M/L. G. 1—89,090—15-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1057 Press ~~Mis.~~

95-96
Dated 13-7- 1870

Not to be folded or roughly handled

MS

Proceedings of the Madras Government, Revenue Department, 13th July 1870.

No. 95. Read the following letter from the Government Pleader, Madras, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated 30th June 1870, No. 87:—

With reference to the Proceedings of Government noted in the margin, I have the honour to report that the appeal (Special Appeal No. 605 of 1869) to the High Court, from the Decree of the Principal Sudder Ameen of Masulipatam in Appeal Suit No. 1 of 1869, was heard yesterday before Mr. Justice Holloway and Mr. Justice Innes. I appeared on behalf of Government. No Counsel appeared on the other side.

G. O., 24th September 1869, No. 2,657.
,, 6th December ,, ,, 3,111.

2. The Court held that the Suit was barred by Regulation VI. of 1831, as it involved a question as to the amount of emoluments due to a Curnum in an unsettled district, the cognizance of which was vested by the Regulation solely in the Revenue authorities; the Decree of the Lower Court was therefore reversed, and the Suit dismissed. It appeared that the appeal had been presented after time, and had been admitted as a matter of favour, and taking that and the other circumstances of the case into consideration, the Court did not think it was a case to grant costs.

3. The delay alluded to by the Court in presenting the appeal was caused partly by the length of time taken in obtaining a copy of the Judgment of the Lower Court from the Collector of the Kistna District owing to his being at the time out in the district, and partly by the mistake of one of my Clerks who received the appeal from me in time, but omitted to file it at once. The amount of costs is very trifling.

4. I have communicated the above result to the Board of Revenue.

No. 96. Order thereon, 13th July 1870, No. 1,057.

Miscellaneous.

The Government request the Government Pleader to obtain and submit a copy of the Judgment of the High Court.

(True Extract.)

(Signed) H. E. STOKES,
Under-Secretary to Government.

To the Government Pleader.

Exd. F. R. Bantleman.

Govt. of India Records.

REVENUE.

No

THE GOVERNMENT PLEADER.

Dated July, 13th.

Recd.

Rcd.

G. O., 13th July 1870, *No.* 1,057.

JULY.

Nos. 95-96.

Appeal (Special Appeal No. 605 of 1869) to High Court.—Government Pleader requested to obtain and submit a copy of the Judgment of the High Court.

No. 1057

The Govt regret the Govt Pleader does not obtain and submit a copy of the Judgment of the High Court

RD.

13 July 1870

3 Collie Govt Pleader Decbr 22d 97/5