cases were decided in favor of, and 21 against. Of the 18 appeals pending, 7 were decided in favor of, and 4 against Government. Of the 8 summary appeals 6 were decided, judgment in all being in favor of Government.

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	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total decided.	Percentage of cases decided in favor of Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total decided.	Percentage of cases decided in favor of Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total decided.	Percentage of cases decided in favor of Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total decided.	Percentage of cases decided in favor of Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total decided.	Percentage of cases decided in favor of Government.	Total number of cases pending.	Decided in favor of Government.	Decided against Government.	Total decided.	Percentage of cases decided in favor of Government.		
High Court ..	..	..	..	..	50	9	3	6	50	14	8	3	11	73	27	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Arco (North)	..	..	..	..	100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Arco (South)	17	..	..	..	50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Bellary	..	..	..	..	100	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Canara (South)	..	..	..	..	100	5	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Chingleput	..	..	..	..	20	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Combatore	..	..	..	..	80	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Nilgiris	..	..	..	..	50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Cuddapah	..	..	..	..	50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Ganjam	..	..	..	..	20	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Goavari	..	..	..	..	83	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Kistna	..	..	..	..	17	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Kurnool	..	..	..	..	11	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Madura	..	..	..	..	88	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Malabar (North)	..	..	..	..	100	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Malabar (South)	..	..	..	..	100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Nellore	..	..	..	..	50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Salem	..	..	..	..	100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Tanjore	..	..	..	..	73	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Tinnevely	..	..	..	..	80	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Trichinopoly	..	..	..	..	25	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Vizagapatnam	..	..	..	..	100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Ganjam (Agency)	..	..	..	..	4	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Godavari (Agency)	..	..	..	..	33	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Vizagapatnam (Agency)	..	..	..	..	67	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Total ..	36	6	21	27	22	78	151	51	22	73	69	31	10	4	3	7	57	43	31	14	7	21	67	33	2	1	1	2	50	12	8	100

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Arcot (North)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Arcot (South)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Bellary	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Channarayana	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Chingleput	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Chittoor	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Cuddapah	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Ganjam	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Godavari	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Krishna	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Kurnool	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Madura	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Malabar (North)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Malabar (South)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Nellore	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Salem	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Tanjore	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Tinnevely	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Trichinopoly	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Vizagapatnam	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Ganjam (Agency)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Godavari (Agency)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Vizagapatnam (Agency)	1	1	1	1	1	1	100	100	100	1	1	1	1	1	1	1	1	1
Total	36	6	21	27	22	78	151	51	22	73	69	31	10	4	3	7	43	31

* Suits under the Land Acquisition Act X of 1870.

From the Acting Registrar of the High Court of Judicature at Madras, Appellate side, dated 10th April 1885, No. 1158.

ORDER—dated 27th April 1885, No. 1089, Judicial.

The foregoing papers, showing the litigation in the courts of this presidency for the year 1884 to which Government was a party, will be transmitted to the Secretary of State.

2. Judgment was passed in favor of Government and full satisfaction entered up in the three suits filed during the year in the Madras Court of Small Causes. The suit pending from 1883 was dismissed at the adjourned hearing in January 1884.

3. Of the 3 original suits on the file of the High Court, 1 was decided in favor of, and 1 against, the Government. The remaining suit has not yet been decided. There were 23 regular appeals pending, in 9 of which Government was appellant, and in 14 respondent; of these 17 were decided during the year, 11 being in favor of, and 6 against, Government. Of the 6 summary appeals, 3 were decided in favor of Government and 1 against them.

4. In the provincial courts there were pending at the beginning of 1884, 184 original suits, 36 of which were brought by, and 148 against, Government; of the former, 21 were decided against, and 6 in favor of, Government; of the latter, 50 cases were decided in favor of, and 21 against Government. Of the 18 appeals pending, 7 were decided in favor of, and 4 against Government. Of the 8 summary appeals 6 were decided, judgment in all being in favor of Government.

5. Judgment was given in 27 original suits brought by Government; of these only 22 per cent. were decided in favor of Government, as against 90 per cent. in 1883. These figures seem to show that sufficient care is not always exercised before suits are brought, and the High Court will be asked to afford such explanation as the detailed information at their command admits of.

(True Extract.)

Justice

Chief Secretary.

To the Honorable the Judges of the High Court, with C.L.
Judges, Small Cause Court.
" Revenue department.
" Financial department.
" Military department.
" Public Works department.

NOTE.—To be substituted for order of the same number and date.

Exd J. Wright.

B. No 1171 W. 27 18 May 1885

(6) 4236/85

Govt. of 1885 Madras.

JUDICIAL.

B
B. No 1171 W. 27 18 May 1885

S.C.

Recorded.

CY
22.5

25.5.85

Issued

Recd. 12/5/85

Encl.

G.O., 27th April 1885, No. 1089.

B. No 1171 W. 27 18 May 1885

APRIL.

Suits.

Transmitting, with remarks, to the Secretary of State, papers showing the litigation in the courts of this presidency for 1884, to which Government was a party.

130/5.

Q. 23.5.85. Q. 28.5.85