M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 709 Press ~~Mis.~~

Dated 1-12-~~19~~1880.

Not to be folded or roughly handled

1856

Read the following papers:—

No. 4. To His Excellency the Honorable the Governor in Council at Fort Saint George.

The humble Petition of ZALAI KHAN of Jaun Bazaar, Triplicane.

Sheweth,

Your Excellency in Council in the month of September last was pleased to grant to your Petitioner your consent, to your Petitioner issuing process of Court against His Highness Prince Azeem Jah Bahadoor for the recovery of the debt due from him to him.

Your Petitioner on the 9th of November instant commenced his action in the Supreme Court against His Highness for the recovery of his debt of Rupees 1,018-11-1 besides costs of suit.

Your Petitioner is informed and believes that Dr. Balfour the Government Agent at Chepauk, although he has served Summonses not only on the above defendant but also on other members of the late Nabob's family, yet he now refuses to serve any Summons on His Highness and your Petitioner says that the Summons issued in his said action is unserved.

Your Petitioner believes that unless Dr. Balfour or some other Officer of Government serves the Summons in this action on the defendant, it will be impossible to effect service on him by the Sheriff or any of his Officers as the defendant refuses to allow any person other than a Government Officer to have access to him for the purpose of executing legal process, and your Petitioner says that unless your Excellency orders the Government Agent at Chepauk or one of his Officers to serve such Summons on the defendant His Highness, your Petitioner cannot proceed with his action, and his debt will be therefore wholly lost.

Your Petitioner therefore humbly prays your Excellency in Council will be pleased to order that Dr. Balfour or one of his Officers may be ordered to serve the above Summons on the defendant.

And your Petitioner will ever pray, &c.,

The mark × of ZALAI KHAN.

Madras, *13th November* 1860.

Referred to the Government Solicitor.

Fort Saint George,
16th November 1860.

(Signed) T. PYCROFT,
Chief Secretary.

No. 5. From J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 22nd November 1860, No. 2,020.

Zalai Khan's Petition to Government, dated 13th November 1860.
Order of Government endorsed thereon and dated 16th idem.

1. I have the honor to return the Petition and Order noted in the margin, and to advise that the Petitioner be informed that his application cannot be granted.

2. The Petitioner's proper course is to take the necessary steps for obtaining the issue from the Supreme Court of a Writ of sequestration to compel an appearance.

3. I think it very undesirable that Government should interfere (either through the Chepauk Agent or otherwise) with the service of the Supreme Court's process or do more than grant authority for the issue of process where the consent of Government is required and Government sees fit to grant it.

4. I would suggest that the reply to the Petitioner be confined to a mere intimation that his application cannot be granted.

5. I will communicate with the Petitioner's Attorney on the subject.

No. 6. Order thereon, 1st December 1860, No. 709.

Ordered that the Petitioner Zalai Khan be informed that his application cannot be granted.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

V

Read Petition of Zalai Khan dated the 13th and report of the Govt Solicitor thereon, 22d Nov 1860 No 7020.

Order thereon 1st December 1860 No 709

Ordered that the Petitioner Zalai Khan be informed that his application cannot be granted.

To Zalai Khan of Sasun Bazaar, Gunpharcane 3 days 1 do
" the Govt Solicitor do 6 do