M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2383-2384 Press ~~Mis.~~

484.436

Dated 31-12-~~19~~1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 31st December 1863.

No. 434 Read the following Proceedings of the Board of Revenue, dated 30th December 1863:—

Read again letter from the Collector of Salem, dated 19th February 1863, in Board's Proceedings dated 24th idem, No. 1,115, and letter from same Officer, dated 13th October 1863, in Board's Proceedings dated 4th November 1863, No. 7,010.

Read also the following letters from the same Officer dated 23rd December 1863, Nos. 228 and 229.

1. Ordered that the above papers be submitted to Government with reference to the correspondence noted in the margin,* and with the Board's request that the necessary authority may be furnished to Mr. Dale, to appear on behalf of Government at the hearing of Special Appeal Suit in the High Court, which is fixed for 5th January 1864.

* Board's Proceedings dated 19th April 1860, No. 1,875.
G. O. thereon dated 20th idem, No. 602, Revenue Department.
Board's Proceedings dated 11th May 1860, No. 2,301.
G. O. dated 28th idem, No. 867.
G. O. dated 25th June 1861, No. 1,233, Revenue Department.
Board's Proceedings 18th January 1862, No. 433.
G. O. thereon 8th February 1862, No. 245, Revenue Department.
Board's Proceedings dated 6th December 1862, No. 7,971.
Board's Proceedings dated 8th idem, No. 7,996.
G. O. dated 8th January 1863, No. 31, Revenue Department.
G. O. dated 10th idem, No. 55.

2. The papers connected with the case will be forwarded to Mr. Dale in anticipation of the orders of Government, as the time is so short.

3. The Collector should have informed the Board with greater expedition of the admission of the Special Appeal, which appears to have been notified to him on 1st December 1863, by the Registrar of the High Court. The delay has been productive of excessive inconvenience.

4. The Government will observe that the facts of the case are very simple. The appellant (Plaintiff in original Suit) was the *second* applicant for certain waste land and was collusively registered as the occupying cultivator by the village Kurnum, his near relative, without any authority. The Collector on enquiry assigned the land to the first applicant, and the Kurnum was fined and dismissed for his fraudulent conduct.

5. Plaintiff then sued the first applicant and the Collector for the land and for the issue of a Puttah in his name, and the defence at the public cost was sanctioned by Government on 20th April 1860. The Suit was decided in favor of the Defendants, and Plaintiff appealed to the Civil Court. The Board sanctioned the defence of the appeal Suit, which likewise was decided in favor of the Respondents (original Defendants) on which Plaintiff made a special appeal to the High Court, which has been admitted and notice issued to the Collector to appear and answer the Plaint on 5th January 1864.

No. 435. ORDER THEREON, 31st December 1863, No. 2,383.

1. Mr. Dale will be authorized to appear on behalf of Government.
2. The delay in submitting the papers has been properly animadverted upon by the Board.

(True Extract.)

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

To the Board of Revenue.
„ Government Pleader with four original Enclosures.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Revenue Department, 31st December 1863.

Dated 31*st December* 1863, *No.* 2,384.

The Honorable the Governor in Council authorizes the Government Pleader to appear and defend the Special Appeal No. 460 of 1863, in the High Court of Judicature at Madras.

(True Extract.)

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

To the Government Pleader.

Exd. S. T. Augustin.

nor fraudulent conduct

5. Plaintiff then sued the first applicant and the Collector for the land and for the issue of a Patent in his name, and the defence of the public cash was sanctioned by Government on 20th April 1860. The Suit was decided in favor of the Defendants and Plaintiff appealed to the Civil Court. The Board sanctioned the defence of the Appeal Suit, which likewise was decided in favor of the Respondents (Original Defendants) on which Plaintiff made a Special Appeal to the High Court, which has been admitted and notice issued to the Collector to appear and answer the Plaint on 5th January 1864.

(A true Extract)

Secretary

To

A. D. Sim Esq

Secretary to Government

Compd. 88

Revenue Department

No 2384.

Proceedings of the Madras Government under date the 31st Dec. 1864

The Honorable
the Governor in Council
authorises the Govt
=ment Pleader to appear
and defend the appeal
=eal Appeal No 40
of 1864 in the High
Court of Judicature
at Madras.

[illegible]

Rec. in Court

The Govt Pleader
to the High Court
Ciff: 2
Encl: 2 Copies

[illegible]

Rev. 1863. Oct.
Pros. of Govt for N. 3177 Guber.
Proceedings of the
Board of Revenue

Dated 30th Dec. 1863.
Dept
Read 31st. }

With 4 Encls
Rec. M.B.C. of Rev. 28 Dec. 1864
C.N. 816 No.

Requesting Govt
to authorize Mr Dale to
appear on behalf of Govt
at the hearing of a certain
Special Appeal Suit in
the High Court, regarding
certain Cuttah Land in
the Salem District—

No 2983, 31 Dec.

No 434 & 435

No. 2383.

Mr Dale will be
authorised to appear
on behalf of Govt.

The delay in
submitting the Proceedings
has been duly ani-
-madverted upon by
the Govt.

Fort St. George,
31st December 1863.

L D S

Revenue 1863 Sept.
Pro: of Govt. for December

No 2384.

Pro: of the Madras Govt.
Dt 31st December 63

From the Govt Pleader
of 21 March 64 in A 749.

Pro: of the Board of Revn
of 25th March 64 in A 766.

Authority granted
to the Govt. Pleader to
appear and defend
the special appeal
No 460 of 1863 in the
High Court at Madras.

No 436.

With Order