Public Works (1898) Department.

G.O., No. 774 W

DATED 22 March 98

[Despatch Abstract.]

District Munsifs' Courts: Prov. Financial Dept.

Recording Prov. Judicial Dept. in regard to the establishment of four new — in this presidency, recorded.

[P. W. 25.
1,000—2-3-98]

Indexed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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Public Works (1898) Department.

CURRENT No. 2456

From The Financial Dept

Order No. 774 W 22-3-98.

Recorded

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Enclosures — 2
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SUBJECT.

District Municipal Courts.

Recording Pros, Judicial Dept., in regard to the establishment of four new — in this Presidency.

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

Copy of Note by His Excellency the Governor, dated 18th January 1898:-

X X X

X X If necessary, I am prepared to acquiesce in a further curtailment of public works, in order that these additional courts may be established. X X X

Copy of note by the Honourable Sir Henry Bliss, K.C.I.E., dated 24th January 1898, and initialled by the Honourable Mr. J.Grose C.I.E., on the 26th January 1898.

X X X

X X The Rs.15,000 we have provided in the Budget will suffice for so much expenditure on the new Courts as it will be necessary to incur in 1898-99. If not, we can, if the new Courts are sanctioned, make a transfer from the Public Works Department subsequently.

Government {1898} of Madras.

JUDICIAL.

Recd.	1898.	*Enclosures*
Regd.		*Spare copies*

G.O., No. 344, 28th February 1898.

FEBRUARY.

District Munsifs' Courts.

Accepting the recommendations of the Hon'ble the Judges of the High Court in regard to the establishment of four new — in this Presidency, and addressing the Government of India on the subject.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—the following paper :—

From D. W. G. COWIE, Esq., Registrar of the High Court of Judicature, Madras, to the Chief Secretary to Government (through the Accountant-General, Madras), dated 13th September 1897, Ref. on Cur. No. 1167.

In the Registrar's letter, No. 2258, dated 12th September 1891, the High Court in view of the steadily increasing growth of work in the District Munsifs' Courts proposed the addition of six to the number of those courts. This recommendation was accepted by the Government and the sanction of the Government of India to the proposal was communicated to the High Court in G.O., No. 48, Judicial, dated 9th January 1892. It was shown in the letter above quoted that during the seven years ending with 1890 the institutions in the District Munsifs' Courts had increased by 24,394, but in more recent years the increase has been even more rapid as will be seen from the figures given in the margin which show that the institutions of 1896 exceeded those of 1890 by 39,381 causes. I am to say that the Judges consider that the necessity for further assistance is thus clearly demonstrated. They have had under their careful consideration the state of work in the several districts and are of opinion that the present establishment is inadequate and to meet the more pressing requirements they would advise the addition of four more permanent courts, one in each of the districts of Gódávari, Kistna, South Arcot and Madura which are most in need of assistance. The circumstances that render the proposed addition essential are detailed below.

Year.	Number of causes in District Munsifs' Courts.
1890	157,818
1891	153,651
1892	177,769
1893	182,546
1894	193,711
1895	194,300
1896	197,199

2. *Gódávari.*—Until 1877 there were six District Munsifs' Courts in this district. In that year a seventh was added and in 1884 a Subordinate Judge's Court was established at Ellore where it remained until it was transferred to Kistna at the end of 1895. The institutions in the District Munsifs' Courts declined to some extent after the establishment of the subordinate court above mentioned but with the opening of the East Coast Railway and the consequent expansion of trade they steadily increased. On the removal of the Subordinate Judge's Court to Kistna, the work in the District Munsifs' Courts at once largely increased and the total of their files for 1896 was 5,143 original suits and 8,933 small causes. The number of contested causes has also advanced, the average file per court for the three years, 1894, 1895, 1896, being 338 contested original suits and 260 contested small causes. There does not seem to be any probability of the work decreasing and under the circumstances the High Court is satisfied that relief in the shape of an additional permanent court is essential. The new court should be located at Bhimavaram to relieve the courts at Ellore and Narsapur which are most in need of assistance (the former in particular). The aggregate of the files of these two courts in 1896 was 1,881 original suits and 3,102 small causes and at the close of the year the arrears amounted to 954 original suits and 697 small causes. The District Judge's proposals in the matter of the re-distribution of jurisdictions are approved by the High Court.

3. *Kistna.*—In 1892 the number of District Munsifs' Courts in the Kistna district was raised to six by the establishment of a court at Gudiváda with the object of relieving the pressure of work in the courts at Bezwada and Masulipatam. From the commencement of 1896 the Subordinate Judge's Court at Ellore in Gódávari was transferred to the Kistna in consequence of the state of the files of the Kistna District Court—*vide* correspondence printed with G.O., No. 2575, Judicial, dated 13th December 1895; but it must not be forgotten that this court before its transfer had

for four years exercised jurisdictions over two Munsifs in the Kistna. In spite of the assistance thus afforded the work in the District Munsif's Courts has continued to be exceedingly heavy, the average total file for the last five years being 4,243 original suits and 7,857 small causes, while during this period the total number of contested causes has risen from 1,529 contested original suits and 1,261 contested small causes in 1892 to 2,028 and 1,946, respectively, in 1896. These figures in the opinion of the Judges warrant the request for further help, it being impossible to make any re-arrangement of jurisdictions that would meet the case. All the existing courts are fully occupied, while it is necessary to give substantial assistance to those at Gudiváda, Bapatla and Guntúr.

