

Revenue Department

No 347

Intd 17—3—1859

Fort Saint George, Revenue Consultation of 22d March 1859.

No. 19. Read the following Extract from the Proceedings of the Board of Revenue, dated 28th February 1859, No. 738.)

Read letter from the Collector of Masulipatam, dated 9th December 1858, No. 232, requesting authority to pay into Court Rupees 3,199-7-10, with whatever sum may be due on account of interest up to the date of payment, in satisfaction of the order issued by the Civil Court for the recovery of the costs of the opposite party in the Vissannapettah Suit.

(In Con. 28th December 1858, No. 5638.)

Read also letter from the Government Pleader Sudder Udalut, dated 18th February 1859, No. 23, stating that the costs mentioned in the order of the Civil Judge must be paid.

(In Con. 19th February 1859, No. 677.)

Resolved that the foregoing letters with their enclosures be submitted to Government, with the Board's recommendation that authority may be given for the disbursement of the amount alluded to.

(A true Extract.)

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

No. 20. ORDER THEREON, No. 347; dated 17th March 1859.

The Right Honorable the Governor in Council sanctions the payment into the Civil Court of Masulipatam of the sum of Rupees (3,199-7-10) three thousand, one hundred and ninety-nine, annas seven and pice ten, on account of Suits Nos. 103 and 136 of 1857 together with further interest up to the day of payment.

2. The Board of Revenue will be requested invariably to state the matter of their recommendation clearly in the body of their Proceedings instead of leaving Government to collect it from enclosures.

(Signed) W. C. SIM,

Ag. Dy. Secretary to Government.

IN CON. 19TH FEBRUARY 1859, No. 677.

From CLEMENT DALE, Esq., Government Pleader SUDDER UDALUT,
dated Madras, 18th February 1859. No. 23.

Para. 1. I do myself the honor of acknowledging receipt of an Extract from the Proceedings of the Board of Revenue noted in the margin; and in reply to forward for the information of the Board copies of two Orders passed by the Court of Sudder Udalut under dates the 7th and 14th October 1858 on the 2d Petition (called in the Orders "Motion") presented on behalf of Cavaly Venkata Naranappah and No. 21 of 1858 whereby the Civil Judge of Masulipatam is ordered to carry into execution the Decree passed by the Court of Sudder Udalut on the 14th April 1858 in A. S. Nos. 103 and 136 of 1857, and to recover from the Collector and pay to the Appellant the costs there enumerated.

2. I have to apologize for not having obtained and forwarded copies of these orders with my letter to the Collector of Masulipatam dated the 22d October 1858 No. 133. The 2 Petitions of Cavaly Venkata Naranappah (for the mesne profits and costs) came on for hearing on the 14th October last. At the time I directed my then Gomastah (since discharged from inattention to his duties) to obtain copies of the Orders, after the lapse of a week a copy of one order was furnished to me by the Court. My Gomastah omitted to draw to my attention that only one order had been furnished, and it certainly escaped my recollection at the time that 2 Orders had been passed; and in the hurry of business I directed a copy of the one order furnished to me to be forwarded.

3. From the orders now forwarded it appears that the costs mentioned in the order of the Civil Judge undated, but a copy of which is enclosed in Mr. Knox's letter of the 9th December last must be paid.

ENC. 1.

EXTRACT from the PROCEEDINGS of the SUDDER UDALUT under date the 7th October 1858.
In Appeal Nos. 103 and 136 of 1857.

Cavally Vencuta Narrainapah, Jagheedar of Tinnanore—Appellant
Versus

Collector of Masulipatam—Respondent.

Read Motion presented on the 19th July 1858, by the late E. Salmon Esquire, Pleader on behalf of the Appellant aforesaid.

(Here enter Motion No. 21 of 1858.)

1. This is an application for the execution of the decree passed by the Court of Sudder Udalut on the 14th April 1858 and certified on the 12th July 1858.
2. The Court of Sudder Udalut having caused the purport of the Motion to be compared with the decree, direct that the Civil Judge of Masulipatam be, by precept commanded to carry the decree into execution in accordance with the Circular proceedings of the Sudder Udalut dated 31st May 1854 by recovering from the Collector of Masulipatam and paying to the Appellant aforesaid the following sums, viz.:

In Appeal No. 103.	
Costs incurred in the Sudder Udalut.....	762 1 7
Do. in the original Suit.....	1,098 12 0
	<hr/>
	1,860 13 7

In Appeal No. 136.	
Costs incurred in the Sudder Udalut together with interest on the amount of costs of each Court from the dates of their respective decrees to the date of execution.....	1,009 4 0
	<hr/>
	2,870 1 7

Precept returnable within 30 days.

ENC. 2.

Extract from the Proceedings of the Sudder Udalut under date the 14th October 1858.
Read again Motion presented on the 19th July 1858 by the late E. Salmon Esq., Pleader on behalf of the Appellant in Appeal Suit No. 103 of 1857.

(Here enter Motion No. 21 of 1858.)

The Court of Sudder Udalut direct that the amount of costs referred to in the Extract from the Proceedings of the Sudder Udalut under date the 7th Instant, when recovered be remitted to this Court by an order on the Accountant General for payment to the Appellant, Cavally Vencuta Narrainapah, Zemindar of Vissunnapett.

Ordered &c.
(A True Copy.)

(Signed) CLEMENT DALE,
Govt. Pleader S. U.

347

Extract from the Minutes of Consultation
Under date the 17th March, 1859.

Read the following
Extract from the Proceedings of
the Board of Revenue.

[Here enter 28th February 1859 N^o 738]

The Right Honorable
the Governor in Council sanctions
the payment into the Civil
Court of Masulipatam of the
sum of Rupees (3199-7-10) three
thousand one hundred and
ninety nine, Annas seven and
pice ten, on account of Suits
Nos 156 of 1857 together with further
interest up to the day of
payment.

The Board of
Revenue will be requested
unanimously to state the matter of their
recommendation

At

24

W

Done

Per Mr. P. B. O. S. M.

8/18th March 1859

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P 344/59

Recd. 22nd March 1859
N^o 738

0 2 000
7 1 012.2

RECEIVED
J. & W. B. 1859

Revenue 1859 Sept
Do to Geo 22 March.

No 347.

Contract Wm's of Govt.
27th March 59.

Sanctuary the
payment of £20,199-7-10
into the Civil Court of Chancery
Chancery in account of
debts due 1834-26 of 1857
together with further in-
terest up to the day of
payment.

No 19 + 20.