

(1) Number of Pages.....8
(2) Date of repair.....25. 11. 66
(3) Initials of the Referencer.....J.N.W.

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	986	Press
B.P. No.		Mis.

Dated

6th August 1966

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th August 1874.*

No. 51. Read the following Proceedings of the Board of Revenue, dated 30th July 1874, No. 2,020:—

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Cocanada, 23rd July 1874, No. 253.

I have the honor to forward herewith translation of the plaint in Small Cause Suit No. 143 of 1874, filed by Messrs. Waring and Co., against the Subordinate Judge and the Sub-Collector and Joint Magistrate.

2. One R. Damodarum, the late Police Hospital Assistant at Rajahmundry, died intestate, and his personal property, consisting of ready cash, etc., was sent by the Superintendent of Police to the Subordinate Court at Rajahmundry for disposal under Clause 7, Section 16, Regulation III. of 1802.

3. It was sold by public auction, and the proceeds, viz., Rupees 52-2-8, and the ready cash, Rupees 33-5-1, were carried to the credit of Government.

4. Messrs. Waring and Co., the plaintiffs, claim a sum of Rupees 33-12-0 from the said proceeds on account of the balance due to them by the said Damodarum. They made an application to the Subordinate Judge for the payment of the money from the effects of the deceased, but he referred them to a regular suit, as there is no provision of law authorizing to pay such debts upon summary applications. The District Munsif of Rajahmundry, in whose Court the suit in question was filed, removed the Subordinate Judge and the Joint Magistrate from the list of defendants, and included the Government as a party to the suit, and served a notice on the Government Pleader on the 9th instant, fixing the date of hearing for the 10th proximo. I have directed the Government Vakeel to apply for an extension of two months.

5. The suit being a Small Cause one, no statement need be filed; but I propose instructing the Government Vakeel to represent to the Court at the hearing of the suit that the Government will abide by the orders of the Court. There is no reason to contest the claim of the plaintiffs, and it should be left to the Courts to decide whether it is a true one.

6. I request the instructions of the Board on the subject.

7. Copy of the letter received from the Subordinate Judge is enclosed.

Enclosure No. 1.—Translation of Plaint.

Enclosure No. 2.—Copy of letter from Subordinate Judge.

Submitted for the approval of Government.

No. 52. ORDER THEREON, 6th August 1874, No. 986.

Miscellaneous.

APPROVED.

(True Extract.)

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

To the Board of Revenue.

Edw. F. R. Dantleman.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 30th July 1874.

Read the following

N^o 258

From

W. S. Foster Esqre,

Ag Collector

To,

J. Cross Esqre,

Secretary to the Board of Revenue
Madras

Sir,

I have the honor to forward herewith translation of the plaint in Small Cause Suit N^o 143 of 1874 filed by Messrs Waring & Co against the Subordinate Judge and the Sub Collector and Joint Magistrate.

2. One P. Damodaram, the late Police Hospital Assistant at Rajahmundry died intestate and his personal property consisting of ready cash &c was sent by the Superintendent of Police to the Subordinate Court at Rajahmundry for

for disposal under clause 7 section 16
Regulation III of 1802.

3. It was sold by public auction
and the proceeds Rs 52-2-8 and
the ready cash Rs 33-5-1 were carried
to the credit of Government.

4. Messrs Waring & Co, the Plaintiffs,
claim a sum of Rs 33-12-0 from
the said proceeds, on account of the
balance due to them by the said
Damodararam. They made an
application to the Subordinate Judge for
the payment of the money from the
effects of the deceased, but he referred
them to a regular suit as there is no
provision of Law authorizing to pay
such debts upon summary applica-
tions. The District Munsiff of
Rajahmundry in whose Court the suit
is

in question was filed removed the
Subordinate Judge and the Joint-Magistrate
from the list of Defendants, and includ-
ed the Government as a party to the
suit, and served a notice on the
Government Pleader on the 9th Instant
fixing the date of hearing for the 10th
Proximo. I have directed the Govern-
ment Pleader to apply for an extension
of 2 months.

5. The suit being a small cause
one, no statement need be filed, but
I propose instructing the Government
Pleader to represent to the Court at
the hearing of the suit that the Govern-
ment will abide by the orders of the
Court. There is no reason to contest
the claim of the Plaintiffs, and it
should be left to the Court to decide
whether

whether it is a true one.

6. I request the instructions of
the Board on the subject.

7. Copy of the letter received from
the Subordinate Judge is enclosed.

Godavery St
Collectors Office,
Coimbatore 23 July
1874

I have &c
(Signed) W. S. Foster
Asst. Collector

Submitted for the approval
of Government.

(True Copy & Extract)

J. G. Foster
Secretary

To
The Secretary to Government

Revenue Department

with 2 original Enclosures

Compared by C. M. J. J.

2553

Received by the
Board of Prisoners

Board of Prisoners

Dated 3rd July 1873
No 31
Page 30
and

Submitting for the approval
of the Board of Prisoners
the petition of the Prisoners
for the forwarding of a
copy of the Report
on the Small Convicts
1872-73 by
the Prisoners
Requesting Board
instructions on the
subject.

Approved
J. H. H.

2553
C. H. H.