I W

Revenue Department

E.M.C. dated 6th February 1867

Back Nos 38-39

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order no 125 dated 2nd February 1867

(5 sheets)

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் ஜி. ராஜகுமரன்

செப்பனிடுவதற்காக
எடுத்துக்கொள்ளப்பட்ட நாள் 3/ஜன்/2006

செப்பனிட்டு முடித்த நாள் 2/மார்ச்/2006

சரிபார்க்கும்	சரிபார்க்கும்	ஆராய்ச்சி
முதல் மு.நி.பா.எ.	2ம். நி.பா.எ.	உதவியாளர்
கையொப்பம்	கையொப்பம்	கையொப்பம்

2 W 1

Fort Saint George, Revenue Consultation of 6th February 1857.

No. 38. Read the following *Extract from the Proceedings of the Board of Revenue, dated 21st January 1857, No. 246.*

* *In Con. 21st January 1857.*

Read letter from the Acting Sub-Collector in charge of Salem dated 15th January 1857.*

(Here enter No. 13.)

With the foregoing letter, the Acting Sub-Collector in charge forwards copy of a decision passed by the Sub-Court of Salem in Original Suit No. 29 of 1853, dismissing the claim of the Plaintiff. He also submits copy of an appeal petition filed in the Civil Court by Plaintiff, together with draft of an answer, and requests sanction for conducting the defence of the suit in appeal at the public expence.

2. The original suit was instituted to recover Rupees 135-2 said to be the balance due to the Plaintiff, a Carpenter, for labor and for material supplied for constructing a new Cutcherry at Paramutty.

3. The Plaintiff was unable to prove his claim, and the case was dismissed. He has therefore appealed to the Civil Court to obtain a reversal of the decree of the lower Court, urging various objections which the Acting Sub-Collector in charge fully meets in the proposed reply.

4. The Board of Revenue are of opinion that the appeal suit should be defended on the grounds set forth in the draft answer. They observe that the time allowed for filing the reply will expire on the 25th Instant, and therefore resolve to instruct the Acting Sub-Collector in charge to proceed with the defence in appeal, in anticipation of the orders of Government, which will be obtained and forwarded to him in due course.

(A true Extract.)

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

No. 39. ORDER THEREON, *No. 125; dated 2d February 1857.*

The Right Honorable the Governor in Council grants authority for the defence in the first instance at the public expense of the appeal suit No. 2 of 1857 instituted by Mootoosawmy Auchary in the Civil Court of Salem against the Collector of that District; but will determine when a copy of the decree shall be furnished whether the costs, if any be adjudged against the Collector, shall be borne by that officer or by the Government.

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

Revenue Department

3W2

No 246

Extract from the Proceedings of the Board of Revenue dated 21st January 1857.

Read letter from the Acting Sub Collector in Charge of Salem dated 13th January 1857.

In Cos. 21st Jan/1857.

(Here enter No 13.)

With the foregoing letter the Acting Sub Collector in Charge forwards Copy of a decision passed by the Sub Court of Salem in Original Suit No 29 of 1853, dismissing the claim of the Plaintiff. He also submits Copy of an Appeal Petition filed in the Civil Court by Plaintiff, together with draft of an Answer, and requests sanction for conducting the defence of the Suit in Appeal at the public expense:—

2. The original Suit was instituted to recover Rupees 135. 2. said to be the balance due to the Plaintiff, a Carpenter, for labor and for materials supplied for constructing a new Cutcherry at Paramuttay:—

3. The Plaintiff was unable to prove his claim, and the case was dismissed. He has therefore appealed to the Civil Court to obtain a reversal of the decree of the lower Court, urging various objections which the Acting Sub Collector in Charge fully meets in the proposed reply.

The

Rec.d 1857 Depart.t
Do to Cork 6.th February.

No. 81.

Extract from the Proceedings of the Bd. of Revenue

Oct.r to 21.st
Dec.r 22 January 1/57.

4. Encls.

No. 246

Submitting a letter from the Collector of Salem, enclosing the decision of the Sub. Court in O. S. No 29 of 1853, together with copy of his official minute & draft of his answer to it, and intimating that as the time for filing the reply will expire on the 25th instant, he has been instructed to proceed with the defence in anticipation of the orders of Government.

With an order.
No 125 — 2.d July.

No 125

The Right Honorable the Governor in Council grants authority for the defence in the first instance at the public expence of the appeal suit No 2 of 1857 instituted by Mootoo Sawmy Auchary in the Civil Court of Salem against the Collector of that District, but will determine when a copy of the Decree shall be furnished whether the costs, if any be adjudged against the Collector, shall be borne by that officer or by the Government.

Fort St. George
2.d February 1857

Report to the Bd. of Rev.
with 4 Orig. Encls.

No 38 & 39.

26 Jany 1857

The Board of Revenue are of opinion that the appeal suit should be defended on the grounds set forth in the draft Answer. They observe that the time allowed for filing the reply will expire on the 25th instant, and therefore to authorise the Collector in charge to proceed with the defence on appeal, in conformity with the orders of Government, which will be obtained and forwarded to him in due course.

(A true Extract)

Sd/-
Acting Secy. to Govt.

To
J. D. Brandt Esqr.
Secretary to Government,
Revenue Department.