M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1692 Press Mis.

385. 386

Dated 21—7—1865.

Not to be folded or roughly handled

No. 485. Read the following Proceedings of the Board of Revenue, dated 21st July 1865.

Read the following letter from G. A. BALLARD, Esq., Collector of Malabar, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Calicut, 13th July 1865, No. 136:—

SIR,

1. Adverting to the Board's Proceedings, dated 20th October 1864, No. 6,913, I have the honor to submit translate of the Plaint filed against me in the Special Court constituted at Calicut for the adjudication of claims to waste lands, by the Kurumbranad Raja, in reference to the claim brought forward by him to a tract of country in Wynad.

O. S. No. 1 of 1865.

2. I enclose the draft of a statement which I propose to have filed in the Suit, and request that sanction may be obtained to defend the Suit at the public expense.

3. I take this opportunity of enquiring whether, in similar Suits brought in future against Government before a Special Court, it is necessary to submit a translate of Plaint and draft of answer, and apply for sanction previous to making the required outlay.

The above letter will be submitted for the orders of Government. The Board presume that the same course should be followed in defending Suits in the Waste Land Courts, as in the ordinary Civil Courts. It is observed that the plaint was apparently filed upwards of 30 days after notice had been given to the Plaintiff.

No. 486. ORDER THEREON, 26th July 1865, No. 1,742.

Miscellaneous.

1. The defence of the Suit is sanctioned.

2. The Government observe that in Section 10, Act XXIII. of 1863, it is provided that in all Suits brought before the Special Court to establish private claims that have been rejected by the Collector and Revenue Board, the claimant shall be Plaintiff, and the Collector or other Officer performing the duties of Collector of the District "*shall* appear as Defendant on the part of Government."

3. Under these circumstances formal sanction to defend each such Suit is clearly unnecessary, but the Collector must report the institution of each Suit for the information of Government.

4. The Board will issue a Circular Order accordingly.

(True Extract.)

(Signed) W. HUDLESTON,

Acting Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

Ge 1742.

The dispute

in suit is sanctioned

by Govt. observing

that in Ch. X. Act XXIII. of

1863. it is provided that in

all suits between the Special

& Inferior Courts private claims

that have been rejected by the

Coll. & Rev. Bd. the claimant

shall be plaintiff & the Coll.

or other Officer performing the duties

of Coll. of the District "shall appear as

Deft. on the part of Govt." Under that

circumstance Govt. sanctions

the suit & that suit is clearly

Immediately on the following Sunday
after the institution of such
visit for the use of Church —

I have the honor
to be
Sir
Your obedient Servant
[illegible]

24-7

20th July 1865.

14 Lords Board of Trade Circular dated 17 July

97
3

Pro. 4th November/04 No 3764

Rev: 1805 Despatch

Rv. 2007.

4-11-09

Proceedings of the Board of Revenue

Dated 21st
Desp. 21 } July 1805.
Rec. 22

E. 2. 0½ Rets

Forwards Revenue Consultation/68
Or. 3198

Submitting for orders letter from the Collector of Malabar requesting sanction for defence at public cost of O.S. No 1 of 1805 instituted in the Special Court constituted at Calicut for the adjudication of claims to Waste lands by the Kummbranad Raja and desiring to know whether such sanction should be obtained in all similar cases. No 1742-26 pcls.

With Order

No 485 & 486