

(1) Number of Pages 6

(2) Date of repair 5-9-66

(3) Initials of the Referencer [Signature]

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

DEPARTMENT

G.O. No.

615

B.P. No.

Press

Mis.

Dated

21-5-1874

196 .

Not to be folded or roughly handled

615
1

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

No. 197. Read the following letter from W. SCHARLIEB, Esq., Acting Government Pleader, Madras, to C. G. MASTER, Esq., Acting Secretary to Government, Revenue Department, dated 18th May 1874, No. 84 :—

I HAVE the honour to acknowledge the receipt on the 16th instant of the Proceedings of Government, dated 7th May 1874, No. 563, on the subject of two complaints (returned herewith) proposed to be filed in Calicut against two defaulting carpenter contractors for the recovery of Rs. 585-6-4 and Rs. 382-14-8, respectively.

2. I quite agree with the Board of Revenue that the suits should be laid by the District Engineer on behalf of Government, as he is the local head of the department with whom the contracts were made.

3. I am hardly able to advise, as to the suits themselves, on the facts placed before me and in the absence of the contracts entered into between the parties. I find that the cause of action is laid in the one case on the 21st May 1868, and in the other on the 16th June 1868. If the contracts were registered, then the period of limitation would be six years; if not registered, it would only be three years.* In the latter case, the actions

* See Articles 115 and 117 in the second Schedule attached to Act IX. of 1871.

would be barred; in the former case, the suit in which the cause of action is said to have arisen on the 21st May 1868 is about becoming barred, while in the other, the period of limitation will expire on the 15th June 1874.

4. I do not understand, looking at the complaints, why one suit is proposed to be filed in the District Munsif's Court, and the other in the Sub-Court; for both the

† See Section 12, Act III. of 1873.

suits are within the pecuniary jurisdiction† of the Munsif's Court. Before giving any definite advice on these suits, I should like to have the contracts themselves before me. I must be informed whether those contracts were registered or not, and when the breach of contract in each case is supposed to have occurred. In furnishing this information, the attention of the officer giving the information should be directed to Section 23, Act IX. of 1871.

No. 198. ORDER THEREON, 21st May 1874, No. 615.

Miscellaneous.

COMMUNICATED to the Board of Revenue who will be good enough to obtain the desired information, and

furnish it direct to the Government Pleader.

(True Extract.)

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

To the Board of Revenue.
„ the Acting Government Pleader.

Exd. F. R. Bantleman.

No 84

Madras
18 May 1874

From W. Charles Egre
Ag Government Pleader
Madras
To C. G. Master Egre
Ag Sec^y to Government

Si

I have the honor to acknowledge the receipt on the 16th Inst^l, of the Proceeding of Government dated 7th May 1874 No 583 on the subject of two plaints proposed to be filed in Calicut against two defaulting Carpenter Contractors, for the recovery of Rs 585-6-4 and Rs 382-14-8 respectively.

*
returned
herewith

2. I quite agree with the Board of Revenue that the suits should be laid by the District Engineer on behalf of Government, as he is the local head of the Department with whom the Contracts were made.

3. I am hardly able to advise, as to the suits themselves, on the facts placed before me and in the absence of the Contracts introduced between the parties. I find that the Cause of action is laid in the one case on the 21st May 1868, and in the other on the 16th June

1874 No 99. May 17
C/P 1308

POST OF 1874

REVENUE.

THE BOARD OF REVENUE.

Dated May 21st.

Recd.

Recd.

G. O., 21st May 1874, No. 610.

MAY.
No. 197-198.

Suits to be filed against two Carpenters in Malabar District.—Communicates to Revenue Board letter from Government Pleader regarding certain—, and directs certain information to be furnished direct to that officer.

June 1868. If the Contracts were registered, then the period of limitation would be six years; if not registered, it would only be three years.* In the latter case, the actions would be barred; in the former case, the suit in which the Cause of action is said to have arisen on the 21st May 1868 is about becoming barred, while in the other, the period of limitation will expire on the 15th June 1874.

I cannot understand, looking at the plaints, why one suit is proposed to be filed in the District Munsiff's Court and the other in the Sub Court; for both the suits are within the pecuniary jurisdiction of the Munsiff's Court. Before giving any definite advice on these suits, I should like to have the Contracts themselves before me. I must be informed whether those Contracts were registered or not; and when the breach of contract in each case is supposed to have occurred. In furnishing ^{this} information, the attention of the officer giving the information should be directed to Section 23 Act IX of 1871.

I have the honor to be

Yr. most obedient servant

Will Charlton

Ag. Government Pleader

N^o 5835

Revenue 1874 Department

From Mr. C. G. East Head.

Madam

Dated 18th }
Recd. 21st } May 1874

N^o 84. Enc. 2.
Yours &c. &c.

Regarding your letter to the
Governor, and the Committee in
relation to the proposed
amendment for the
Charter in England.

21/5

21/5

Mr. G. G. East Head

N^o 615.

Communicated to the
Board of Revenue who
will be good enough to
obtain the decision
information and
forward it direct
to the Government &
Pleaser

Yours
G. G. East Head

Board of Revenue 21 May 74

14.5.74
8.5.74