

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1757	Press ~~Mis.~~
332.353	
Dated	23-9-1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
23rd September 1864.*

No. 352. Read the following Proceedings of the Board of Revenue, dated 21st September 1864.
Read the following letter from G. THORNHILL, Esq., Collector of Kistna District, to
W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Masulipatam,
9th September 1864, No. 190:—

SIR,

1. With reference to the Proceedings of the Board, dated 19th August 1863, No. 5,176, I have the honor to report that the Suit therein referred to was transferred from the District Moonsiff's Court to the Civil Court, the amount of Suit when the interest was calculated having exceeded the jurisdiction of the lower Court. The written statement, however, in the form prescribed by the Board, was put in in the District Moonsiff's Court, and was sent up with the Record to the Higher Court, which passed an order to the effect that the Defendant's plea, demurring to the jurisdiction of the Court was inadmissible. Copy of the Court's order is enclosed.

2. As the Suit must now be defended on its merits, I beg that you will obtain the sanction of the Board to file the answer which was submitted with Mr. Foord's letter of 31st July 1863, No. 169.

3. I have applied to the Civil Court to grant two months' time for filing the answer. The order will be duly reported to Board.

1. Ordered to be submitted to Government with reference to their Order dated 22nd August 1863, No. 1,548, Revenue Department, and with the request that as the Court have disallowed the objection to its jurisdiction the case be defended on its merits and the Collector authorized to put in the answer originally proposed by Mr. Foord, which is printed in the Board's Proceedings of 19th August 1863, on which the above Government order was passed.

2. The Board consider that the Collector should preface the answer by referring to the objection already raised, and should state that without relinquishing that ground of objection or waiving his right to maintain it in appeal, he submits for the consideration of the Court as regards the merits of the case that "Plaintiff has no valid title, &c.," as originally drafted.

No. 353. ORDER THEREON, 23rd September 1864, No. 1,757.

Miscellaneous.

The sanction to defend the Suit at the public cost has been already given in the Order dated 22nd August 1863, No. 1,548. The answer proposed by Mr. Foord may be filed with the modification suggested by the Board in paragraph 2 of their Proceedings.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin.

No. 1757.

The sanction to defend the suit
at the public cost has been already given
in the order dated 22nd August 1863, No. 1548.

The answer proposed by Mr. Food may be
filed with the modification suggested by
the Board in para 2 of their Proceedings.

Fort St. George
23rd Sept / 64
72/15

Mc Board of Revenue. Asst^{nt} 23rd Sept 11. S.C. Asst^{nt} 27th
with an Encl^{ure}

8/15

P. 22 August 1853 229-230

Rev. 1st Dept
No. of Govt for Sept
N. 2517

Proceedings of the
Board of Revenue

Dated 21st Sept
Sept 21st } September 1854
Recd 22nd }
C. I. O. R. 22

N. 2

Submitting with remarks letter
from the Collector of the District
District reporting the transfer
of Suit No 105 of 1854 from
the District Munsiff's Court
to the Civil Court and re-
questing sanction to file the
answer already submitted by
Ch. Hood.

N. 1757. 230 Sept 1854

W. H. B. R. 22

N. 302 1353.

23 Sept 1854 N. 228