The average file of these three courts taken together for the last three years has been 1,926 original suits and 4,096 small causes and they have in those years disposed of an average of 1,240 contested original suits and 1,017 contested small causes. In other words the work that came before these was more than sufficient to occupy four courts. The High Court approves the proposal of the Subordinate Judge (whose carefully prepared report is enclosed) that the new court should be located at Répalle. It also approves the changes in the jurisdiction of the several courts suggested by him.

4. *South Arcot.*—A sixth District Munsif's Court was added to the establishment of this district in 1892. Institutions in the District Munsifs' Courts have since continued to increase steadily and the totals of the files for the last six years, given in the marginal statement, show how great must have been the pressure on the existing staff. Further, turning to contested causes it is found that the average file per court for the last three years has been 442 contested original suits and 229 contested small causes, whereas in 1889–90 the corresponding average was 248 original suits and 135 small causes. Making due allowance for the fact that causes in this district are generally of a light character, it is clear that the work is more than six courts can be expected to perform satisfactorily and that the addition of another court is urgently called for. The District Judge is of this opinion and the High Court concurs with him. Of the present courts those at Cuddalore and Chidambaram are the most heavily burdened with work which would be effectively reduced by the location of the new court at Cuddalore and the changes in jurisdiction proposed by the district Judge.

Year.	Institutions in the District Munsifs' Courts.	
	ORIGINAL SUIT.	SMALL CAUSE.
1891	4,284	5,111
1892	5,311	5,952
1893	5,454	6,424
1894	5,904	7,230
1895	5,956	8,020
1896	5,770	7,690

5. *Madura.*—Since 1892 there have been six District Munsifs' Courts in the Madura district, the additional court at Sivaganga having been given permanent jurisdiction in the district in that year. In the interval the work of the courts has grown rapidly and in 1896 the average file amounted to 801 original suits and 1,370 small causes and that of contested causes to 390 original suits and 324 small causes. The average file of contested causes in 1892 was 212 original suits and 208 small causes. In other words the courts now have to deal with nearly double the work they had five years ago and the pressure placed upon them is too great. It is in the opinion of the High Court essential that it should be lessened and the only means of effecting this is to make an addition to the number of courts.

The court that most requires immediate and permanent relief is that at Dindigul. The District Judge accordingly has suggested that the new court should be placed at Periyakulam and proposes certain modifications of the jurisdictions of the courts at Madura and Tirumangalam of which the High Court approves.

6. As to how the four appointments now proposed should be apportioned among the several grades of District Munsifs, the High Court suggests that one appointment should be added to each grade. Thus the strength of each of the three higher grades would be 31 officers and that of the fourth grade 25, while the salaries of the new appointments would aggregate Rs. 1,150 *per mensem.*

7. As to the ministerial establishments which must be provided for the new courts, the Judges, on consideration of the probable quantity of work in each court, propose to assign to them establishments of the following grade and class, respectively :—

Gódávari 2 *b*, Kistna 2 *a*, South Arcot 2 *a*, Madura 2 *b*.

8. It is necessary also to determine the scale of process service and copyist establishments required. The statement in the margin shows the average annual balance of receipts over charges on account of processes and copies in each district. It will be observed that the additional expenditure will be satisfactorily covered. In South Arcot the central establishment will be able to perform the additional work with a slightly increased staff, and in Madura the existing courts will be in a position to transfer a portion of their process service establishments to the new court.

District.	Average surplus of the last five years, Process and Copyist establishments.	
	Process.	Copyist.
	Rs.	Rs.
Gódávari	33,741	7,123
Kistna	39,782	5,717
Arcot (South) ..	19,587	2,004
Madura	47,893	7,196

9. The accompanying statement shows the aggregate additional expenditure that the adoption of the High Court's proposals would involve. The new courts should however in effect cause little, if any, real additional expense, for their receipts as in the case of other courts will in all probability exceed their cost:—

		Rs.
Pay of four new munsifs		
Regular establishments	2 of 2*a* grade	1,150
	2 of 2 *b* „	382
		352
	Total ..	1,884

	Rs.	As.	P.
3 Deputy nazirs on Rs. 25 each	75	0	0
2 Amins on Rs. 20 each	40	0	0
9 „ on Rs. 15 „	135	0	0
26 „ on Rs. 12 „	312	0	0
17 Peons on Rs. 8 „	136	0	0
34 „ on Rs. 7 „	238	0	0
39 „ on Rs. 6–8 each	253	8	0
3 Examiners on Rs. 20 each	60	0	0
6 Copyists on Rs. 10 each	60	0	0
Additional cost consequent on regrading South Arcot Central Copyist establishment	10	0	0
Total ..	3,203	8	0

or Rs. 38,442 per annum.

10. In conclusion the High Court would urge the necessity of providing the four new courts at once and I am to request therefore that His Excellency the Governor in Council may be pleased to address the Government of India with a view to obtaining the sanction required under section 4 of the Civil Courts Act, III of 1873, and to issue orders for the establishment of the courts at as early a date as may be possible.

11. Appended is a statement showing in detail the amount of work in the District Munsifs' Courts of the four districts—Gódávari, Kistna, South Arcot and Madura—for the past five years. The required proposition statements and copies of the letters of the District Judges and the Subordinate Judge of Kistna are also enclosed.

Enclosures.

From S. RUSSELL, Esq., District Judge of Madura, to the Registrar of the High Court of Judicature, dated 7th December 1896, No. 764.

Adverting to the High Court's Proceedings, dated 18th November, No. 1017, I have the honour to submit my proposals for the establishment of a permanent District Munsif's Court at a fixed station and for a re-distribution of the territorial jurisdictions of the several District Munsifs' Courts of the district excepting the District Munsifs' Courts of Paramagudi, Sivaganga and Mánámadurai.

