

4620
*Proceedings of the Madras Government, Revenue Department,
24th April 1872.*

No. 264. Read the following letter from the Acting Registrar of the High Court of Judicature at Madras, to the Officiating Chief Secretary to Government, dated Madras, 16th April 1872, No. 729 :—

I AM directed to acknowledge the receipt of your letter to the Chief Justice, dated 20th March 1872, forwarding, for his consideration and approval, Draft Rules relating to the supply, use, and renewal of Court Fee Stamps to be used in the High Court.

2. In reply, I am to state that the rules have the concurrence of the Chief Justice, subject to this observation ; that the fifth rule, so far as it relates to the *refund of money* for stamps not required for use and for stamps spoiled or unfit for use, appears to be in excess of the power conferred by the 27th Section of the Court Fees Act. By that Section the Government may make rules for regulating (among other matters) “ the *renewal* of damaged or spoiled stamps.” But refunds are provided for by the Act itself. The Chief Justice believes also that the provisions of the English Stamp Acts, touching refunds in such cases as those mentioned, are more guarded than the proposed rule.

No. 265. ORDER THEREON, 24th April 1872, No. 670.

Separate Revenue, No. 15.

Stamps.

ON the question of refunds it is observed that the Act does not provide for the case of stamps spoiled or unfit or not required for use, and that the

provision in the Draft Rules is merely an administrative regulation, the necessity for which has been recognized by Government.

2. On further consideration, however, it is resolved to restrict the provision to the case of stamps *spoiled or unfit for use*, although the General Stamp Act includes also the case of Stamps *not required for use*, as provided in the Draft Rules.

3. The rules will be altered accordingly, and published in the *Fort St. George Gazette*.

(True Extract.)

(Signed) W. HUDLESTON,
Officiating Chief Secretary.

To the Acting Registrar of the High Court.
„ the Board of Revenue.
„ the Judicial Department.

Exd. F. R. Bantleman.

No. 729.

From

H. Wigram Esquire,

Acting Registrar of the High Court of
Judicature at Madras.

To

The Honourable W. Hudleston,

Officiating Chief Secretary
to Government.

Honourable Sir,

I am directed to acknowledge
the receipt of your letter to the Chief
Justice dated 20th March 1872 forwarding
for his consideration and approval
Draft Rules relating to the supply,
use and renewal of Court fee stamps
to be used in the High Court.

In reply I am to state that
the Rules have the concurrence of
the Chief Justice subject to this
observation. That the 5th Rule so far
as it relates to the refund of money
for stamps not required for use and
for stamps spoiled or unfit for use
appears to be in excess of the power
conferred by the 27th Section of the Court
Fees' Act. By that section the Government

Revenue Department.

No.

670.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 21st April 1872.

Read the following letter from the Acting Registrar of the High Court of Judicature at Madras.

Stating that the draft Rules relating to the supply, use and renewal of Court Fees Stamps to be used in the High Court have the concurrence of the Chief Justice —

M. C. 16th April 1872. No. 729.

Ordered that the Rules be published in the Fort St. George Gazette.

On the question of

Refunds it is observed that

The Act does not provide

for the case of Stamps

spoiled or unfit or not re-

quired for use, and that the

provision

Revenue.
Judicial 1872 Department

No. 1327.

From
The Acting Registrar of the High Court of Judicature at Madras.

To
The Chief Secretary to Government.

Dated 16th April 1872.
Received 17th April 1872.

No. 729.

Stating that the draft rules relating to the supply, use and renewal of Court Fees Stamps to be used in the High Court have the concurrence of the Chief Justice.

C. 19th April 1872 R. 20th April

No. 26.

Draft
provision in the Rules is
merely an administrative
regulation the necessity for
which has been recognised
by Government.

2. On further consideration
it is resolved
to extend the provision
to the case of stamps
spoiled or unfit for
use. altho the General
Stamp act includes
also the case of stamps
not required for use,
as provided in the
draft rules.

The rules will
be altered accordingly
& published in the
H. L. Gazette
Ed. H. D.

added to the draft

Ed. H. D.
H. L. Gazette

For the Dy. Registrar of the High Court
H. L. D.
16 June 04

[Faint, mostly illegible handwritten text on the reverse side of the page, appearing as bleed-through from the other side.]