

Public Works (1897) Department.

G.O., No. 829 W

DATED 22 March 1897

[Despatch Abstract.]

Disbursement: Authorizing the S. & VI. Civil
to disburse certain sums of money in con-
nection with appeal suit no-88 of 1884 brought
before the High Court by a contractor for pay-
ment for work done on the Periyar Channels.

Public Works.

Judicial (1897) Department.

CURRENT No. 2658

From

The Govt Pleader
Madras

Order

No. 229.

Dated 12-3-97

Received 13-3-97

Registered 13-3-97

Enclosures returned P.W. Memo

Spare copies No. 1374 C.O. 10-3-97 P.W.C. No. 1865
+ Memo 918 C.O. 12-2-97.

SUBJECT.

is taking that he has checked
the sub judge's calculations and
found them to be correct, the
amount asked for by the
Govt Solicitor must also be
refunded to that office

No 1374C, dt 10-3-97
 1023C, 19-2-97
 918C, 12-2-97
 61C, 6-1-97
 5046C, 23-12-96
 8W, 4-1-97
 3446C, 28-9-96
 2694W, 23-8-96
 2943W, 18-11-95
 1071W, 16-5-95
 954W, 24-4-95
 593W, 12-3-95
 2727W, 26-10-94
 2651W, 19-10-94
 1720W, 10-7-94
 1779C, 26-4-94
 1661C, 12-4-94
 2854W, 6-11-93
 2634W, 16-10-93
 45W, 11-1-93
 3296W, 2-12-92
 4602C, 4-11-92
 2797W, 7-10-92
 1229W, 13-4-92
 2507W, 18-9-91
 429W, 23-6-91
 1617W, 15-6-91
 3366W, 26-XI-89
 2914W, 16-X-89
 4389C, 1-10-89
 4262C, 23-9-89
 4204C, 17-9-89

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Government Pleader's Office,

HIGH COURT,

Madras, 12th March 1897.

No. 229.

From

E. B. POWELL, Esq.,

GOVERNMENT PLEADER,

Madras,

To

THE Secretary to Government,
 Public Works Department.

SIR,

**
 Enclosures returned*

Referring to your Enclosurement N^o 1374 C of
 the 10th instant I have the honor to state that I have
 checked the calculation of the Subordinate Judge and
 found that the sum of Rs 174.15.0 referred to in the
 Superintending Engineer's letter N^o 140 and of the 6th Febry.
 1897 to be correct. This amount as well the sum of
 Rs 241.5.1 claimed by the Government Solicitor, Madras,
 should be paid in addition to the sum of Rs 6654/14/4
 entered in the expenditure account.

I have the honor to be,

Sir,

Yours most obed^t Serv^t,

E. B. Powell

Government Pleader

Public Works (1897) Department.

CURRENT No. 2409

11374 of 10th March/97

~~Order~~ Quot.

113.97

Forwarded to the From

Govt. Pleader Master, with The Supd Engineer
reference to his letter No. 153
dated 16th February 1897.

No. 321 ms

2. A further endorsement
from the Supd Engineer VI under

No. 240 M.D. dated 18th Feb 1897, with the High Court's

Dated 4th March 1897

1897, with the High Court's

Received 8.3.97

decree is also transmitted.

Enclosures 1

3. The favour of opinion

Spare copies

is now requested as to whether

the sum of Rs 174-15-0 mentioned

in the Supd Engineer's letter No. 170

M.D. of 6th Feb 1897, as well

the sum of Rs 375-5-1 claimed

from the Govt. Solicitor, should

be paid in addition to the

sum of Rs 6652-14-4 entered

in the execution petition.

SUBJECT.

Execution Petition

put in by Zaratagutta

raida — Forwarding

the —

John Parnham Counsel Rs.

Ch Secy to Govt.

10 The Govt. Pleader Master, with P.W. Circular No. 1965

FURTHER PAPERS.

No 321 ind.

Sub/Ringius offic' Circle
Df. 4 March 1897
o/s.

From

Lieut Col O. V. Boddy R.
Superintendent Circle

W

The Chlorogenic Acid

Dir.

Enc: 1.

With reference to your telegram dated 19th February 1897, I have the honor to forward the execution petition put in by Yerabagudalakaidu, in connection with the decree in Appeal Suit No. 88 of 1894 on the file of the High Court, and to request that the same may be returned when no longer required.

I have the honor to be

Liv.

Yours most obedient Servant.

J. F. Hoadly, Lieutenant

Superfingines blirde

L.O. No 276

Public Works (1897) Department.

CURRENT No. 1865

Cur 1458/97

Order

From

The Supg Engineer
62 Circle

No. 240 m D

Dated 18th February 1897

Received 19-2-97

Enclosures 2.

Spare copies

SUBJECT.

Appeal suit no 88 of
1894 on the file of the
High Court.

Forwarded for orders copy
of letter from the Govt
Solicitor, Madras, request-
ing to refund Rs 371-5-
being the amount recovered
from the Plaintiffs for the
costs of the defendant in
the lower court.

BACK PAPERS.

FURTHER PAPERS.

Registered

Ex 12

Madras, 9th January 1897.

Rome

Ernest Barclay
Government Solicitor, Madras.

20

The Executive Engineer
Madura Division - Madura -

Lin

With reference to my letter of the
12th January 1895 no 4 with which I sent you
a Remittance Transfer Receipt for Rs 371.5.1,
I have now to request that you will return
me that Sum.

