M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 55 Press ~~Mis.~~

No —111

Dated 10 — 1 — 1860

Not to be folded or roughly handled

No. 110. Read the following letter from J. D. SIM, Esq., Secretary to the Board of Revenue; to T. PYCROFT, Esq., Chief Secretary to Government, dated 7th January 1860, No. 85.

In Con. 14th July 1859, *No.* 3469.

With reference to the Proceedings of Government dated 13th July 1859, instructing the Government Pleader to appear on behalf of Government and defend the appeal (A. S. 127 of 1859) to the Sadr Court preferred by Brijee Mohandoss, the plaintiff in O. S. No. 3 of 1857, on the file of the Civil Court of Masulipatam, I am directed by the Board of Revenue to submit herewith the correspondence noted in the margin, from which it will be seen that Narriah Apparow Bahadúr, the 1st defendant in the above mentioned suit, has also preferred an appeal (A. S. 129 of 1859) to the Sadr Adálat against the decision of the lower Court.

From Govt. Pleader 3d in Con. 5th Dec. 1859, *No.* 6050.
To do. 15th do. ,, 5219.
From do. 23d in Con. 24th Dec. ,, ,, 6470.
Telegram from Collr. Kristna district 5th in Con. 5th Jany. 1860, *No.* 41.

2. The Collector has not been made a respondent in this latter appeal, nor has notice been served upon him to appear, the Board, therefore, informed the Government Pleader in reply to his first letter, that they saw no necessity for the Collector's appearance of his own accord as he was not made a party in the appeal suit. It would, however, seem from Mr. Dale's letter of 23d ultimo, that an appeal opens the whole case, and that the interests of Government may be prejudiced by the non-appearance of the Collector; under these circumstances, it would perhaps be advisable for the Government Pleader to act at once, and the Board accordingly recommend that he be instructed to appear on behalf of the Collector and protect the interests of Government in any manner that may be necessary during the trial of Apparow's appeal in the higher Court.

15th December 1859.

In Con. 24th Dec. 1859, *No.* 6417.

3. The papers connected with the matters at issue are with Mr. Dale, who is familar with the subject. The Board presume that the course suggested by Mr. Dale in paragraph 9 of his second letter would only lead to a notice being formally served on the Collector.

Dated 23d in Con. 24th Dec. 1859, *No.* 6417.

4. The time allowed for filing answers in the suit expires on the 20th instant.

No. 111. ORDER THEREON, 10th January 1860, No. 55.

The Governor in Council directs the Government Pleader to appear on behalf of the Collector of Masulipatam, in appeal suit (No. 127 of 1859) preferred to the Sadr Adálat by Narriah Apparow Bahadúr, ex-zamíndár of Nidadavole, against the decree passed by the Civil Court of Masulipatam in Original Suit No. 3 of 1857, and to take such measures to protect the interests of Government as may appear necessary during the trial of the appeal.

(Signed) T. PYCROFT,
Chief Secretary.

Pleader on Dup. 1

R. D.

No 55

Proceedings of the Madras Government
under date the 10 January 1860.

Submitting correspondence relating to an appeal suit preferred in the Sudr Adalut by Narriah Apparow Bahadur the 1st Defendant in O.S. No 3 of 1857 against the decision of the lower Court, and recommending that the Govt Pleader be instructed to appear on behalf of the Collr and protect the interests of Govt.

Read the following letter from the Secy to the Bd of Rev.

(Harrender 7th Jany 1860 No 85)

The Govr in Council directs the Govt Pleader to appear ~~in person~~ on behalf of the Collr of Masulipatam, in Appeal Suit (No 129 of 1859) preferred to the Sudr Adalut by Narriah Apparow Bahadur, ex zamindar of Nidadavole, against the decree passed by the Civil Court of Masulipatam in Original Suit No 3 of 1857, and to take such measures as may appear to protect the interests of Govt necessary during the trial of the appeal.

R. A. Chg to Bd of Rev Disp No 10
5 Jany do with 6 Encls
Govt Pleader in Copy

15th July/59 No 44 & 45.

Revenue 1860 Dept.
Pro. of Govt. 10th January

No 55.

Pro. of the Madras Govt
Dt 10th January/60
From the Govt Pleader S. Arcot
4/4th July/60 No 1374 in Ro.
6 No 184-186
From Dr. Dt. 17th Octr 1860 No.
2308 in Pro: 7th Nov No 2061

Govt Pleader to appear
on behalf of the Masulipa
tam Collector in appeal
Suit No 127/59 before the
Sadr Adalut and to take
necessary measures
protect the interests of
Government.
From R Cr 576 of 1861.
in Pro: 25th March No 693.

No 110 & 111.