M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1504	Press Mis.
399 400	
Dated 27. 7- 1861.	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 27th July 1861.

No. 399. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Sudder Adálat, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 26th July 1861, No. 137 :—

SIR,

24th July 1861, No. 1,474, Revenue Department.

1. I have the honor to acknowledge the receipt of the Proceedings of Government, under the date and number noted in the margin, and to report for the information of the Honorable the Governor in Council, that I have prepared a written statement of the case of the Defendant (the Collector) to be tendered to the Civil Judge at the first hearing of the suit, under the 120th Section of the new Civil Procedure Act, a copy whereof I enclose for the information and consideration of His Excellency in Council.

2. It will be observed that I have embodied in this statement all the suggestions made by the Board of Revenue, although not in the shape in which they framed them.

3. On looking at the plaint, it will be remarked that the Plaintiff does not expressly pray that the alleged grant may be registered ; but merely prays the Kist may be apportioned ; he however refers to Section 8 of the Regulation 25 of 1802, and says he has brought the Suit "with a view that he may enjoy the benefit of that Regulation," I have therefore prepared the 1st and 2nd paragraphs of the statement.

4. In submitting this statement to the Civil Judge, the Government Vakíl at Madura may refer His Honor to the Circular Order of the Sudder Adálat of the 17th of September 1832, under which (and the letter of the Registrar of the Sudder Adálat to Government, dated 30th April 1831, with reference to the Vissanapetta Zamíndári), I have framed the 1st and 2nd paragraphs of the statement.

5. I believe the question raised in the 3rd paragraph has never been decided ; but as it is the sole prayer of the plaint to have the Kist apportioned, I have deemed it desirable to negative, in express terms, the right of the Plaintiff to enforce such an apportionment.

6. I return Mr. Levinge's letter with the copies, plaint and summons, which accompanied the proceedings noted above.

No. 400. ORDER THEREON, 27th July 1861, No. 1,504.

Ordered to be communicated to the Board of Revenue, with reference to their Proceedings, dated 23rd July 1861, No. 3,934.

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

2d July 1861 No 339 & 340
Copy in a Letter to Engd
of 13th Septr/61 No 110

Revenue 1861 Octr
Proc: of Govr for July.
No 1816.

From Clement Dale Esqr
Govt Pleader Tuddor
Adalat.

Dated 26th July/61.
Recvd 27th July/61.

No 137.

Submits for information & consideration copy of a written statement of the case of the Defts (Zamindar of Madura) to be tendered to the Civil Judge at the first hearing of the suit.

No 1501 - 27th July
Will accordingly

No 1504

Ordered to be communicated to the Board of Revenue with reference to their Proc: dated 23d July 1861 No 3934.

For the Govr
27th July 1861

Copy
To the Board of Rev: Encls: 27
with 1 Encl: Copies
14 Attd Copies to do. 29

No 399 & 400.