

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2697

Press
Mis.

383.384

Dated 29-12-1862

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
29th December 1862.*

No. 383. Read the following Proceedings of the Board of Revenue, dated 23rd December 1862:—

Read the following letter from A. P. HODGSON, Esq., Acting Collector, South Canara, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Mangalore, 17th December 1862, No. 140.

SIR,

1. I have the honor to forward a Notice that I have just received from the High Court of Judicature of Madras, intimating that an Appeal has been made from a Decree of the Civil Court at Mangalore in a Suit against Government, the pleadings and documents connected with which were forwarded to the Board with the Collector's letter, dated 8th August, No. 135.

2. On receipt of the Notice referred to above, I called upon the Government Pleader at Mangalore to procure a copy of the Decree in question, which he had previously neglected to do although he had been requested, some days before, to furnish it.

3. An authenticated copy of the Decree having now been obtained, I beg to submit the same, together with a statement of the facts of the case.

4. I beg also to draw the attention of the Board to the fact that the 10th of January has been fixed for the hearing of the Appeal, in order that an extension of time may be sought from the High Court in case the Government Pleader at Madras should, on the pleadings being laid before him, require any information from me on the subject of the Suit.

1. Ordered to be submitted to Government, with reference to their Order No. 1,699, Revenue Department, dated 23rd August 1861, sanctioning the defence of the Original Suit which has been decided in their favor, and with the Board's recommendation that the papers be transmitted to the Government Pleader, on the Appellate side of the High Court with instructions to take the necessary steps for the defence of the Government interests in the Appeal Suit.

2. As the Board are not in possession of any later Order of Government than that dated 18th September 1862, No. 1,537, Judicial Department, on the subject of the appointment of a Government Pleader on this side of the Court, they request to be informed to whom the other papers on their records connected with the case are to be transmitted.

3. The Board resolve to bring to the notice of Government that the Notice of Appeal though dated 3rd December 1862, did not reach the Collector until 16th idem, while the case comes on for hearing on 10th January 1863. Such interval would be clearly insufficient for the preparation of the defence in many instances and should in the Board's opinion be extended.

4. The Government Vakil at Mangalore appears to have been reprehensibly negligent in obtaining for the Collector copy of the original Judgment which is dated 22nd August 1862.

(A true Copy and Extract.)

(Signed.) W. HUDLESTON, Secretary.

No. 384. ORDER THEREON, 29th December 1862, No. 2,697.

1. Ordered to be communicated to the Government Pleader with instructions to take the necessary steps in the High Court for the defence of the Collector of South Canara in the Appeal Suit alluded to in these Proceedings. He will procure from the Board of Revenue any further information he may require.

2. Paragraphs 2, 3 and 4 will be referred to the Judicial Department.

(Signed.) J. D. SIM,

Secretary to Government.

Appeal Suit.

2.

As the Board are not in possession of any later order of Government than that dated 18th September 1862 No. 1537 Judicial Department on the subject of the appointment of a Government Pleader on this side of the Court, they request to be informed to whom the other papers on their records connected with this case are to be transmitted.

3.

The Board resolve to bring to the notice of Government that the notice of appeal this dated 3rd December 1862, did not reach the Collector until 16th Idem while the case comes on for hearing on 10th January 1863. Such interval would be clearly insufficient for the preparation of the defence in many instances & should in the Board's opinion be extended.

4.

The Government Tabil at Manga: above appears to have been reprehensibly negligent in obtaining for the Collector copy of the original judgment which is dated 22nd August 1862.

(A true Copy & Extract.)

J. D. Smith
Secretary

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

With 3 Enclosures

