M.R.O. 1—5

(1) Number of Pages 6

(2) Date of repair 13-4-67.

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1601	Press
B.P. No.		Mis.
Dated	21-12-1874	196

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
21st December 1874.

No. 254. Read the following Proceedings of the Board of Revenue, dated 19th December 1874:—

Read letter from the Collector of Malabár, dated 10th December 1874, No. 294.

Submitted for the orders of Government, with reference to their orders, dated 7th and 21st May 1874, numbered respectively 563 and 615.

2. Two carpenters received advances from an Overseer of the Public Works Department, with whom they contracted for the supply of materials and the performance of work. As they failed to perform the contracts, the Collector, at the request of the District Engineer, proposed to sue them. The case was submitted for the orders of Government with the suggestion that the suits should be laid by the District Engineer on behalf of the Secretary of State for India in Council. Government referred the matter for the opinion of the Government Pleader, who, after obtaining further information, stated that suits are maintainable. They were then filed but without the express sanction of Government.

3. The Collector now requests instructions regarding two preliminary points raised by the Court. The first is, whether the District Engineer has been authorised by Government to institute the suits. As observed before, the formal sanction of Government was not accorded, but the omission can now be supplied. The second question is, whether Government have power to authorise the District Engineer to sue in the name of the Secretary of State for India in Council. The Board request that this point may be referred for the opinion of the Advocate-General and the Government Pleader. If the suits cannot be laid in the name of the Secretary of State they are not maintainable, as they are barred by limitation.

4. The suit is to be heard on the 19th January 1875.

(True Extract.)

(Signed) J. GROSE,
Secretary.

No. 255. Order thereon, 21st December 1874, No. 1,601.

Miscellaneous. Forwarded for the opinion of the Advocate-General.

(True Extract.)

(Signed) C. G. MAETON,
Acting Secretary to Government.

To the Government Solicitor, with Enclosures in original and Government Orders, 7th and 21st May 1874, Nos. 563 and 615.

„ the Board of Revenue.

Typd. F. D. Braithwaite.

Revenue Depart.

Proceedings of the Board of Revenue
held 19th December 1874

Read letter from the Collector
of Allahabad dated 5th December 1874
No 1294

Resolved for the orders
of Government to refer the
Pleaders proposal of 1874 stamp
1874 remarks and Confidential 662 and 615

Letter from the Secretary to Government
forwarding Petition of the Pleaders Mandal
Jhansi praying to be exempted
from the necessity of using Court fee
stamps in the Courts of the Jhansi
District

Read letter from the Secretary to Government
N.W.P. Revenue Department
No 1294 dated 5th December 1874