2. First, as regards the location of the proposed court, I am of opinion, on full consideration, that the court should be permanently located at Periyakulam and should be styled the District Munsif's Court of Periyakulam.

3. I forward a statement showing the proposed re-distribution and the number of suits instituted in the last three years.

4. As for the establishment of the new court, I beg to submit that it should be placed under 2nd-class A consisting of—

	Rs.
A District Munsif—	
One head clerk	40
One clerk	25
Do.	20
Two clerks, each on Rs. 17	34
Three clerks, each on Rs. 15	45
Court-keeper	8
Two peons, at Rs. 7 each	14
One sweeper	5
Total ..	191
Copyist—	
One examiner	20
Three copyists	30

Nazarat.—I recommend that the Deputy Nazir's pay be Rs. 30. It will be necessary, I think, to sanction 20 new process-servers. There are 64 at present in Dindigul. I propose to take 20 of these and 5 can be spared from the Central Nazarat. With 20 more, the number for Periyakulam will be 45. This is not too many seeing that the hill tracts are attached to the court. I propose to take 3 Amins from the Dindigul Munsif's Court and one can be spared from the Central Nazarat. Nine are required altogether for the new court. Of these 9, two will be process-writers. The proposed establishment list is submitted showing new establishment to be sanctioned.

5. I request early orders.

6. Further estimates will be submitted for house-rent and furniture, &c., on receipt of orders on this letter from one High Court.

From M. D. BELL, Esq., Acting District Judge, to the Registrar of the High Court of Judicature, Madras, dated Rajahmundry, 17th April 1897, No. 1655.

Adverting to the Proceedings of the High Court (Ref. on Cur. No. 212), dated 20th February 1897, I have the honour to report that one permanent addition to the number of Munsifs in my district appears to me to be absolutely necessary.

2. Until 1877 there were only six District Munsifs' Courts in this district. The average institutions in all the six courts together, for the three years preceding 1877, was 9,000 (O. S. 3,825 and S. C. 5,175). This figure afforded a basis for the establishment in August 1877 of a permanent additional court at Tanuku.

3. The average institutions in all the seven courts for the three years preceding the establishment in 1884 of a Subordinate Judge's Court at Ellore was 9,542 (O. S. 4,750 and S. C. 4,792), but at the end of three years, this average was, owing to the existence of the sub-court, reduced to 7,688 (O. S. 3,059 and S. C. 4,629).

4. The increasing prosperity of the district and the opening of the East Coast Railway have, however, increased the files of the seven courts, and the average for the three years ending 31st December 1895 was 10,831 (O. S. 3,765 and S. C. 7,066). With the abolition from the 1st January 1896 of the Subordinate Judge's Court at Ellore, the institutions have now reached the abnormal figure of 14,346 (O. S. 5,413 and S. C. 8,933). The total number of suits the seven District Munsifs had for disposal in 1896 was 16,440, of which they disposed of 13,922, leaving 1,968 original suits and 550 small causes pending at the end of the year. The District Munsifs of Ellore (652), Tanuku (404) and Narsapur (302) alone had 1,358 ordinary suits pending at the end of 1896.

5. The additional court now applied for is intended for giving relief mainly to the Ellore and Narsapur Munsifs, and with this end in view, I propose to establish the new court, if sanctioned, at Bhímavaram, the *cusbah* station of the Revenue taluk of Bhímavaram. This taluk is at present under the jurisdiction of the Ellore and Narsapur Munsifs' Courts (the former having 56 and the latter 92 villages under their respective jurisdictions) and my proposal is to relieve these two courts of nearly the whole of their jurisdiction over it. The new court which will have jurisdiction over the whole taluk will receive about 300 ordinary suits and 650 small causes a year from within the limits of the taluk—100 original suits and 300 small causes from the Ellore side, and 200 original suits and 350 small causes from the Narsapur side—and will have 200 ordinary suits and some small causes (appertaining to the Bhímavaram taluk) from the pending files of Ellore and Narsapur Courts to start with.

6. The establishment of a permanent additional court in the district will necessitate a re-distribution of the territorial jurisdictions of the existing District Munsifs' Courts.

A statement showing the proposed re-distribution will, on my application for the additional court being sanctioned, be submitted. Statements marked I, II and III furnishing the necessary statistics in support of my application are forwarded.

From W. F. GRAHAME, Esq., District Judge of South Arcot, to the Registrar of the High Court of Judicature, Madras, dated Cuddalore, 11th August 1897, No. 85.

I have the honour to reply to your letter, Ref. on Cur. No. 1167, dated 14th May 1897, regarding a re-arrangement of the local jurisdictions of the existing courts in this district in connection with the establishment of a new District Munsif's Court.

2. On a consideration of the figures relating to past years, I find that, notwithstanding the establishment of a new court at Tindivanam in 1892, the pressure of work has been general throughout the district, but particularly so at Cuddalore, Tirukkóyilúr and Chidambaram, in which last court suits are, as a rule, comparatively more intricate, and that a re-arrangement of local jurisdictions may be made as suggested by the High Court to provide relief for the more heavily-worked courts. The figures relating to the past three years stand thus :—

Original Suits.

