

# MADRAS RECORD OFFICE.

**Government of Madras.**

*Political* **DEPARTMENT.**

|          |           |                          |
|----------|-----------|--------------------------|
| G.O. No. | 551       | Press<br><del>Mis.</del> |
| Dated    | 24.8.1888 |                          |

Not to be folded or roughly handled

*Fort Saint George, Political Consultation, 24th August 1858.*

No. 46. From CLEMENT DALE, Esq., Government Pleader, Sudr Udalut; to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 20th August 1858, No. 91.

SIR,

Para: 1. I have the honor to acknowledge the receipt of an Extract from the Minute of Consultation, noted in the margin. *Minute of Consultation, 19th August 1858, No. 528, Political Department.*

2. The replication of which Mr. Phillips has sent a translation is a deviation, (although not a very gross one) from the Regulation, and from the Rules of Civil procedure promulgated by the Court of Sudr Udalut under date the 1st of July 1855; with Pleaders of the quality of those now practising in the Company's Courts it can scarcely be expected that those Rules should be observed in regard to the pleadings, unless indeed the Judges determinately assist in having those Rules observed in their respective Courts, and my observation leads me to conclude that (unless the Court of Sudr Udalut insist on the Judges exercising a more rigid supervision) such an event is hopeless; probably in many cases arising from not being conversant with forms adopted in the English Courts, the use of which was evidently contemplated by the framers of the Regulations, and would shorten the pleadings most materially if adopted. The promulgation by the Sudr Udalut of some forms for the guidance of the Petitioners, as is now commonly done by the Courts in England, would doubtless (if attention were paid to them and the rules were enforced by the Judges) be of very great assistance; and would eventually tend to shorten the Proceedings, and thus in a most material degree lessen the labors of the Judges.

3. I collect from Mr. Phillip's letter that it is not now practicable to file a rejoinder. The replication is so framed, that it contains allegations which are untruthful, and it would be desirable to traverse the averments. I therefore enclose a form of rejoinder which I should wish filed, if practicable; although I agree with Mr. Phillips in not considering the omission of serious importance.

No. 47. ORDER THEREON, No. 551; dated 24th August 1858.

Ordered that copy of the foregoing letter and the form of rejoinder be forwarded to the Commissioner of Tanjore with reference to his communication of the 12th Instant, No. 310.

(Signed) T. PYCROFT,  
Chief Secretary.

List

85557

Ordered that copy  
of the foregoing letter and the  
form of Rajahmundry be forwarded  
to the Commissioner of Tanjore  
with reference to his communi-  
cation of the 12<sup>th</sup> Instant. 85558.  
~~The suggestion sub-  
mitted in the 9<sup>th</sup> para of the Govt  
Pleading letter will be referred  
to the Judicial Department.~~

JP

St George  
24 Aug 1858

To the Commr of Tanjore with a form. Sep 24<sup>th</sup>  
MS.  
a Judicial Department

Per 21: Aug 27/58 M. 3111

21: 31/10 Aug 6/58.

Pol. L. to Aug. 13<sup>th</sup> to 14<sup>th</sup>

No 21. 1858 (21m 26

Political 1858 Depart

(With One Enclosure) 21: Aug 6/58.

From Govt. Pleader Lord Halsbury

2. Chief Secretary to Govt.

Dated 20<sup>th</sup> August 1891

Dec 21 - "

Feb 3 1891  
No 571 Encl. 1

Para 1 Referring to 11/16

19<sup>th</sup> August 1858 No 528 Political

Department

2. Comments on form of Reply.

3. Encloses form of Rejoinder

which should be filed if

practicable.

With an Order

46-47

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