1252/5

M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 10

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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. / B.P. No.	1252	Press / Mis.

Dated 20.8.1875 196 .

Not to be folded or roughly handled

1252
1

No. 191. Read the following letter from H. H. SHEPHARD, Esq., Officiating Government Pleader, Madras, to A. MACGREGOR, Esq., Acting Secretary to Government, Revenue Department, dated 4th August 1875, No. 80 :—

In acknowledging the receipt of the Proceedings of Government, Revenue Department, noted in the margin, I have the honor to state that, although it is certainly not necessary that Government should be joined as defendant in the suit instituted by R. Strinivassa Chariar, I think it is as well the proposed application should be made to the Court in order to prevent the proceedings being carried on collusively and to secure the dismissal of the suit.

Dated 15th July 1875, No. 1,068.

2. Whatever facts the plaintiff may be ready to prove with regard to his claim to the property on the death of the 1st defendant, the plaint does not seem to me to disclose any such circumstances as would, according to the decision of the Privy Council in *Kathama Natchiar* versus *Dorasinga Tever* (L. R. 2, Indian Appeals 169), entitle him to a declaratory decree ; and I think, therefore, that the suit ought to be dismissed in the first instance.

3. I return the enclosures.

No. 192. ORDER THEREON, 20th August 1875, No. 1,252.

Miscellaneous.

THE Government are of opinion that the Officiating Government Pleader has shown good grounds for deciding that Government should, to prevent collusion, be made a party to the suit. He is, therefore, authorised to take the necessary measures in that behalf.

(True Extract.)

(Signed) A. MACGREGOR
Acting Secretary to Government.

1

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

Exd. F. R Bantleman.

Govt. of Madras.

REVENUE.

To

OFFICIATING GOVERNMENT PLEADER, &c., &c., &c.

Dated August, 20th.

Recd.

G. O., 20th August 1875, No. 1,252.

AUGUST.

Nos. 181-192.

Suit No. 16 of 1874 filed in the Chingleput District Court by one Strinivasa Charry.—Authorising the Officiating Government Pleader to take the necessary measures for making Government a party to—.

No 80

1252/4

REVENUE DEPARTMENT.

No. 3058

1252/2

Govt Pleader

Dated 4 August 1875.

FOR ORDERS.

I agree with Mr. Shepherd in thinking that Govt. had better remain a party to the suit & obviate possible collusion.

E.B.

Yes I think this the best course

[illegible]

FOR ORDERS.

Suit No 16 of 1874
filed in Chingleput
Ct Court by one
Strinivasa Charia

No 80 1252/4

Madras
4th August 1875

From
H. H. Shephard Esqre
Offg Government Pleader
Madras

To
A. MacGregor Esqre
Ag Secy to Government
Revenue Department

Sir

In acknowledging the receipt of the Proceedings of Government Revenue Department noted in the margin, I have the honor to state that, although it is certainly not necessary that Government should be joined as Defendant in the suit instituted by R. Strinivasa Charia, I think it is as well the proposed application should be made to the Court in Order to prevent the proceedings being carried on Collusively and

Dated 15th July 1875
No 1068

to secure the dismissal of the suit

2. Whatever facts the Plaintiff may be ready to prove with regard to his claim to the property on the death of the 1st defendant; the plaint does not seem to me to disclose any such circumstances as would, according to the decision of the Privy Council in Kathama Natchiar v Dorasinga Tever (L. R. 2 Indian appeals 169), entitle him to a declaratory decree and I think therefore that the suit ought to be dismissed in the first instance

3. I return the enclosures.

I have the honor to be
Yours Most Obedt Servant

H H Shephard

Offg Government Pleader

Rev: 1875: Deft
N. 3058.
From
Me Hy Govt Pleader
Madras
To Me Ag Secy to Govt
Rev: Dept
Dated 4th August
Recd 6th
No 1252 20 August 1875
No 80
(Two enclosures With order Ods)
Suit No 16 of 1874
filed in Chingleput
District Court by one
Strinivasa Charry.
Question whether the
Collr should be included
as a deft in ——
Advises as to
For order
Alm

Despatch from minutes No 1252. 20 August/75.
The Govt are of opinion that the
Offr Govt Pleader has shown good
grounds for deciding that Govt
should be prevent collusion in
made a party to the suit. He is
therefore authorized to take the necessary
measures in that behalf. Alm

Rec'd Copy to the Offg Govt Pleader Madras
& Bonded Copy Dupe &
to the Board of Revenue Rec'd

C 13 August/75. Rs 19 August/75.