—	For disposal.			Disposed of.			Contested suits.		
	1894.	1895.	1896.	1894.	1895.	1896.	1894.	1895.	1896.
1. Cuddalore	1,365	1,215	1,088	1,293	1,148	1,027	687	675	630
2. Chidambaram	1,285	1,272	1,278	1,148	1,154	1,105	527	551	412
3. Villupuram	924	1,145	1,043	755	968	900	324	372	371
4. Vriddhachalam	983	1,083	1,121	758	894	1,022	215	325	405
5. Tirukkóyilúr	1,073	1,260	1,226	896	1,100	1,045	348	539	516
6. Tindivanam	1,287	1,144	877	983	1,067	787	423	502	303
Small Causes.									
1. Cuddalore	2,418	2,570	2,560	2,408	2,546	2,520	599	671	720
2. Chidambaram	1,175	1,243	1,148	1,138	1,227	1,140	243	259	234
3. Villupuram	1,317	1,886	1,728	1,219	1,777	1,623	222	297	310
4. Vriddhachalam	871	929	889	812	905	871	144	178	181
5. Tirukkóyilúr	841	993	953	780	963	925	161	226	272
6. Tindivanam	804	769	684	756	753	649	176	137	104

From these figures it will be seen that although all the courts in the district have disposed of a large number of contested suits during the past three years, the Cuddalore and Chidambaram Courts at present chiefly require relief, the former on account of its heavy file and the latter in consideration of the generally more intricate nature of its suits.

3. The present jurisdiction of the courts in the district stands thus :—

(1) *The Cuddalore Munsifi.*—The Revenue taluk of Cuddalore.

(2) *The Chidambaram Munsifi.*—The Revenue taluk of Chidambaram less the Srimushnam Division.

(3) *The Villupuram Munisfi.*—The Revenue taluk of Villupuram.

(4) *The Vriddhachalam Munsifi.*—The Revenue taluk of Vriddhachalam and the Srimushnam Division of the Revenue taluk of Chidambaram.

(5) *The Tirukkóyilúr Munsifi.*—The Revenue taluks of Tirukkóyilúr and Kallakurichi.

(6) *The Tindivanam Munsifi.*—The Revenue taluks of Tindivanam and Tiruvannámalai.

4. As pointed by me in paragraph 2 *supra*, the Cuddalore and Chidambaram Courts chiefly require relief and I therefore propose to locate a new court at Cuddalore to be styled the District Munsif's Court of Panruti and recommend the following re-distribution of jurisdictions :—

(1) *The Cuddalore Munsifi.*—The Revenue firka of Cuddalore and 21 villages in the Kurinjipadi firka of the Cuddalore taluk and the Revenue firka of Bhuvanagiri in the Chidambaram taluk.

(2) *The Panruti Munsifi.*—The Revenue firkas of Panruti, Nellikuppam, Kadambuliyur and twenty villages in the Kurinjipadi firka of the Cuddalore taluk, Tirunamanallur, firka of the Tirukkóyilúr taluk and fifty villages in Tiruvennanallúr firka in the same taluk.

(3) *The Chidambaram Munsifi.*—The Revenue firkas of Chidambaram, Kumarakshi and Mannárgudi.

(4) *The Villupuram Munsifi.*—The whole Revenue taluk of Villupuram less the Vannur firka and the Paranur firka of the Tirukkóyilúr taluk.

(5) *The Vriddhachalam Munsifi.*—The whole Revenue taluk of Vriddhachalam and the Palamcottah firka of the Chidambaram taluk.

(6) *The Tirukkóyilúr Munsifi.*—The Revenue firkas of Tirukkóyilúr and Elavánasúr and the remaining seventeen villages in the Tiruvennanallúr firka of the Tirukkoyilúr taluk and the Revenue taluks of Kallakurchi and Tiruvannámalai.

(7) *The Tindivanam Munsifi.*—The Revenue taluk of Tindivanam and the Vannur firka of the Villupuram taluk.

5. I append a statement showing an estimate of the expected litigation in the new courts as re-arranged based on the average of the last rhree years :—

Courts—Revenue Divisions.	Estimate of the expected litigation.		Institutions in 1896.	
	Original Suit.	Small Cause.	Original Suit.	Small Cause.
District Munsif's Court of Cuddalore—				
Cuddalore firka	442	1,074	..	..
Twenty-one villages in Kurinjipadi firka	84	120	..	..
Bhuvanagiri firka	340	256	..	..
Total ..	866	1,450	1,014	2,525
District Munsif's Court of Panruti—				
Panruti firka	270	819	..	..
Nellikuppam	195	241	..	..
Kadambuliyur	44	125	..	..
Tiruvennanallúr	130	80	..	..
Fifty villages in Tiruvennanallúr	134	107	..	..
Twenty villages in Kurinjipadi	83	119	..	..
Total ..	856	1,491	..	..

Courts—Revenue Divisions.	Estimate of the expected litigation.		Institutions in 1896.	
	Original Suit.	Small Cause.	Original Suit.	Small Cause.
District Munsif's Court of Chidambaram—				
Chidambaram	519	643	..	..
Kumarakshi				
Mannárgudi	292	264	..	..
Total ..	811	907	1,144	1,126
District Munsif's Court of Villupuram—				
The Revenue taluk of Villupuram less the Vannur firka ..	689	1,382	..	..
Paranur firka of the Tirukkóyilúr taluk	154	167	..	..
Total ..	843	1,549	837	1,604
District Munsif's Court of Vriddhachalam—				
The Revenue taluk of Vriddhachalam taluk	686	737	..	..
Palamcottah firka of the Chidambaram taluk	192	122	..	..
Total ..	878	859	922	860
District Munsif's Court of Tirukkóyilúr—				
Tirukkóyilúr firka	148	159	..	..
Elavánasúr	71	66	..	..
Seventeen villages in the Tiruvennanallúr firka	45	35	..	..
The revenue taluk of Kallakurchi	323	250	..	..
„ „ of Tiruvannámalai	232	190	..	..
Total ..	819	700	1,054	910
District Munsif's Court of Tindivanam—				
The revenue taluk of Tindivanam	608	518	..	..
The Vannur firka of Villupuram taluk	200	173	..	..
Total ..	808	691	799	665

From the above figures it will be seen that the proposed re-arrangement of local jurisdictions will give relief to nearly every court.

