M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 100	Press ~~Mis.~~
82-83	
Dated 19 — 1 — 1860.	

Not to be folded or roughly handled

No. 82. Read the following Proceedings of the Board of Revenue, dated 18th January 1860, No. 282.

Read letter from the Collector of Malabar, dated 6th January 1860, No. 7.

(In Consultation 17th January 1860, No. 224.)

Resolved that the above letter be submitted for the consideration and orders of Government with reference to Extract Minutes Consultation, 7th January 1858, R. D. No. 24.

O. S. No. 20 of 1856.
On the file of the Mufti Sadr Amín of Calicut.
PLAINTIFF.
Manavikrama Manarpád, Rajah of Calicut, and on his demise his successor as Supplemental Plaintiff.
DEFENDANT.
Mangada-vittel Canaren, Police Amín of Calicut.

2. The O. S. was brought against defendant then Police Amín of Calicut for defamation, in having in an official communication used an expression derogatory to plaintiff's dignity and station.

3. The Mufti Sadr Amín dismissed the suit, but assessed the parties with their respective costs. The result was an appeal from both plaintiff and defendant, that of the latter being conducted at the public expense under the order quoted in paragraph 1 of these proceedings.

4. The Civil Judge whose decree forms an enclosure in the Collector's present report, *Appeal Nos. 22 and 93 of* 1858. confirmed the original decision, in so far as it dismissed the suit, but saddled defendant with all the costs in both suits

5. Defendant now seeks to relieve himself from the penalty thus imposed upon him.

Board's Pro. 23d August 1856, *No.* 2706.
Ex. Mins. Cons. 27th idem, R. D. No. 902.
Board's Pro. 8th March 1858, *No.* 835.
Ex. Mins. Cons. 19th idem, R. D. No. 356.
Ex. Mins. Cons. 16th December 1859, *No.* 5234.

6. The case is exactly analogous to that reported in the correspondonce noted in the margin, and the Board doubt not that the Sadr Adálat will decide, as they did on that occasion, that the act which forms the subject of the suit is not actionable, and will relieve defendant of all costs.

7. The Board recommend that the Government Pleader be instructed to move the Sadr Court for the admission of a special appeal from the Civil Judge's appeal decree and to conduct the proceedings at the public expense as was done in the similar case above referred to.

8. The time for making the special appeal expired on the 17th October last, but the delay has been caused in some measure by proceedings taken by defendant to obtain a review of judgment in consequence of the decision of the Sadr Adálat in the parallel case above alluded to.

9. The revision of the draft of the special appeal had best be left to Mr. Dale with whom the Collector has probably already communicated.

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

No. 83. ORDER THEREON, 19th January 1860, No. 100.

The Governor in Council authorizes the Government Pleader to institute a Special Appeal in the Court of Sadr Adálat from the decree passed by the Civil Court of Calicut in A. S. Nos. *22* and 93 of 1858 on the file of that Court. Mr. Dale will conduct the appeal in the first instance at the public cost, but the Government will determine when a copy of the decree is submitted whether the costs if any be adjudged against the Police Amín shall be borne by that officer or the Government.

(Signed) T. PYCROFT,
Chief Secretary.

8. The time for making the Special appeal expired on the 17th October last but the delay has been caused in some measure by proceedings taken by Defendant to obtain a review of judgment in consequence of the decision of the Sadr adalat in the parallel case above alluded to—

9. The revision of the draft of the Special appeal had best be left to Mr Dale with whom the Collector has probably already communicated.

(A True Extract

I D Law

Secretary C

To,

T. Pycroft Esqr

Chief Secretary to

Government.

Compd Ellominen

Revenue 1860 Dept
Pro: of Govt 20 January.
No 126

Proceedings of the
Board of Revenue
dated 18th
Recd 18th } January 1860
Rec'd 19th }
Encl. 1 Ol letter -
3 Encls No 782
Pro. of the Bd of 18th Dec.
12th March 1860 - C.R.
18 mass 63. R. 179

Recommending that
the Government Pleader
be instructed to move the
Sadr Adalat for the admission
of a special appeal in the
case of the Police Amin
of Calcutta defendant
in an action for defamation

Nos 82 & 83.

Forwarded
No 100. 19th January 1860.

No 100

The Govt in Council
authorize the Govt Pleader to
institute a special appeal to
the Court of Sadr Adalat from
decree passed by the Calcutta
Calcutta on the 22nd & 23rd of
on the file of that Court
Dale will conduct the appeal
in the first instance at the
public cost, but the Court will
determine when a copy of the
is submitted whether the
of any be adjudged against
Police Amin shall be borne

Govt Pleader
No 126

To the Officer of the Court
19 Jany 60 -

Dis 19th

Bd. & Rev
with 2 Encls
5 Pkts do - do - Seal