M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1789 — Press Mis.

76-77

Dated 4 — 10 — 1869.

Not to be folded or roughly handled

பொ. ப. புத்தக எண். 24

துறை.

குறிப்பிட்டவர் பொறுப்பிலிருக்கும் பதிவுக் கட்டினின்றும் எடுக்கப்பட்ட தாள்.

அக்க பல்லகை வாலாயம்

எண் _____, தேதி _____ 188 .

எடுத்த தேதி.	எதன் பொருட்: துறை.	நடப்பு எண்	ஆண்டு.	தாள் எடுக்கும் எழுதுதல் அல்லது பிறழெழுத்தர் சருகொப்பம்.	திருப்பிக் கொடுத்த தேதி.	பிறழெழுத்தின் சருகொப்பம்.

No. 76. Read the following Proceedings of the Board of Revenue, dated 1st October 1860, No. 4,458:—

Read letter from the Collector of the Godavery District, dated 19th September 1860, No. 152.

(In Cons., 26th September 1860, No. 4,828.)

District Munsif's Court at Cocanada, No. 467 of 1860.

Plaintiff.

Siripali Vencataramana of Pamurru in Ramachendrapuram Táluq.

Versus.

1. *Cakerlapati Suraparaz.*
2. *Vadrevu Ramapa.*
3. *Anasarala Venketramanna.*
4. *A. Purvis, Esq., Collector.*

} *Defendants.*

1. The Collector of the Godavery District reports the institution of a Suit against him in the District Munsif's Court at Cocanada by a Karanam who was punished and dismissed under Regulation IX of 1822.

2. The Collector's decision in the case was confirmed by the Board so far back as the 8th February 1858, and their Endorsement was delivered to Plaintiff on the 24th idem.

3. The Board consider that the Collector's answer should be limited to a demurrer to the jurisdiction of the Court, and need not contain the details given in his draft. A revised draft is accordingly submitted herewith.

4. The time for filing the reply expires on the 19th instant.

(A true Extract.)

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

DRAFT REPLY.

The Collector pleads

I. That under Section 2 Regulation III of 1832, this Suit is inadmissible, the endorsement passed by the Board of Revenue under Clause 2 Section 6, Regulation VII of 1828, having been delivered to Plaintiff on the 24th February 1858 and no Suit having been instituted within three months of that delivery.

II. That under Regulation VI of 1831 this Court cannot entertain so much of the plaint as refers to the restoration to Office and the official emoluments of the Karanam Office.

III. That under Act XVIII of 1850, the Collector is not personally liable, he having acted judicially, in good faith and within his jurisdiction.

IV. On these grounds the Collector prays that the Suit be dismissed and that Plaintiff be saddled with all costs.

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

No. 77. ORDER THEREON, 4th October 1860, No. 1,789.

1. The Governor in Council sanctions the defence in the first instance at the public cost, of Suit No. 467 of 1860, instituted against the Collector of the Godavery District and others in the District Munsif's Court at Cocanada, by a Karanam who was punished and dismissed under Regulation IX of 1822; but he will 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 State.

2. The revised draft answer proposed by the Board of Revenue should be filed.

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

No. 582.

Extract from the Proceedings of the Board of Revenue, dated 8th February, 1858.

In Con. 8th Feb. 1858.

Read letters from the Collector of Rajahmundry, dated 17th August and 20th October 1857.

(Here enter Nos. 105 and 133.)

Ordered that the following Endorsement be passed upon the petition received with the first of the letters above recorded, and that the Collector be requested to cause its delivery together with petitions noted marginally* to the petitioner in the manner prescribed by Section III. Regulation III. of 1832.

* Nos. 2963, 3754 and 4018.

"The Board consider that the circumstances detailed in the decision dated 29th April 1857, justified the Collector in passing upon the petitioner the sentence now under appeal. He was charged with having retained with a view to ultimate appropriation various sums collected from the ryots on account of Government, and this charge was proved in respect to Rupees 59 which, it further appears, was made good by him on the circumstances being brought to light. Petitioner's own admissions go far to establish his guilt and the Board do not consider that he has advanced anything in his defence calculated to place his conduct in a more favorable light. His petition of appeal is therefore rejected and petitioner is referred to seek redress, if he thinks proper, in the established Courts of Udalut."

(A true Extract.)

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

To

A. PURVIS, Esq.,
Collector of Rajahmundry.

Copy to Petitioner.

=ings of the Board of
Revenue to the Secretary
to Government Rs. &c.
dated 1st October 1860 -
No. 44 58.

P 2150/60.

Proceedings to the
Collector of Rajahmundry
dated 8th Feby. 1858 No. 582
regarding Petition Nos. 2963,
3754, & 4018.

4th Oct. /60
O No. 1789
B 76-77

Rev. 1860 Department.
Pro: of Govt for Oct.
Fo. 2150.

Proceedings of the
Board of Revenue

Dated 1st }
Desp. 1st } October 1860.
Rec. 2nd }

Encl. 2.
5 Encls. No. 1458.

No. 1789. 4th Oct.

Submitting with the Board's remarks a letter from the Collector of the Godavery District reporting the institution of O. S. No. 467 of 1860 against him and others in the District Moonsiffs' Court at Coconada by a Carnum who was punished and dismissed under Reg: IX of 1822.

Nos 76 & 77.

Proof Do 5th July 61 Nos 1760.

with an order.

No. 1789

The Governor in Council sanctions the defence in the first instance at the public cost, of Suit No 467 of 1860 instituted against the Collector of the Godavery District and others in the District Moonsiffs Court at Coconada, by a Karnam who was punished and dismissed under Regulation IX of 1822; but he will 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 State.

2 The revised draft answer proposed by the Board of Revenue should be filed.

Fort St. Geo: 4th October 1860.

12 Copies.
Board of Rev. Pro. 5
Orderly & Reads.

Lushington
Despatch Comd.