6. In proposing the above arrangement I have given attention to considerations of local convenience, &c. The Bhuvanagiri firka of the Chidambaram taluk lies just south of the Cuddalore taluk and suitors, &c., can travel to Cuddalore by the South Indian Railway.

7. The territorial jurisdiction proposed for the new court of Panruti has been fixed with care so as to lie within easy reach of Panruti and Cuddalore comprising parts of the Cuddalore and Tirukkóyilúr taluks.

8. In the place of the old Srimushnam firka of the Chidambaram taluk, which has now been split up and included in other firkas, I propose to include the new Palamcottah firka in the Vriddhachalam munsifi. Many of the villages which formed the old Srimushnam firka lie close to the town of Chidambaram. People from those villages have felt the hardship of having to travel to Vriddhachalam to transact their court business. The proposed arrangement whereby those villages are included in the Chidambaram munsifi will be gratefully appreciated by them.

9. The people of Tiruvannámalai taluk have been dissatisfied with the present arrangement, whereby that taluk is included in the Tindivanam munsifi. In 1895 they submitted a memorial to the High Court praying that the Tiruvannámalai taluk be transferred to the jurisdiction of the Tirukkóyilúr Court. I am of opinion that there is good ground for their complaint and I propose therefore to include the said taluk in the Tirukkóyilur munsifi, as this will be acceptable to all concerned. Tiruvannámalai is closely connected with Tirukkóyilur by railway.

10. The remainder of the arrangement proposed does not call for comment.

11. In conclusion my proposal is that a new court be established in the district to be styled "the District Munsif's Court of Panruti" and that it be located at Cuddalore. Taking all things into consideration this appears to me the best arrangement possible. There is ample room in the court-buildings here for the accommodation of the new court, and there will be no need for separate process-service and copyist establishments, since the central establishments can do the work of the new court with but a slight increase of strength. There is the additional advantage of the existence of the Huzur treasury for monetary transactions. The formation of a separate bar is rendered unnecessary. Further, parties, witnesses and others will find no difficulty in travelling to Cuddalore where there are several rest-houses for their accommodation. The High Court also, in the proceedings under reply, observe "and it may perhaps be that the most convenient location will be that proposed by the District Judge, viz., at Cuddalore."

12. I enclose a sketch-map showing existing jurisdictions and the changes proposed.

From J. H. MUNRO, Esq., Acting District Judge, to the Registrar, High Court, Madras, dated Masulipatam, 23rd July 1897, No. 2519.

Adverting to the High Court's letter, Ref. on Cur. No. 1184, dated 26th April 1897, I have the honour to state that an extra District Munsif's Court is urgently required, considering not only the heavy files of almost all the District Munsifs' Courts, but also considering the intricate nature of the suits relating to immoveable property filed in the District Munsifs' Courts of Gudiváda, Masulipatam, Guntúr, and Bápatla. It is these four courts that require relief and therefore it is highly desirable that the new court should be located at a place which is centrally situated between these four Munsifs' stations. Such a place is undoubtedly Répalle of Répalle now Tenali taluk.

2. The want of a sub-treasury at the station is the only serious objection that can be urged against the location of a court at that place. There cannot, however, be any difficulty in investing the Deputy Tahsildar with the powers of a sub-treasury officer so far as the dealings of the new District Munsif's Court are concerned. It is also possible that Répalle may be made the head-quarters of a taluk within a short period, as it is understood that there have been already proposals in the Revenue Department to divide the two heavy taluks of Répalle and Bápatla into three taluks. In case the Government should accept these proposals, Répalle will undoubtedly be the place that will be selected for the head-quarters of the revenue taluk also and the difficulty about the treasury will thus vanish.

3. The Subordinate Judge of Masulipatam and the Collector of Kistna have been requested to give their opinion as to the fittest place for the location of the new court and the distribution of jurisdiction of the various courts. The former has sent in a very full report elaborately discussing the whole question. I generally agree with his proposals. After the proposals of the Collector are received, a further report will, if necessary, be submitted as to the details of the distribution of jurisdictions of the new court and the existing courts. A copy of the Subordinate Judge's letter and its enclosures and the various memorials received are herewith submitted. In conclusion, I beg to propose that the location of a first-class District Munsif's Court be sanctioned. The usual proposition statement will be submitted on the 26th instant.

From the Subordinate Judge, Kistna, to the District Judge, Kistna, dated Musulipatam, 20th July 1897.

With reference to your letter, No. 2208, dated 3rd July 1897, I have the honour to state that I consider that an additional District Munsif's Court is urgently required for this district.

2. Statement A annexed shows the state of the files in the several District Munsifs' courts during the last four years, and the averages for that period. In the case of the Masulipatam Court, only the figures for 1896 are given, because the establishment of the sub-court from that year at Masulipatam has materially lessened the work of the court.

3. It is admitted on all hands that, looking to the number and nature of the suits which came before the District Munsifs of Bezwada and Narasaraopeta, no relief is required for these courts. But the work they have is quite sufficient, and

cannot conveniently be added to. The number of ordinary suits at Narasaraopet is large, but the nature of the suits is not generally intricate, and all suits of a small cause nature between Rs. 50 and Rs. 500 are all filed on the ordinary side. The small cause file is also light. In the Bezwada Court, the ordinary suits are more intricate, as all small cause suits between Rs. 50 and Rs. 500 go to the sub-court. The small cause file is heavy. These courts should therefore be left untouched.

4. It seems also clear that the District Munsifs of Gudiváda, Bápatla and Guntúr, and, in some measure, the District Munsif of Masulipatam require relief.