2 You will remember that by the Decree of the Subordinate Court of Madras West, dated 29th September 1893 and passed in Original Suit No. 22 of 1892, wherein Yeralagadda Raidu and Annamakutti Ammal were plaintiffs and the Secretary of State for India in Council was defendant, the Suit was dismissed and the Plaintiffs were ordered to pay the Defendants' costs, Rs. 371.5.1, the amount I recouped and sent you.

3. The Plaintiffs appealed to the High Court herein Appeal No. 88 of 1894 and by the decree of the High Court dated 6 July 96 copy of which I forward for your perusal and

and for favour of return, the decree of the lower Court was reversed and the Defendant was ordered to pay to the 1st Plaintiff Rs 5595.9.4 with interest, together with Rs 558.3.1 for the 1st Plaintiff's proportionate costs in the High Court and Rs 415.14.11 for his proportionate costs in the lower Court. In the High Court Judgment (See last para) copy of which is also forwarded for your perusal and return, the Court directed that the defendant should pay his own costs and should not be allowed proportionate costs on the amount of Plaintiff's claim disallowed.

4. I have now been called upon by the Plaintiff's Vakil for a refund of the sum of Rs 371.5.1 which I recovered and I shall be obliged if you will enable me to make such refund.

Yours truly,

Sydney Ernest Barclay
Government Solicitor.

No. 598.5.8
13.2.97

Forwarded in Original to the Superintending Engineer to Circle for favour of orders regarding the payment, or rather the refund, of Rs 371.5.1 to the Government Solicitor.

Enclosures 2
1. Judgment
1. Decrie.

Solicitor.

2. The above sum received in January 1895 was credited under "Provincial Establishment Contingencies, Law Charges" in the accounts of that month.

3. The judgment and decree are herewith sent for information and kind return.

Sydney A. Joyce

Assistant Engineer

Madras Dy.

No. 240 M. D. of 18th February 1897
D/18

Enc. 2

Copy submitted to the Chief Engineer RWD for orders of Government as to the refund of Rs 371.5.1, referred to above under the circumstances stated by the Government Solicitor.

2. Copy of ^{the} decree and judgment of the High Court are herewith forwarded for information and favor of return.

P. V. Boddy Lieut Col R.R.

Superintendent Engineer (Circle)

ad

Public Works (1897) Department.

CURRENT No. 1458

No 918 C of 12 Feb 1897

Order Sur-

Referred to the
Govt. Pleader, Madras, with
reference to his letter No
4 dated 5th January 1897,
for favour of information
whether the additional
claim now put forward
is correct.

J. H. C. Canalell Colonel R.S.
Secretary to Govt.
P.W.D.

From

The Supg Engineer
b: circle

No. 170-M.D

Dated 6-2-97

Received 10-2-97

Enclosures 1.

Spare copies

SUBJECT.

Decree in appeal suit no
88 of 1894 on the file of
the High Court.

Forward for orders copies of
letters of the Subordinate
Judge, Madras West & the
Chief Engineer, Madras Dr.,
in regard to payment of
Rs 174-15-0 still due to
the plaintiff in complete satis-
faction of the -



Greene

1. Interest on the principal \$ 5595-7-4
from 1st October/96, the date up to which in-
-terest is calculated in the plffs applic-
for execution of the decree up to 19-1-97
the date on which the plaintiff received
the cheque for Rs 6654-14-4 (3 months &
19 days) at 5% per annum. 101-10-5.

2. Court fee on the Plaintiffs application
to write to the Gov. Engr to remit the money
and process service fee 1-8-0

3. Valuers fee on Rs 6758-0-0 being total
of the amount of the cheque and of
items 1 & 2 71-4-7

4. Court fee on the Plaintiffs application
to write to the Gov. Engr to remit the amount
mentioned in this memo. 0-8-0

174-15-0

Sgt. T. Ramasamy, Engineer
Subordinate Judge.

(True copy)

J. F. Bodilly

Chas. D. E.

Supr. Ingr, Th. Cwick

From T. Ramaswami Senguttu,
Subordinate Judge, Madras Dist. &
the Executive Engineer, Madras DN,
No. 37 of 26 January 1897:—

In acknowledging the receipt
of the Cheque No. 49 M. of 12 January
1897, which accompanied your letter
No. 16 M. of 14th idem I have the honor
to state that a sum of Rs 174-15-0
as per memo annexed is still due
to the plaintiff in complete satis-
faction of the decree debt in A.S.
No. 88 of 1894 on the file of the High
Court of Judicature at Madras (O.S.
No. 22 of 1892) and to request that you
will be so good as to remit the said
amount to this Court as early as possible.
Items 1 to 3 in the Memo annexed have
already been claimed by the plaintiff
in his application for execution, a
copy of which has already been sent
to you as requested, but omitted to
be included in the amount of the
Cheque sent by you.

Recd. L. 1
1458/97

No. 575 S.E. of 2 February 1897.

Forwarded to the Superintendant
Mair, for favour of orders for the pay-
ment of the sum claimed by the Sub-
ordinate Judge of Madras Dist.

A sum of Rs 6,654-14-4 has
been sent to Court under instruction
conveyed in Chief Engineer's Memo-
-andum No. 61C of 6 January 1897, Com-
-municated to me in your No. 14 dated
of the 8th idem.

Signed. A. Joyce
L. V. Engr, Madras Dist.

No. 170 m.D. of 6th February 1897.
1897

Copy, with copy of the envelope,
is submitted to the Chief Engineer,
P. W. D., for orders, with reference to
the decree in appeal Suit No. 88 of
1894 on the file of the High Court.

L. W. 1

J. V. No. 1111 Lt Col. R. E.
Superintendant, Mair