

8856

Public Works (1896) Department.

G.O., No. 2988 *W*

DATED 21st Oct^r 1896

[Despatch Abstract.]

Appeals: Pro: Judicial Dept. Courts: Call & C.
Magistrates letter from the Govt. Pleader requesting
that instructions may be issued for authenticating
copies of judgments being sent in future instead
of originals in cases in which - have to be pre-
ferred to the High Court, Court of officers of
the P.W.D.

T.C.
21/10

30/10

1.5.467
R7/100

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—the following paper:—

From N. SUBRAHMANYAM, Esq., Acting Government Pleader, to the Chief Secretary to Government, dated Madras, 3rd September 1896, No. 722.

I have the honour to forward herewith a copy of a letter received by me from the Registrar of the High Court. It will be seen from that that he takes objection to my filing the original judgments in two appeals against acquittals that I have filed, and points out that copies of such judgments should be filed. Section 419 of the Criminal Procedure provides that every appeal shall be accompanied by a copy of the judgment or order appealed against. It would seem, therefore, that the Registrar is technically correct when he requires a copy of the judgment. I am also of opinion that on consideration of public convenience the original (autograph) judgments should be retained in the record and authenticated copies of such judgments should be sent to me to be filed in court. This will enable either of the parties to obtain a copy of the judgment whenever it may be wanted, whereas if the original itself be sent here and filed in court, parties would be put to considerable inconvenience.

2. I therefore request that instruction might be issued to all District Magistrates and other officers that, in future, whenever judgments are sent to me for the purpose of being filed in court authenticated copies of such judgments may be sent and not the originals.

ENCLOSURE.

From D. W. G. COWIE, Esq., Registrar, High Court, Appellate Side, to the Acting Public Prosecutor, dated Madras, 15th July 1896, No. 1218-J.

With reference to Criminal Appeals Nos. 198 and 258 of 1896 on the file of this court put in by you, I have the honour to point out that the original (autograph) judgments of the first-class Magistrate of Tanjore and of the second-class Magistrate of Mannargudi in Criminal Appeals Nos. 71 and 72 of 1895 and Calendar Case No. 22 of 1896 on their respective files which you have presented with your said appeals ought not to have been separated from the record and put in, but that copies of them should have been obtained and presented.

ORDER—No. 1496, Judicial, dated 15th September 1896.

The Government Pleader's letter will be communicated to all District Magistrates for information and guidance.

(True Extract.)

J. Williams
for Chief Secretary.

To all District Magistrates.

Copy to the Inspector-General of Prisons.

" " of Police.
" " Commissioner of Police, Madras.
" " Revenue Department.
" " Public Works Department.
" " Government Pleader.

Exd. C. M. Thumbuswamy.

Public Works Department
Government { 1896 } of Madras.
JUDICIAL.
—

Recd.

Regd.

} 1896.

Enclosures

Spare copies

G.O., No. 1496, 15th September 1896.

SEPTEMBER.

Appeals to the High Court.

Communicating to all District Magistrates letter from the Government Pleader requesting that instructions may be issued for authenticated copies of judgments being sent in future instead of originals in cases in which appeals have to be preferred to the High Court.

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" " Government Pleader.

No. 2988 W of 21st Oct 1896.

Communicated to officers of

the P.W. Department.

Exd. C. M. Thumbuswamy.

(Signed) J. F. Price
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To the Chief Engr: for Engrs:
" Consultg: Engr: for Railways:
" Superintending Engrs:
" Consultg: Architects to Govt:
" Examiners P.W. Accounts

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16 2988 W 7 21 Oct 1896
Communicated to officers of

the P. W. D.

(Signed) D. Mc Ne
W

To
The Chief Engr: for Design:
" Consultg Engr: for Railways:
" Suptg: Engineers
" Consultg: Architect to Govt:
" Examiner P. W. accounts

Public Works Department
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