5. Gudiváda has an average of 611 original suits and 1,287 small causes, and all suits of a small cause nature between Rs. 50 and Rs. 500 go to the Sub-Judge's Court.

6. Guntúr and Bapatla have an average respectively of 692 original suits and 1,282 small cause suits, and 641 original suits and 1,285 small cause suits, and both the district munsifs exercise small cause powers up to Rs. 200. The suits in these courts are not generally easy.

7. Masulipatam has received substantial relief by the establishment of the sub-court, but, even in 1896, it had a file of 519 original suits and 2,294 small cause suits. Many of the suits came from the town of Masulipatam, and a good number of these suits, especially those relating to houses and house-sites, are very long and occupy much time, and with the heavy small cause file, it is necessary that the ordinary file should, to some extent, be relieved.

8. I would therefore propose that Gudivada should be relieved of the jurisdiction over the Meduru pargana. The average of original suits and small causes from the pargana is 154 and 311, respectively. The court would then be left an average of 458 ordinary suits and 976 small cause suits, and this is sufficient, looking to the nature of the ordinary suits.

9. Guntúr may be relieved of the whole of that portion of the Bápatla taluk which is within its jurisdiction. This would relieve it of an average of 40 ordinary suits and 50 small cause suits. It may also be relieved of a portion of the Répalle taluk it now has. In the portion of Répalle now under it, all the villages to the west of the Nizampatam canal are nearer to Guntúr than Répalle where the new court will have to be established. Of those to the east of the said canal, those to the north of the line from Tenali to Annavaram would also be nearer to Guntúr than Répalle. Lists I (*a*) and I (*b*) annexed show the Répalle villages which would be under Guntúr under the proposed arrangement. The Répalle villages now under Guntúr contribute 198 ordinary suits and 337 small cause suits, while those now proposed to be left would contribute 85 ordinary suits and 150 small cause suits. Guntúr would thus be left 539 ordinary suits and 1,046 small cause suits on the whole.

10. Bápatla may be relieved of all the villages to the east of the Nizampatam canal now under it, leaving under it its present villages to the west of the canal. List II attached shows the villages proposed to be left under it. All the Répalle villages now under it contribute 234 ordinary suits and 416 small cause suits, and those proposed to be left would contribute 50 ordinary suits and 51 small cause suits. Bápatla would thus be left only 457 ordinary suits and 920 small cause suits. It may, therefore, receive the portion of the Bápatla taluk taken away from Guntúr which contributes 40 ordinary suits and 50 small cause suits. Bápatla would thus have, on the whole, 497 ordinary suits and 970 small cause suits.

11. Masulipatam had, in 1896, after the establishment of the sub-court, 519 ordinary suits and 2,294 small cause suits. It may be relieved of the Avanigedda division of the Masulipatam taluk, a good part of which is nearer to Répalle than Masulipatam, leaving 330 ordinary suits and 1,730 small cause suits. It may, however, receive the Meduru pargana taken away from Gudiváda contributing 154 ordinary suits and 311 small cause suits. Its file, according to the proposed arrangement, would thus be 484 ordinary suits and 2,041 small cause suits.

12. The portions of the district thus left unprovided for are (1) the part of the Répalle taluk to the east of the Nizampatam canal lying to the south of the line from Tenali to Annavaram and (2) the Avanigedda division of the Masulipatam taluk; and

these may well be placed under a new court. The Répalle taluk would contribute 297 ordinary suits and 553 small cause suits. The Avanigedda division would, as already stated, contribute 189 ordinary suits and 564 small cause suits, making a total of 486 ordinary suits and 1,117 small cause suits. As the sub-court will, under the proposed arrangement, have no jurisdiction over the Avanigedda division, we shall have to add to the latter figure the small cause file of the sub-court from that division, which is now within its jurisdiction. The figures are 339 small cause suits between Rs. 50 and Rs. 200, and 49 small cause suits between Rs. 200 and Rs. 500. The latter suits will be original suits in the new court. The total suits under the new court would thus be 535 ordinary suits and 1,456 small cause suits. This is quite sufficient work for the new court on the supposition that the district munsif would be invested with small cause powers up to Rs. 200. If the district munsif is not so invested, the file would be too heavy for one court, as the nature of the suits would not be easy.

13. I would, therefore, propose the establishment of a new court at *Répalle* with small cause powers up to Rs. 200. The court would have to be located at Répalle, the most important place within the jurisdiction. All the villages would be within easy reach of Répalle, and, in case of most of them, the parties would have their court within easier reach than at present. In the case of some of the villages of the Avanigedda division, however, Répalle would not be so near and so easily accessible as Masulipatam, but the convenience of the few has to be sacrificed in the interests of the many. The residents of the Avanigedda division have to cross the river Kistna to go up to Répalle, but even now the communication between Masulipatam and the Avanigedda division is not easy during the rainy season.

14. When the court is located at Répalle, there would be some inconvenience to all concerned by the absence of a sub-treasury at that station. The taluk head-quarters is at Tenali, but Tenali is in one corner of the taluk, and would, under the proposed scheme, be within the Guntúr jurisdiction. It would not be possible to locate the court there, both in view of the proper distribution of work between the different courts, and in view of the inconvenient situation of the place itself. The revenue of the Répalle taluk is very high, and it may be that, in the not distant future, it will be split up into two, with Répalle as the head-quarter of the southern portion. Or, arrangements may be made to have a sub-treasury opened under the Deputy Tahsildar located at Répalle.

