

*Proceedings of the Madras Government, Revenue Department,
27th February 1871.*

No. 292. Read the following Proceedings of the Board of Revenue, dated 30th January 1871, No. 457 :—

Read the following endorsement of the Secretary to Government, Revenue Department, dated 9th January 1871.

From the Acting Under-Secretary to the Government of Bombay, Judicial Department, to the Secretary to the Government of Madras, dated Bombay Castle, 24th December 1870, No. 5,012.

I AM directed to request that, with the permission of His Excellency the Governor in Council, you will be so good as to state what is the practice in the Madras Presidency with respect to the recovery, by the successful party in suits before the Revenue Courts to maintain or to recover possession of lands, etc., of the legitimate costs to which he may have been exposed by the exigencies of litigation.

2. The reason of this reference is, that as the Bombay Act V. of 1864, constituting Mamlutdard's Court, contains no provision as to the payment of costs, it has been doubted whether any award can be made.

—
REFERRED to the Board of Revenue for report.

(Signed) W. HUDLESTON,
Secretary to Government.

THE only suits of the description adverted to by the Bombay Government which are tried before Revenue Courts in this Presidency are suits under Madras Act VIII. of 1865 (the Arrears of Rent Recovery Act).

2. Under Section 70 "All awards under the judgment of a Collector," including costs, "shall be leviable in the same way as arrears of revenue."

No. 293. ORDER THEREON, 27th February 1871, No. 349.

Miscellaneous.

ORDERED that copy of the Board's Proceedings be forwarded to the Bombay Government, with reference to Mr. Under-Secretary Jardine's letter of 24th December 1870.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

REVENUE DEPARTMENT,
FORT SAINT GEORGE,
27th February 1871.

No. 294.

No. 350.

To

THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
JUDICIAL DEPARTMENT.

Miscellaneous.

SIR,—With reference to your
Acting Under-Secretary's letter, dated
24th December 1870, No. 5,012, inquir-
ing what is the practice in this Presidency with respect to the recovery, by the
successful party, of costs in suits before Revenue Courts, I am directed to forward
the enclosed Proceedings* of Govern-
ment containing the Revenue Board's
reply to this reference.

* Procs. of Govt., 27th Feb. 1871, Nos. 292, 293.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) W. HUDLESTON,
Secretary to Government.

Exd. F. R. Bantleman.

N^o 3072 of 1870.

Bombay Castle
24th December 1870.

Judicial Department,

Sir,

I am directed to request that, with the permission of His Excellency the Governor in Council, you will be so good as to state what is the practice in the Madras Presidency with respect to the recovery by the successful party in suits before the Revenue Courts to maintain or to recover possession of lands &c. of the legitimate costs to which he may have been exposed by the exigencies of litigation.

2. The reason of this reference is that as the Bombay Act 5 of 1864 constituting Mautabdar's Court contains no provision as to the payment of costs, it has been doubted whether any award can be made.

I have the honor to be,

Sir,

Your most obedient servant,

John Jardine

Acty Secy to Govt.

To,
The Secretary

to the Government of Madras.

27 July 71

W-350.

To the Secretary to the Govt of Bombay
for

With reference to your
acting Under Secretary's
letter dated 24 December
1870 No 5012 enquiring what
is the practice in this
Presidency with respect to
the recovery by the suc-
cessful party of costs
in suits before Revenue
Courts, I am directed
to forward the enclosed
Prop of Govt containing
the Revenue Board's
reply to this reference.

L.R.

* Prop of Govt No 400.

12 June 1871 No 66-67

Revenue 1870 Sept
No 20

From
The C. P. Under Secretary
to Govt of Bombay

Dated 24. Dec 70
Recd. 11. Jan 71

No 5012
Dec 349 - 27 July

According to the
practice in the Madras Presidency
with respect to the recovery of
the successful party in suits before
the Revenue Courts to maintain
or to recover possession of lands, see
of the Legislative Councils which
may have been explained by the
Secretary of Legislation
Revenue

Rev = 1871, Dec 349

Board of Revenue,

MADRAS. Files.

PROCEEDINGS, 30TH JANUARY 1871, No. 457.

2nd 6 Feb 1871

Received 1/1

JANUARY.
No. 457.

Suits—before Revenue Courts to maintain or
recover possession of lands &c.—Intimation that
the only such suits tried in Madras Presidency
are suits under Rent Recovery Act VIII of 1865,
and that costs are leviable in same way as ar-
rears of revenue.

With Order

Dec 349 - 27 July 71

Printed at the Govt Press
No 349 - 27 July 71
Letter of 24 Dec 1870
27 July 71
14. To the Under Secretary
to Govt of Bombay

Revenue & Co. Secy. to Govt.
for Secy. to Govt.
P. Secy. to Govt.
11. Received 11/3 January 1871
Dec 349 - 27 July 71