M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 685 Press ~~Mis.~~

Dated 27 · 8 ~~19~~ 1857

Not to be folded or roughly handled

21/4/30

No. 685.

Extract from the Minutes of Consultation, under date the 27th August 1857.

From CLEMENT DALE, Esq., Government Pleader Sudr Udalut; to EDWARD MALTBY, Esq., Acting Chief Secretary to Government, dated Madras, 25th August 1857, No. 87.

SIR,

Para 1. In continuation of the letter I had the honor to address to you under the date and number noted in the margin, I have now the honor to report for the information of the Right Honorable the Governor in Council, that after writing that Letter, a Circular Order was published by the Court of Sudr Udalut, under date the 10th instant (a copy of which has lately reached me), declairing that no Appeal can lie from any interlocutory Order passed by any Judicial Tribunal in respect to any proceedings held in any Suit whilst such Suit is under trial before that Tribunal, except in the instances provided for by the 8th Section of Regulation 4 of 1802.

11th August 1857, *No.* 79.

2. I, however, still advise that the Appeal recommended in Para 2 of my letter noted above should be made.

3. Probably under this Circular Order the Civil Judge of Combaconum may decline to correct the error of the Subordinate Court; in which case I would advise, that the matter should be then brought before the Court of Sudr Udalut, as I have reason for believing it was not intended that the Circular Order should embrace such a case as that under consideration; and it will be desirable that its effect should be brought under the notice of the Court for further consideration, and if necessary, amendment.

(Signed) CLEMENT DALE,
Government Pleader.

Ordered that the foregoing letter be communicated to the Acting Collector of Tanjore, with reference to Extract Minutes of Consultation, dated the 17th instant, No. 636.

(True Extract and Copy.)

Acting Chief Secretary.

To the Government Pleader.
Collector of Tanjore.

Exd. H. Morgan.

No 87

To Clement Dale Esquire Government Pleader Sudr Udalut

Edward Maltby Esquire Acting Chief Secretary to Government

Madras 25th August 1857

Sir,

Para 1. In continuation of the letter I had the honor to address to you under the date and Number noted in the Margin.

August 1857 No 79

I have now the honor to report for the information of the Right Honorable the Governor in Council that after writing that Letter a Circular Order was published by the Court of Sudr Udalut under Date the 10th instant (a Copy of which has lately reached me) declaring that no appeal can lie from any interlocutory Order passed by any Judicial Tribunal in respect to any proceedings held in any Suit whilst such Suit is under trial before that Tribunal Except in the instances provided for by the 8th Section of Regulation 4 of 1802.

2. I however still advise that the Appeal recommended in Para 2 of my letter noted above should be made.

3. Probably under this Circular Order the Civil Judge of Combaconum may decline to correct the Error of the Subordinate Court, in which case I would advise, that the matter should be then brought before the Court of Sudr Udalut, as I have Reason for believing it was not intended that the Circular Order should Embrace

No 6057

[illegible] such a Case as that under Consideration, and it will be desirable that it should be brought under the notice of the Courts for further Consideration and if necessary Amendment.

I have the Honor to be
Sir
Your most Obedient & Humble Servant
[illegible]
Govt Pleader

Govt Pleader

Civil Dept. to Cons. 4th Sept. 1867
Political - 1867 Assessment

Pol. Ltr. to Engr 22nd April
No 5 of 1868.
Para 11.

From
The Government Pleader
No 67.

Dated 25th Augt 1867
Rec'd 26th " "

No 773

Intimating that since this Office's Letter of the 11th Augt a Circular Order has been published by the Sudder Adawlut, declaring that no Appeal can lie from any interlocutory order passed by any Judicial Tribunal in regard to any proceedings held in any Civil Suit while such suit is under trial before that Tribunal except in the instances provided for by Sec 8 of Regulation IV of 1793 - he nevertheless advises that the Appeal recommended by him should be made & should the Civil Judge decline to entertain it, the matter be brought before the Court of Sudder Adawlut -

17 & 18

Circular Dept.
No 27