15. It will thus be clear, I think, that a new court is required for the district, and that it should be located at Répalle. Statement B shows the proposed distribution of work between the different courts. It will be noted that my proposals are almost identical with those of the Répalle memorial which seems to me to have been very carefully drawn up.

16. It may also be noted that the proposed distribution relieves the sub-court of about 390 small cause suits, viz., those coming from the Avanigedda division. The present file of the small cause suits in the sub-court comes to more than 1,900 suits, and some relief is really required in view of the large number of appeals coming before it for decision. All the sub-courts in the Presidency, which have a heavy small cause file, have only a small number of appeals, while the few which have a heavy file of appeals have only a very small number of small cause suits. The number of original suits before the sub-court is not also small. It is a question whether it should not be still further relieved by investing the District Munsifs of Gudiváda or Masulipatam, or both, with small cause powers up to Rs. 100 or Rs. 200, but this point may be deferred till further experience is gained.

17. Looking to the heavy small cause file of the sub-court, it will not be possible to give it jurisdiction over the Répalle munsif, which would add materially to its small cause file. It is therefore, I think, necessary that the District Munsif of Répalle should have small cause powers up to Rs. 200, and that the jurisdiction of the sub-court should not be extended to that munsifi.

18. As to the distribution of work between the sub-court and the district court, the effect of the proposed scheme would be to transfer the Avanigedda division of the Masulipatam taluk, from the sub-court to the district court. But the number

Statement of Proposition for Revision of Establishment—*cont.*

Order sanctioning present Establishment.		Office to which the Proposition refers.	Nature of charge.								Proposition.	
			Present scale.				Proposed scale.				Permanent.	
Government of Department.			Number.	Designation.	Pay.		Number.	Designation.	Pay.		Increase per month.	Decrease per month.
Number.	Date.				Minimum.	Maximum.			Minimum.	Maximum.	Amount.	Amount.
				Munsif's Courts.		Rs. P. A.		*Munsif's Courts.*		Rs. A. P.	Rs. A. P	
				Present scale not interfered with.								
2373.	16th Sept. 1884.	District Munsif's Court of Repalle, Kistna District.	69	Regular establishment		1,149 0 0	1	Head clerk	..	40 0 0	..	..
2970.	18th Nov. ,,						1	Clerk	..	25 0 0	..	..
549.	3rd Mar. 1886.						1	Do.	..	20 0 0	..	..
Mis. 2672.	6th Oct. ,,						1	Do.	..	17 0 0	..	..
37, Finl.	3rd Jan. 1888.		16	Copyist establishment		204 0 0	1	Do.	..	17 0 0	..	..
807, Judl.	5th Apr. ,,						1	Do.	..	15 0 0	..	..
1178.	9th July 1889.						1	Do.	..	15 0 0	..	..
48.	9th Jan. 1892.						1	Do.	..	15 0 0	..	..
249.	10th March 1893.		288	Process establishment for the whole district.	..	2,660 8 0	1	Court-keeper	..	8 0 0	..	..
R. 7 and R. 76.	7th Jan. 1896 and 21st Jan. ,,						2	Peons at Rs. 7	..	14 0 0	..	..
							1	Sweeper	..	5 0 0	..	..
								Total ..	..	191 0 0	191 0 0	..
							1					
							1					
							4	Deputy Nazir	..	25 0 0	..	..
							11	Amin	..	20 0 0	..	..
							7	Amins on Rs. 15	..	60 0 0	..	..
							14	Do. on Rs. 12	..	132 0 0	..	..
							15	Peons on Rs. 8	..	56 0 0	..	..
								Peons on Rs. 7	..	98 0 0	..	..
								Peons on Rs. 6½	..	97 8 0	..	..
							1	Total ..	..	488 8 0	488 8 0	..
							2					
								Examiner	..	20 0 0	..	..
								Copyists on Rs. 10	..	20 0 0	..	..
								Total ..	..	40 0 0	40 0 0	..
								Grand Total ..	..	..	719 8 0	..

