M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1320 Press ~~Mis.~~

67-68

Dated 28 - 9 - 1859.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, from 24th September to 4th October 1859.

No. 67. Read the following Proceedings of the Board of Revenue, dated 17th September 1859, No. 3714.

Read letter from the Collector of Canara, dated 12th July 1859, No. 118, submitting fuller explanation on the subject of petition No. 127 of 1859 regarding the rejection of petitioner's claim to the refund of Rupees 2 stamp duty.

(In Con. 18th July 1859, No. 3548.)

The Board observe that the suit was dismissed, and certificate for refund of stamp duty granted on 23d June 1858, that the Vakeel who received it died on 9th July following, and that his papers including the certificate were taken in charge by the Police and forwarded to the Moonsiff's Court on 22d November following. The certificate was produce on 9th December to the Collector but payment refused on the ground that the limited period of three months from the dismissal of the suit had expired.

2. Under these circumstances the Board think that the party holding the certificate is entitled to consideration, but as the time in which such refunds are payable is limited by Clause IV. Act XVII. of 1848, and the Board have no authority to extend it, they resolve to recommend to Government that the Collector be specially authorised to pay the present demand.

No. 68. ORDER THEREON, 28th September 1859, No. 1320.

The refund of Stamp duty of 2 Rupees to Petitioner P. Santappa of Puttur is sanctioned.

(Signed) J. D. BOURDILLON,
Secretary to Government.

In Con. 18th July 1859, No. 3548.

From W. FISHER, Esq., Collector of CANARA,

dated Mangalore, 12th July 1859, No. 118.

With reference to the Board's endorsement on Petition, No. 127 of 1859, calling for fuller explanation than is afforded by my order to petitioner, under date 9th December 1858, I have the honor to state, that the petitioner's claim to the refund of Rupees two, stamp duty, was rejected on the ground that that claim had not been made within three calendar months, after the dismissal of the suit. This fact alone took the matter out of my hands, but on reference to petitioner's statement, I do not see that he has any claim to indulgence, if it can be afforded, as he does not appear to have taken any step, on the death of his vakeel, to obtain possession of the certificate, or to bring into notice the fact, that delay in settling the affairs of the deceased, might in this instance prove prejudicial to his interests.

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Enc. 1.—Petition, No. 127 of 1859.

No. 3714.

Proceedings of the **Board** of **Revenue**, dated 17th September 1859.

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(A true Extract.)

Acting Secretary.

To

J. D. BOURDILLON, Esq., Secretary to Government, R. D.
Copy to Collector of Canara.

Ben. 1859 Collect
Registered Book
Original Letter

Proceedings of the
Board of Revenue

Dated 19th
Recd 22 September 1859
Read 23rd
Ent. Book
Mr. Secy Saunders C.S.
Bruce 3-10-59.

No. 1320. 28th Septr. 1859.

Proceedings of Commissioners
Appeals for Collection of Revenue
Registering Stamped Petitions
Act XXVI of 1859 Claiming the
Refund of Stamps affixed on
Petitions presented
to Collectors of Revenue
Rejected Petitions
Petitioners
Appellants
Respondents
Appeals
Collectors
Commissioners
Order

Mr. Secy Saunders

No. 1320

The refund of the stamps duty
of 2 Rs to petitioners Declaration
Petition is sanctioned.—

Fort St. George
28 September 1859.

To Board of Revenue
3 Civil Andalats
1 Acct Genl

Copies Rupees 2½.