

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. <i>1004</i>	Press ~~Mis.~~
<i>169-150</i>	
Dated	<i>9-6-1918</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
9th June 1863.*

No. 149. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Madras, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 2nd June 1863, No. 53 :—

SIR,

In continuation of the letter I had the honor of addressing to you under the date and number noted in the margin, I do myself the honor of enclosing for the information of the Honorable the Governor in Council a copy of the Order passed by the High Court under date the 2nd May 1863 in R. A. S. Nos. 103 and 136 of 1857.

IN THE HIGH COURT OF JUDICATURE AT MADRAS, 2ND MAY 1863:

Present.

The Honorable MR. JUSTICE PHILLIPS.

The Honorable MR. JUSTICE FRERE.

Regular Appeals Nos. 103 and 136 of 1857 in the late Sudder Court.

Cavalry Venkata Narrainapah, Appellant, by J. D. Mayne, Esq., Vakeel.

Collector of Masulipatam, Respondent, by C. Dale, Esq., Government Pleader.

1. In pursuance of the directions of the Judicial Committee of the Privy Council, the High Court resolve to refer the following issues, framed and prepared by consent of Counsel on both sides, for trial by the Court of First Instance, which will take such evidence as may be tendered by the parties and return its finding to the High Court within two months from this date.

2. The Civil Judge having regard to the declarations contained in the Order passed by Her Most Gracious Majesty in this Suit bearing date the 6th day of January 1862, is to enquire and decide whether the right of the Crown was absolutely defeated by the Razeenamah in the pleadings mentioned.

3. He is further to enquire and decide what advances, if any, were made by Cavalry Venkata Lutchmiah, the father of the Defendant (Respondent) to Vargondah Lutchmedavummah, the Widow of Vargondah Ramanapah in the plaint respectively mentioned, and whether all, or any, and which, of such advances were made for purposes for which according to the Hindoo Law the said Vargondah Lutchmedavummah would have been entitled to alienate the Estate in dispute as against the next heirs of her husband, if such there had been.

4. He shall further enquire what other property besides the Estate in dispute in this Suit the said Vargondah Ramanapah died possessed of, and whether at the time when such advances, if any, were respectively made, the said Vargondah Lutchmedavummah had any of such property, and if so, whether the same were sufficient to answer the purposes for which the advances were made by the said Cavalry Venkata Lutchmiah to the said Vargondah Lutchmedavummah.

5. The parties respectively are to be at liberty to adduce further evidence touching the matters aforesaid or any of them as they may be advised.

(True Extract.)

(Signed) THOMAS WILKINS,

9th May 1863.

Acting Deputy Registrar.

To J. R. Boyson, Esq., Government Solicitor, for his information, with reference to his letter, dated 4th instant.

No. 150. ORDER THEREON, 9th June 1863, No. 1,004.

Ordered to be communicated to the Board of Revenue in continuation of the Proceedings, dated 18th May 1863, No. 862.

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

From Clement Dale Esquire Government Pleader Madras
To S. D. Sim Esquire Secretary to Government.

Madras 2^d June 1863.

Sir

In continuation of the letter I had the honor
of addressing to you under the date and number
8th May 1863 No 47. noted in the margin, I do myself the honor
of enclosing for the information of the Honorable the
Governor in Council a copy of the Order passed by
the High Court under date the 2^d May 1863 in
R. A. S. No 103 and 136 of 1857.

I have the honor to be

Sir

Your most Obedient Servant

Clement Dale
Government Pleader

No 18 May 1863 no 2187
2193

Copy in a letter to England
of 1863 of June 1862 of 1863

Recd 1813
of 1813
from Government of London
to Secretary of Government
Dated 22 June 1863
Recd 3 June 1863

No 581

(with enclosure)

Enclosure Copy of the Order
passed by the High Court of 22 July 1863
in R & C of 10371369 1863

From 1813 of 1813
CA 1372

1813 of 1813

With Order 2

No 149 1863

Re 1004

Present to the committee
in continuation of the process
of 18 June 1863 of 1863

From 1813 of 1813
of 1813 of 1813

1813

1/3 of 1813 of 1813
3 of 1813 of 1813