M.R.O. 1—38,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	1545	Press Mis.—	
73-74 Dated	6 — 6 —	No 1868	

Not to be folded or roughly handled

D.
1545

Proceedings of the Madras Government, Revenue Department,
4th June 1868.

No. 73. Read the following Proceedings of the Madras Government in the Judicial Department:—

Passing orders regarding the forms of communications between Judicial officers and between these and Revenue officers. } (Here enter 27th May 1868, No. 865.)

No. 74. ORDER THEREON, 4th June 1868, No. 1,545.

Miscellaneous.

Communicated to the Revenue Board.

(True Extract.)

(Signed) H. SEWELL,
Acting Under Secretary to Government.

To the Board of Revenue, with Proceedings Judicial Department, No. 865.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Judicial Department, 27th May 1868.

No. 291. Read the following letter from the Acting Registrar of the High Court of Judicature, Madras, Appellate Side, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 13th May 1868, No. 761.

I am directed to acknowledge the receipt of your letter to the Chief Justice, dated 22nd April 1868, transmitting a copy of the Proceedings of Government, Judicial Department, of the same date, and requesting the opinion of the High Court on the alteration suggested in paragraphs 4 and 5 of the Order, No. 655, in the existing forms of address in communications between Judicial Officers and between them and Revenue Officers.

2. In a Circular Order, dated 4th December 1867, the High Court directed the general use of the form of Proceedings in communications addressed by Civil Judges to District Moonsiffs, and at the same time intimated the impropriety of a Collector addressing an order to a District Moonsiff, and laid down the rule that all such communications should be sent through the Civil Court. This order did not, of course, refer to the orders which, under Regulation XII. of 1816, Collectors are authorized to address to District Moonsiffs, and which are of a quasi-judicial nature.

3. The High Court are of opinion that the principle of the above order is the principle which should regulate any general rule prescribed, viz., that only in communications between a superior and his own subordinates should the mandatory form of address be adopted.

4. Following out this principle they consider that Revenue and Judicial Officers of all grades should correspond by letter in the ordinary form ; that Session Judges should address Magistrates by Proceedings, but that Magistrates should address Session Judges by letter. In communications between Judicial or Revenue Officers of one Zillah and those of another Zillah the form of letter should always be adopted, whatever the relative ranks of the addressor and addressee.

5. As to the form of the letter the simple official designation of the officer, and the plain plural affix as suggested by Government, might be adopted in vernacular writings. The use of the terms ప్రభు and శ్రీ are obviously improper in addressing a Judicial Officer of whatever rank whether by letter or process, nor has the use of such expressions been sanctioned at any time by the late Sudder or the High Court. The forms for issuing commissions were circulated by the late Sudder Court on 13th November 1843 in English, and were translated into the vernacular in the Lower Courts. The plain plural forms, మారు and శ్రీమతలు, should without doubt be at once substituted in all Zillahs where the terms ప్రభు and శ్రీ are in use.

Proceedings of the High Court of Judicature at Madras, 4th December 1867.

Read letter, dated 25th ultimo, No. 213, from the Civil Judge of Tellicherry, forwarding, for the consideration of the High Court, certain papers having reference to an order issued by the Collector of Malabar to the late District Moonsiff of Pynad.

The High Court believe that some Civil Courts adopt the form of Proceedings in their communications with the District Moonsiffs ; it is the more regular form, and the High Court resolve to direct its general use. As regards Collectors there is no doubt that an order to a District Moonsiff is an irregular form of communication. It appears to the High Court that the correct form is for communications from those Officers to be sent through the Civil Court, and for the Moonsiff's replies to be forwarded through the same channel.

(True Extract).

(Signed) T. WILKINS,
Deputy Registrar,
Appellate Side.

Proceedings of the Madras Government, Judicial Department,

27th May 1868.

No. 292. ORDER THEREON, 27th May 1868, No. 865.

With a view to obviate the misunderstandings and complaints which have been frequent, regarding the forms of communications between Judicial Officers and between these and Revenue Officers, the Governor in Council, with the concurrence of the Judges of the High Court, directs—

1*st*.—That the mandatory form of address shall be adopted only in communications between a superior and his own subordinates.

2*nd*.—That Revenue and Judicial Officers of all grades shall correspond by letter in the ordinary form.

3*rd*—That Session Judges shall address Magistrates by Proceedings, but that Magistrates shall address Sessions Judges by letter. In communications between Judicial and Revenue Officers of one Zillah and those of another Zillah the form of a letter will in future be adopted, whatever the relative ranks of the addressor and addressee may be.

2. If the communication be in a Native language those letters of the language should be put together which spell the sound of the English official designation of the Officer addressed, and the plain plural affix be used.

(True Extract).

Asst Secretary

To the Honorable the Judges of the High Court.
" Collector and Magistrate of
" Civil and Session Judge of
" Revenue Department.
" Inspector General of Police.

Ed. J. Tulloch.

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Revenue 1868. Dept
Prov. of Govt. for June
No. 1908.
Proceedings of the
Govt. Ind. Dept.

Dated 27th May
Received 2nd June 1868
No. 865.

No 1545 - 4 June /68
Papers ordered
regarding the
Forms of Summons
between Judicial
Officers and between
those & Revenue
Officers —
Wilk Order

Z CNo. 17833 Pm

No. 73 & 74

No. 1545

Committed to the
Revenue Board

4th June /68

5 Copies To the Bd of Revl with Govt Dis No 865 Dated 4/6

Govt