Statement of Proposition for Revision of Establishment—*cont.*

Order sanctioning present Establishment.		Office to which the Proposition refers.	Nature of charge.								Proposition.	
			Present Scale.				Proposed Scale.				Permanent.	
Government of Department			Number.	Designation.	Pay.		Number.	Designation.	Pay.		Increase per month.	Decrease per month.
Number.	Date.				Minimum.	Maximum.			Minimum.	Maximum.	Amount.	Amount.
				Munsif's Courts.		Rs. A. P.		*Munsif's Court.*		Rs. A. P.	Rs. A. P.	
				Present scale not interfered with.								
2373, 549, 481, 1178, 11, 1272, 620, J.,765, J., 827, J., 48, 343, 213, 393 and 295.	16th Sept. 1884 .. 3rd Mar. 1886 .. 18th ,, 1889 .. 9th July 1889 .. 9th Jan. 1890 .. 3rd Dec. 1890 .. 4th April 1891.. 21st ,, 1891.. 28th Aug. 1891 .. 9th Jan. 1892 .. 24th Feb. 1892 .. 27th ,, 1894 .. 21st May 1894 .. and 3rd April 1895..	District Munsif's Court of Panruti, South Arcot District.	71	Regular Establishment	..	1,195 0 0	1	Head clerk	..	40 0 0	..	..
			17	Copyist Establishment	..	220 0 0	1	Clerk	..	25 0 0	..	..
			196	Process Establishment	..	1,802 8 0	1	Do.	..	20 0 0	..	..
							1	Do.	..	17 0 0	..	..
							1	Do.	..	17 0 0	..	..
							1	Do.	..	15 0 0	..	..
							1	Do.	..	15 0 0	..	..
							1	Do.	..	15 0 0	..	..
							1	Court-keeper	..	8 0 0	..	..
							2	Peons at Rs. 7	..	14 0 0	..	..
							1	Sweeper	..	5 0 0	..	..
				District Court.				Total ..	..	191 0 0	191 0 0	..
				Central Copyists Department.				*District Court.*				
G.O., No. 2587, Judicial.	9th October 1884.	District Court, South Arcot.	1	Superintendent of copyists	..	30 0 0	1	Superintendent of copyists	..	40 0 0	..	..
			2	Examiners on Rs. 20	..	40 0 0	2	Examiners on Rs. 20	..	40 0 0	..	..
			2	Readers on Rs. 15	..	30 0 0	2	Readers on Rs. 15	..	30 0 0	..	..
			10	Copyists on Rs. 10	..	100 0 0	10	Copyists on Rs. 10	..	100 0 0	..	..
			1	Attender	..	10 0 0	1	Attender	..	10 0 0	..	..
						210 0 0		Total ..	..	220 0 0	10 0 0	..
G.O., No. 1178, Judicial.	9th July 1889 ..			*Central Nazaret.*				*Central Nazaret.*				
			1	Central Nazir	..	40 0 0	1	Central Nazir	..	40 0 0	..	..
			1	Amin	..	20 0 0	1	Amin	..	20 0 0	..	..
			4	Amins on Rs. 15	..	60 0 0	5	Amins on Rs. 15	..	75 0 0	..	..
			11	Amins on Rs. 12	..	132 0 0	12	Amins on Rs. 12	..	144 0 0	..	..
			9	Peons on Rs. 8	..	72 0 0	9	Peons on Rs. 8	..	72 0 0	..	..
			18	Peons on Rs. 7	..	126 0 0	18	Peons on Rs. 7	..	126 0 0	..	..
			18	Peons on Rs. 6½	..	117 0 0	21	Peons on Rs 6½	..	136 8 0	..	..
				Total ..	..	567 0 0		Total ..	..	613 8 0	46 8 0	..
								Grand Total ..	..	..	247 8 0	..

Statement of Proposition for Revision of Establishment—*cont.*

Order sanctioning present Establishment.		Government of Department.		Office to which the Proposition relates.		Present scale.						Proposed scale.						Proposition.	
						Designation.	Number.	Pay.				Designation.	Number.	Pay.				Permanent.	
Number.	Date.							Minimum.	Maximum.	Increase per month.	Decrease per month.			Minimum.	Maximum.	Increase per month.	Decrease per month.		
						Munsif's Court.		Rs.	Rs.	Amount.	Amount.			Rs.	Rs.	Rs.	Amount.		
2378, 2587, 549, 1178, 1296 F. and 1048.	16th Sept. 1884 and 9th Oct. ,, 3rd March 1886. 9th July 1889 and 9th Dec. 1891 and 6th Nov. 1895			District Munsif's Court of Peiakulam, Madura District.		Present scale not interfered with.													
					69	Regular establishment													
					25	Copyist													
					458	Process establishment for the whole district.													
							1					Head Clerk	1		40	176			
							1		1,149			Clerk	1		25				
							1		290			Do.	1		20				
							1		3,848			Do.	1		17				
							1					Do.	1		17				
							1					Do.	1		15				
							1					Court-keeper	1		15				
							2					Peons at Rs. 7	2		8				
							1					Sweeper	1		14				
															5				
												Total			176	176			
							1					Deputy Nazir	1		25				
							1					Amin	1		15				
							4					Amins on Rs. 12 each	4		48				
							8					Peons on Rs. 8	8		32				
							8					Peons on Rs. 7	8		56				
							8					Peons on Rs. 6½	8		52				
												Total			228	228			
							1					Examiner	1		20				
							2					Copyists on Rs. 10	2		20				
												Total			40	40			
												Grand Total				444			

No. A.D.S.—275-A.

The entries in the column of "Present Scale" have been compared with the registers of this office and are correct.

2. The sanction of the Secretary of State is required to the addition of one appointment to the first and second grades. Otherwise the increase is within the sanctioning powers of Government.

3. The delay in the submission of the proposition statement is due to correspondence with the High Court in connection with the verification of the present scale.

4. The attention of Government is respectfully invited to articles 158—160 of the Civil Account Code. As the charges under 19-A. Law and Justice—Courts of Law for the first five months of the current year amounted to Rs. 18,81,000 against the proportionate budget grant of Rs. 19,44,000, the excess required may be met from savings. But it is doubtful whether the necessary sanction will be received before the expiry of the year.

Fort St. George,
19*th October* 1897.

(Signed) W. MICHAEL,
Deputy Accountant-General.

Order—No. 344, Judicial, dated 28th February 1898.

The recommendations of the Hon'ble the Judges of the High Court are accepted and the Government of India will be addressed on the subject.

[Here enter letter, No. 345, Judicial, dated 28th February 1898.]

(True Extract.)

A. T. ARUNDEL,
Chief Secretary.

To the Hon'ble the Chief Justice, with C.L.
" Accountant-General.
" Financial Department.

Erd Md. Pahilvan.

[G. 179]
500—19-11-97

Financial Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper :—

× Copy attached. × Proceedings of the Judicial Department, No.344, dated 28th February 1898.

Order—*R. No.* 322, *dated* 14th March 1898.

Recorded.

(True Extract.)

E. G. Roberts
for *Chief Secretary.*
14.3.98

To the Public Works Department(with copy of H.M.'s notes)

P.W.S.2
2456/98

[G. 129.]

Govt. of {189 } Madras.

To

THE

Dated
Recd. }
Encl.

G.O., R. No. , 189 .

SUBJECT.

Recording proceedings of the

_____Department regarding

_____