

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 204

DATED 14th Jan'y 1898

[Despatch Abstract.]

Letter to the B. of Rev. proce. of the judicial Dept.
requesting the Govt. Solicitor to appear for Govt.
in suits in the City Court in which the Govt.
is concerned and allowing him a discretion as to instructing the Mr. Genl or his Asst. in cases in which such
course appears to be necessary.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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Government {1896} of Madras. JUDICIAL.

Recd.

Enclosures

Regd.

1896.

Spare copies

G.O., No. 1979, 12th December 1896.

DECEMBER.

Communicated to
the Board of Rev.

1/11/97

3 to the B^d of Rev (L. R) 18-1-97

1/1/97

Suits in the City Civil Court.

Requesting the Government Solicitor to appear for Government in — in which Government is concerned, and allowing him a discretion as to instructing the Advocate-General or his assistant (the Government Pleader) in cases in which such a course appears to be necessary.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

G.O., Mis. No. 4455, Revenue, dated 11th November 1896.

Read—the following letter from E. BARCLAY, Esq., Government Solicitor, to the Secretary to Government, Revenue Department, dated Madras, 2nd November 1896, No. 571:—

With reference to the G.O., No. 3756, dated 19th September 1896, I forward herewith copy of a letter, dated 2nd instant, from the Advocate-General to myself, on the question as to whether he or the Government Pleader should appear for Government in cases in the City Civil Court.

2. With reference to the Advocate-General's suggestion that I should appear for Government in cases in the City Civil Court, I can of course do so, but I would point out that cases may be brought in that court of such a nature that it would be advisable to have the services of counsel and that, in such cases, I either be allowed a discretion as to instructing the Advocate-General to appear or that I be directed to take the instructions of Government on the subject.

ENCLOSURE.

From J. H. SPRING BRANSON, Esq., Advocate-General, to the Government Solicitor, dated Madras, 2nd November 1896.

[Original Suit No. 162 of 1896—City Civil Court.]

This case was adjourned this morning till the 16th instant.

2. With reference to the question put by Government as to whether, in my opinion, the Government Pleader should appear in similar cases, I must point out that it does not appear to be part of that officer's duty to appear in suits in the Courts of Original Civil Jurisdiction in the Town of Madras. In the High Court, it is my duty to appear on behalf of Government, duly instructed, of course, by you. In the Madras City Civil Court and the local Courts of Small Causes, where it is unnecessary for counsel to be instructed, I think the Government Solicitor should appear for Government. In such a case as Original Suit, No. 162 of 1896, there is no reason why the Government Solicitor should not appear. The Deputy Collector is merely a formal party to the suit, and it seems to me to be a waste of energy to send in the Advocate-General to represent him.

Order—Mis. No. 4455, Revenue, dated 11th November 1896.

The Government Solicitor will be requested to appear in this case before the City Civil Court on the 16th instant.

2. Paragraph 2 of the Government Solicitor's letter will be considered in the Judicial Department.

(True Extract.)

(Signed) G. STOKES,
Ag. Secy. to Govt., R.D.

To the Government Solicitor.
" Judicial Department.

ORDER—No. 1979, Judicial, dated 12th December 1896.

The Government Solicitor's proposal is accepted and he will be requested to appear for Government in the City Civil Court in suits in which Government is concerned, and will be allowed a discretion as to instructing the Advocate-General (or, if need be, the Government Pleader, in his capacity as assistant to the Advocate-General) in cases in which such a course appears to be necessary.

(True Extract.)

W. Francis

Ag. Chief Secretary.



To the Government Solicitor.
" Advocate-General.
" Government Pleader.
" Revenue Department.
" Hon'ble the Chief Justice (with C.L.).