

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 3063

Press
Mis

162-163

Dated

19-12-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
19th December 1865.*

No. 162. Read the following Proceedings of the Board of Revenue, dated 16th December 1865.

Read the following letter from the Government Pleader, Madras, to the Secretary to the Board of Revenue, dated Madras, 6th December 1865, No. 176:—

1. I do myself the honor of enclosing copy of a letter from the Registrar of the High Court on the Appellate Side, with the print that accompanied; I do not know any thing of the case, it never having been referred to me. It would, however, appear from the point that the Collector did not appeal to the Civil Court from the Decree in the Original Suit, but I remark that the Government Pleader did appear in the Civil Court for him, although he had not appealed. It will be observed that the Collector is included as a party Respondent to the Special Appeal Suit.

2. Section 119 of the Civil Procedure Code applies to cases where an Original Suit is tried *ex parte*, which this Suit was not, so far as relates to the Collector; and Section 346 shows what is to be done by an Appellate Court, if a Respondent does not appear.

3. From Mr. Hutchins' letter it would appear that the Collector, wishes to be allowed two months' time, for putting in an answer. I am at a loss to surmise what object the Collector has for making this application, as by the Code, answers are not required from Defendants or Respondents.

4. If it be wished that I should appear for the Collector, I must be authorized by an Order of Government in the usual manner.

5. And in that case I shall require to know on what grounds I am to oppose the Special Appeal, with full particulars of the case, and to be furnished with copies of the Pleadings, &c.

1. The Board have received no communication from the Collector regarding this Special Appeal, but have telegraphed for information.

2. Meanwhile a file of the printed papers relating to the case will be furnished to the Government Pleader, with the request that he will do what is necessary in the matter. The Government will be requested to furnish him with the necessary authority to appear with reference to the correspondence noted in the margin. It appears that the appeal Decree was in favor of the Collector.

Government Orders.		
13th August 1860,	No. 1,346.	
22nd Dec. "	" 2,475.	
8th Oct. 1861,	" 1,953.	
30th " "	" 2,075.	

No. 163.

ORDER THEREON, 19th December 1865, No. 3,063.

The Governor in Council authorizes the Government Pleader to appear before the High Court on behalf of the Collector of Cuddapah, one of the Respondents in Special Appeal No. 489 of 1865.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.
" the Government Pleader.

Exd. S. T. Augustin.

S. T. Augustin

The Board have received no communication from the Collector regarding this special appeal, but have telegraphed for information.

2. Meanwhile a file of the printed papers relating to the case will be furnished to the Government Pleader with the request that he will do what is necessary in the matter. The Government

will be requested to furnish him with the necessary authority to appear with reference to the correspondence noted in the margin. It appears that the appeal decree was in favor of the Collector.

(A true Copy & Extract)

L. K. S. S. S.
Secretary

To,
J. D. S. S. S.,
Secretary to Government

Revenue Department
with 2 enclosures to be returned

Government Orders
13th August 1860. No 1346
22nd Dec. 1860. No 2475
8th October 1861. No 1953
30th October 1861. No 2075

820 H
R. V. M. S. S. S.

20-23 Aug 60 100/37-5
 22 Dec 60 - 100-374-8
 8 Oct 61 122-3
 30 - 100-368-9

(Recd 1865) Dec 18
 of the Board of Revenue
 Proceedings of the
 Board of Revenue

Pro of the Board of Revenue
 26 March 1860 4889

25 Oct 1860
 Dec 18
 Dec 18
 Dec 18

According to the Government
 of the Board of Revenue a file of
 the papers relating to the
 case in S.A. 102489 of 1865

100-368-9

regarding the Government
 of the Board of Revenue a
 file of the papers relating to the
 case in S.A. 102489 of 1865
 to appear before the High Court

100-368-9

100-368-9

The Government Council
 authorizes the Government Pleader

to appear before the High Court

on behalf of the City of Madras

one of the Pleaders in the

appeal 102489 of 1865 -

W.D.

100-368-9
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