(1)

Revenue Department

Minutes of Consultations

4th August 1857

Back Numbers 19-20

Order No 471 dated 31st July 1857

பாதுகாப்பு பிரிவு - 1

செப்பனிடுபவர் பெயர் . A. M. M.

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 4/06

செப்பனிட்டு முடித்த நாள் 4/07.

4/6/07 19/7/07 31.7.57

சரிபார்க்கும் முதலி மு. நி. பா. எ. கையொப்பம்

சரிபார்க்கும் உம். நி. பா. எ. கையொப்பம்.

ஆராய்ச்சி உதவியாளர் கையொப்பம்

2

Fort Saint George, Revenue Consultation of 4th August 1857.

No. 19. Read the following Extract from the Proceedings of the Board of Revenue; dated 21st July 1857, No. 2457.

Read letters from the Acting Collector of Masulipatam dated

**In Cons. 21st July* 1857. 29th June and 1st July 1857.*

(Here enter Nos. 120-21.)

In the first of the letters above recorded, the Acting Collector reported that he had (in conformity with the instructions conveyed in the Board's Proceedings dated 29th May preceding) applied to the Civil Court for a review of its judgment in the suit regarding the Vissunnapettah Mootah, and that the Court had rejected the application.

2. When this letter was despatched the Acting Collector had evidently not received the orders of Government in Extract Minutes Consultation dated 24th June last, No. 638, R. D., directing him in the event of the Civil Judge refusing to grant the review, to adopt immediate measures for instituting an appeal before the Sudr Court.

3. These orders however reached Mr. Knox on the following day, and in the 2d of the foregoing letters, he acknowledges them and expresses his opinion that under Clause 3 Section V. Act IX. of 1855, Government can in replying to the appeal which the opposite party has already instituted, object to such parts of the original decision not involved in the appeal, as they take exception to, and he seems to consider that this will sufficiently meet the object of Government. It does not appear to have occurred to the Acting Collector that the appellant may not proceed with his appeal, and that the opportunity of stating their objections may never be afforded to Government who may from lapse of time also forfeit the privilege of appealing, independent of the Proceedings of the opposite party. This however is a question for the consideration of the Government Pleader with whom the conduct of the case now rests.

Resolved that copies of these Proceedings and of Mr. Knox's letters be forwarded to Government, and also to Mr. Dale and the Acting Collector.

(A true Extract.)

(Signed) J. D. SIM, *Acting Secretary.*

No. 20. ORDER THEREON, No. 771; dated 31st July 1857.

The Government will expect to receive an opinion from Mr. Dale, after consideration of the Board's Proceedings and the papers to which they give cover.

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

Revenue Department.

No 2437.

Extract from the Proceedings of the Board of Revenue, dated 21 July, 1857.

Read letter from the acting Collector of Masulipatam dated 29 June and 1 July 1857.

In Con 21 July 1857.

(Here Enter Nos 120-121)

In the first of the letters above recorded the acting Collector reported that he had (in conformity with the instructions conveyed in the Board's Proceedings dated 29 May preceding) applied to the Civil Court for a review of its judgment in the suit regarding the Vedunnapettah Mootah, and that the Court had rejected the application.

When this letter was despatched the acting Collector had evidently not received the orders of Government in Extract Minutes Consultation dated 26 June last No 638, R.D. directing him in the event of the Civil Judge refusing

refusing to grant the review, to adopt immediate measures for instituting an appeal before the Sudr Court.

3. These orders however reached Mr Knox on the following day and in the 2d of the foregoing letters he acknowledges them and expresses his opinion that under Clause 3. Sect. V. Act IX of 1855. Government can in replying to the appeal which the opposite party has already instituted, object to such parts of the original decision not involved in the appeal, as they take exception to, and he seems to consider that this will sufficiently meet the object of Government. It does not appear to have occurred to the acting Collector that the appellant may not proceed with his appeal, and that the opportunity of stating their objections may never be afforded to Government who may from lapse of time also forfeit the privilege of appealing independent of the proceedings of the opposite party. This however is a question for the consideration

consideration of the Government Pleader with whom the conduct of the case now rests.

Resolved that copies of these Proceedings and of Mr Knox's letters be forwarded to Government and also to Mr Dale and the acting Collector.

(A true Extract)

I Kinloch
Ag Secretary

To,
H. Forbes Esqr
Ag Secretary to Government
Revenue Department.

x. D. Gds.

(5)

Comr 30th June 57 N. 5-6

Dispatch
Dte Comr 14th August 57.

No. 833

Extract from the Proceedings of the Board of Revenue

Dated 21st July 1857
Rec'd 23rd

2 Encls.

No. 2457.

From the Govt Madras
No 12 August 57
Rec'd 19th

Submitting with the Boards observations, letters from the Acting Collector of Masulipatam reporting certain further proceedings with regard to the Vessanapetta Mootah case.

No. 771. 31st July

Fort St George
31st July 1857

No. 771.

The Government will expect to receive an opinion from Mr Dale, after consideration of the Boards Proceedings and the papers to which they give cover.

At

No

2 Copies to the Bd of Rev with 2 Encls
1 — to Govt Madras

Dispd 1st Aug

Nos 19 & 20.

C25 July R30th