Revenue Department

Minutes of Circulation

1st June 1858

Book No 54 to 57

Order No 7132 29th May 1858

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713/2

Fort Saint George, Revenue Consultation of 1st June 1858.

No. 54. Read the following Extract from the Proceedings of the Board of Revenue, dated 20th May 1858, No. 1824.

In Cons. 20th May 1858. Read letter from the Collector of Bellary, dated 23d April 1858.

(Here enter No. 64.)

E. M. C. 24th in Cons. 26th June 1856, *No.* 613, *R. D.*

The Collector of Bellary was included as a defendant in Suit No. 3 of 1856, on the file of the Subordinate Court, in which the puttah right to certain land was in dispute, and claimed exemption, with the sanction of Government, under the provisions of Act XVIII—1850.

2. The Collector's plea was disallowed by the Sub-Judge, but the Plaintiff having failed to establish his claim, the Court would not entertain the question as to how far the Collector had exceeded his authority.

3. The case was subsequently appealed to the Civil Court in A. S. No. 20 of 1857, without avail, as the Civil Judge dismissed the appeal with costs, but did not allude to any responsibility which the Collector might have incurred.

4. A special appeal has now been preferred to the Sudder and admitted by that Court, and the Collector has received the usual notice to appear either in person or by Vakeel. He has accordingly addressed the Government Vakeel of the Sudder Adawlut, forwarding him a draft reply embodying the line of defence originally authorized by Government, and requesting him to appear on his behalf.

5. The Board recommend that the usual sanction may be accorded to the Government Vakeel to conduct the defence in the Sudder, so far as the Collector is concerned, at the public expense.

6. The Collector will be instructed to furnish the Government Pleader with a Vakalutnama in the usual form.

(A true Extract.)

(Signed) G. S. FORBES, *Secretary.*

No. 55. ORDER THEREON, No. 713; dated 29th May 1858.

The Right Honorable the Governor in Council authorizes the Government Pleader to respond on behalf of the Collector of Bellary, to the special appeal admitted by the Court of Sudder Udalut in their Proceedings dated 8th March last against the decree passed by the Civil Court of Bellary in appeal suit No. 20 of 1857 on the file of that Court. The Government will however determine when a copy of the decree is submitted, whether the costs, if any be adjudged against the Collector, shall be borne by that Officer or by the Government.

2. Mr. Pelly's letter to which the Board's Proceedings above recorded give cover, was received in the Board's office on the 28th of April last, but was allowed to remain undisposed of till the 20th of the following month, or for upwards of 20 days. It is especially necessary to avoid delay in the disposal of papers regarding Suits, and the Government trust the Board will bear this in mind. The present is not the first instance in which it has become necessary to notice such a delay.

Vide Ex. M. C. 24th Oct. 1857 *No.* 1097, *and Bd's. Pro.* 13*th Nov.* 1857, *No.* 3915, *para. 3.*

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக்- 08/08
கொடுக்கப்பட்ட நாள். 01/09

சரிபார்க்கும்
முதல் முறியாள
கையொப்பம்

சரிபார்க்கும்
2ம் முறியாள
கையொப்பம்

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

713
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No. 1824.

Extract from the Proceedings of the Board of Revenue, dated 20th May 1858.

In Con. 20th May 1858.

Read letter from the Collector of Bellary, dated 23d April 1858.

(Here enter No. 64.)

1. The Collector of Bellary was included as a defendant in suit No. 3 of 1856, on the file of the subordinate Court, in which the puttah right to certain land was in dispute, and claimed exemption, with the sanction of Government, under the provisions of Act XVIII—1850.

E M. C 24th in Con. 26th June 1856, No. 643 R. D.

2. The Collector's plea was disallowed by the Sub. Judge, but the Plaintiff having failed to establish his claim, the Court would not entertain the question as to how far the Collector had exceeded his authority.

3. The case was subsequently appealed to the Civil Court in A. S. No. 20 of 1857, without avail, as the Civil Judge dismissed the appeal with costs, but did not allude to any responsibility which the Collector might have incurred.

4. A special appeal has now been preferred to the Sudder and admitted by that Court, and the Collector has received the usual notice to appear either in person or by Vakeel. He has accordingly addressed the Government Vakeel of the Sudder Adawlut, forwarding him a draft reply embodying the line of defence originally authorized by Government, and requesting him to appear on his behalf.

5. The Board recommend that the usual sanction may be accorded to the Government Vakeel to conduct the defence in the Sudder, so far as the Collector is concerned, at the public expense.

6. The Collector will be instructed to furnish the Government Pleader with a Vakalutnama in the usual form.

(A true Extract.)

Secretary.

To

W. H. BAYLEY, Esq., *Acting Secretary to Government, R. D.*

Copy to Collector of Bellary, for information and guidance.

713/4 R.D.

N° 713

Extract from the Minutes of Consultation

Undersdate the 29th May 1858.

Read the following Extract

from the Proceedings of the Board

of Revenue.

(Here enter 20th May 1858 N° 1824)

The Right Honorable

the Governor in Council au-

authorizes the Government

Pleader to respond on behalf

of the Collector of Bellary, to the

Special appeal committed by

the Court of Sudder Adawlut

in their Proceedings dated

8th March last against the

decree passed by the Civil

Court of Bellary in appeal

Suit N° 20 of 1857 on the file

of that Court. The Governme

will however determine when a copy of the decree is submitted, whether the costs, if any, be adjudged against the Collector shall be borne by that officer or by the Government.

2 Mr Kelly's letter to which the Board's Proceedings above recorded give cover was received in the Board's Office on the 28th of April last & was allowed to remain undisposed of till the 20th of the following month or for upwards of 20 days. It is necessary, as ~~to avoid any~~ delay, ~~should not~~ be borne in the disposal of matters regarding Lists, and the Government trust the Board will ~~always~~ bear this in mind. The present

Mo: b: 24th October 1857 No 1097 &
Do: 13th November " - 3915 p: 3.

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is not the first instance in which it has become necessary to notice such a delay.

WHB

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2 " Govt & Reader

Cons 24 June /58 N 47 1/2 48 — Revenue 1858 Depart
Dr to Cons 1st June

No 13.

Extract Mins of Cons:
D 29 May /58.

From the Govt Reader 13th October
1858 No 1613 Jr Cons: 14

Authorizing the
Govt Reader to respond
on behalf of the Collector
of Bellary to the special
Appeal admitted by the
Court of Sudder Adalut
against the Decree passed by
the Civil Court of that Dis
trict in a Regal suit No 20 of
1857. It shall be hereafter de
termined when a copy of the
decree is submitted whether
the costs in this action shall be
borne by the Collector by the Govt

No 54 & 55.