C.F. 73. DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine. No. ——, dated —— 19 .

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 250 — Press / Mis.

175-176

Dated 8. 2. 1862

Not to be folded or roughly handled

No. 175. Read the following Proceedings of the Board of Revenue, dated 4th February, 1862, No. 768 :—

Read the following letter from H. WOOD, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Cuddalore, 28th January 1862, No. 15.

SIR,

1. I have the honor to forward translation of a Plaint together with a Supplemental Plaint in suit No. 264 of 1861 filed in the District Moonsiff's Court at Chellumbrum by Ponnambala Pillay, &c., against the late Acting Sub-Collector Mr. Tod and the first, second and third Defendants, together with a Draft of statement under section 120 of Act VIII of 1859, which I propose to file in the case.

2. I beg to request that the Board will be pleased to solicit the sanction of Government for the suit being defended, as far as the Revenue Officer is concerned, at the public expense.

3. The period allowed for presenting the statement will expire on the 3rd February ; but application will be made to extend the period to the 3rd March next.

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1. Ordered to be submitted to Government with the Board's recommendation that the defence of the suit at the public cost be sanctioned.

2. The Board, however, consider, that the answer should consist of a denial of Plaintiff's assertion, that the land in question is situated in their village, and further of the pleas, that Mr. Tod was not liable to be sued for the act of one of his predecessors, and that the Sub-Collector being a subordinate officer, Plaintiff's proper course, if dissatisfied with his order, was to have appealed to the Collector, and that not having done so, he is not warranted in including him as a Defendant, that therefore it is prayed, that the suit as against him be dismissed with costs.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 176. ORDER THEREON, 8th February 1862, No. 250.

1. The Government sanction the defence of the Suit at the public expense in the first instance, but will determine when a copy of the Decree is submitted whether the costs if any be adjudged against the late Acting Sub-Collector shall be borne by that Officer or by the Government.

2. The Government would omit the plea proposed by the Board founded on Section XXVIII, Regulation XXVII of 1802. If the late Sub-Collector acted judicially that fact may be pleaded.

(Signed) J. D. SIM,

Secretary to Government.

to the Collector, and that not having
done so, he is not warranted in includ-
-ing him as a Defendant, that therefore
it is prayed, that the Suit as against
him be dismissed with costs.

(A true Copy & Extract)

Secretary.

To

J. D. Sim Esq.
Secretary to Government
Revenue Department

Rev: 1862 Depart.
Pro: of Govt for February.

No. 315.

Proceedings of the Board of Revenue

Dated 4th
Desp. 4 February 1862
Rec'd 5th
6 3 d cvs

A. 708

Submitting with remarks a letter from the Collector of South Arcot forwarding translation of a plaint in Suit No 2649 of 1861 pending in the Court of the Principal Sudder Ameen of Cuddalore praying that the defendant may be restrained from proceeding with the sale of certain property attached in execution of a decree obtained against the plaintiff's father by the defendant, and stating that the Collector has declined to interfere in the matter.

Read the Letter of the Collector of South Arcot with its Enclosure.

Ordered, That the Collector be informed that the Board are of opinion that the Government should not be advised to interfere in the matter.

No. 250.

The Government cannot the defence of the suit at public expense in the first instance, but will determine when a copy of the Decree is submitted whether the if any be adjudged against the late Acting Sub-Collr shall be borne by that Offr or by the Government.

The Government would omit the plea proposed by the Board founded on section XXVIII Regulation XVII of 1802 - If the Sub Collr acted judicially they could not be sued.

X c.2. That a Collr is not liable for his predecessor's acts. It applied to all Revenue Officers would think be carrying the

No. 175 & 176.

No. 230 - 8 Feb
William Oder.