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Revenue Consultation

Minutes of Consultations

30th June 1857

Back Numbers 45-46

Order No 661 dated 27th June 1857

பாதுகாப்பு பிரிவு - 1.

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள்.

செப்பனிட்டு முடித்த நாள் 7/1/07

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்

சரிபார்க்கும் இரண்டாம் நி.பா.எ. கையொப்பம்

இராயபேரி உதவியாளர் கையொப்பம்

Fort Saint George, Revenue Consultation of 30th June 1857.

No. 45. Read the following letter from CLEMENT DALE, Esq., Government Pleader Sudr Udalut; to HENRY FORBES, Esq., Acting Secretary to Government, Madras 24th June 1857, No. 61.

Para. 1. I have the honor to acknowledge receipt of an Extract from the Minutes of Consultation noted in the margin, and to forward herewith, a draft of the answer I have prepared in Appeal Suit No. 43 of 1857, as also copies of the Brief and detailed Petition of Appeal. The Draft of the answer has been submitted to the Acting Collector in the usual manner.

M. C. 23d June 1857, No. 632, Revenue Department.

2. I have to request that when done with, these papers may be returned to me.

3. In perusing the Draft of the proposed answer, I would solicit the attention of the Right Honorable the Governor in Council, to the Rules of procedure passed by the Court of Sudr Udalut on the 1st July 1855.

4. I have the honor to draw to your attention, that under the 10 Section of Act 9 of 1855, a suitor cannot claim *as of right* to amend his pleadings; it is discretionary with the Court or a Judge to allow or refuse an application for amendment, as may be thought fit.

No. 46. ORDER THEREON, No. 661; dated 27th June 1857.

The Right Honorable the Governor in Council approves the draft answer submitted by the Government Pleader with the foregoing letter as requested in para. 2 of Extract Minutes Consultation 23d June 1857, No. 632, and proposed to be filed in Appeal Suit No. 43 of 1857 on the file of the Court of Sudr Udalut.

Ordered that the papers received with Mr. Dale's letter be returned.

(Signed) H. FORBES,
Acting Secretary to Government.

(2)

No. 61 3 V

From Clement Dale Esqre. Government Pleader Sudr Udalut

To Henry Forbes Esquire Acting Secretary to Government

Madras 24th June 1857

Sir

Para 1. I have the honor to acknowledge receipt of an Extract from the Minutes of Consultation Noted in the margin; and to forward herewith, a draft of the Answer I have prepared in Appeal Suit No. 43 of 1857, as also Copies of the Brief and detailed Petition of Appeal; the Draft of the Answer has been submitted to the Acting Collector in the usual manner.

Rect. 23d June 1857 No. 632. Revenue Department

2. I have to request that when done with, these papers may be returned to me.

3. In perusing the Draft of the proposed Answer, I would solicit the attention of The Right Honorable The Governor in Council, to the Rules of procedure praised by the Court of Sudr Udalut on the 1st July 1855.

4. I have the honor to draw to your attention, that under the 10th Section of Act 9 of 1855, a Suitor cannot claim as of Right to Amend his pleadings; it is discretionary with the Court or a Judge to allow or Refuse an Application for Amendment, as may be thought fit.

I have the honor to be

Sir

Your most Obedt Servt

Clement Dale

Govt Pleader

H V

Revenue Dept

No 865

Extract from the Minutes of Consultation

Under date the 27th June 1857.

Read the following letter from Clement

Dale Esqr. to Government

Pleader Sudr. Adalut

Revenue Dept 24th June 1857

No 1261

The Right

Honorable the Governor

in Council approves

the draft answers

submitted by the

Government Pleader

with the foregoing

letter as requested

by

28 June 1857 No 632

Revenue Dept

Dto Govr 30 June

No 928

From Clement Dale Esqr

Government Pleader

To

The Secretary to Government

Dated 24th June 1857

Received 27th Do

Civil Dept

Sir

I have the honor to submit for the consideration of Government in Appeal Suit Nos 1130 of 57 and also Special of the Brief and also Special Petition of Appeal, and certificate that the Defendant has been declared to the undersigned Petitioner in the Sudr Adalut Bench, with the Sudr Adalut Pleader's opinion on the Rules of procedure in the Court of Sudr Adalut.

No 245.

Copy to the Hon'ble Sir Thomas Pycroft Esqr Chief Secy to Govt Revenue Dept

Dated 27th June 1857.

26 Do Pmd

in paras 2 of Extract
Minutes Consultation
23d June 1857, No 682
and proposed to be
filed in appeal suit
No 113 of 1857 on the
file of the Court of
Sudr Adalut. —

Ordered that
the papers received
with Mr Dale's letter
be returned. —

EH

2 Copies to the Govt Reader with 5 Encls Disp 27th
3 — Bd of Rev. with Copies of the Encls

Con 23d June 57 No 1568 Board of Revenue 1857 Appeal
Dtd 20th June
No 6061
Extract Minutes of Cons.
Dy 27th Q June 57.
From the Secretary of Govt
Fort St George 22d June 57 to the Secy Bd of Rev
No 5 Encls
Appealing the case of
Andrew Archibald &c Claimants
Govt & Pearce Respondents
No 113 of 1857 on the file
of the Court of Sudr Adalut
Requesting the papers
may be returned
No 4543 of 46.