



# STANDING ORDERS OF THE HIGH COURT

Corrected upto  
1972

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' A '

## PRELIMINARY.

The High Court, Madras, is one of the three Chartered High Courts in India and is the highest Court in the State exercising Original Jurisdiction over the City of Madras and Appellate Jurisdiction over the entire State as well as extraordinary Original Jurisdiction under the Letters Patent and Special Original Jurisdiction for the issue of writs under the Constitution of India. The High Court is further empowered to punish persons for contempt of itself under Article 215 of the Constitution of India and of the Subordinate Courts under the contempt of Courts Act.

The Chief Justice is the Head of the Judiciary with powers of Administration of the High Court and of the Administration of Justice throughout the State. As such, his powers, duties and responsibilities are many and varied. The Chief Justice is assisted by other Puisne Judges and Officers of the High Court in regard to the Judicial and Administrative functions.

The structure of the High Court of Judicature at Madras may be broadly classified into three Divisions; *viz.*—

1. Administrative Side,
2. Appellate Side and
3. Original Side.

## ADMINISTRATIVE SIDE.

Some of the important subjects dealt with on the Administrative Side are as follows :—

1. Appointments, postings, transfers, grant of leave and promotions of District Munsifs and Subordinate Judges;

2. Making recommendations to Government regarding appointment of District Judges;

3. Disciplinary proceedings against Judicial Officers;

4. Appointments, promotions, postings grant of leave and transfers of Sub-Magistrates and Additional First Class Magistrates;

5. Control of expenditure and distribution of funds allotted by the Government for expenditure on the Administration of Justice;

6. Review of periodical returns showing the Civil and Criminal work disposed of by the Subordinate Courts and sanction of Additional Courts;

7. Forwarding proposals to Government for the construction of the Court buildings;

8. Supervising the work of Official Receivers who administer the Estates of Insolvent-debtors in the Mofussil;

9. Inspecting the District Courts;

10. Consideration of appeal petitions preferred by the staff of the Subordinate Courts in service matters;

11. Expressing the views of the High Court on Legislative Bills forwarded by the Government or in general administration matters in which the views, remarks, etc., are required by the Government or other authorities;

12 Supply of Law Books and Journals to Subordinate Courts;

15. Supply of furniture, stationery articles, forms, registers and typewriters to the Subordinate Courts;

14. Fixation of holidays and vacations of the High Court;

15. Matters relating to re-distribution of territorial jurisdiction of the various Courts in this State;

16. Preparation of annual statistics—Civil and Criminal.

Effective supervision and control, over the Subordinate Courts in the State, by the High Court are achieved by :

(1) the scrutiny of Civil and Criminal statistical returns periodically,

(2) the personal inspection of the District Courts and the City Courts and Offices by the Judges, and

(3) the scrutiny of the monthly statements relating to the observance of the special list system in the Subordinate Courts etc.

Temporary additional Courts are established by orders of the Government on the recommendation of the High Court to cope with heavy pendency. Annual statistical statements are prepared by the High Court for each calendar year and sent to Government for review. Besides, reports on salient features of Administration of Civil and Criminal Justice are also sent to Government periodically. The Judges scrutinize the calendars in Criminal cases and select Judgments in Civil cases wherever necessary and give requisite instructions for future guidance.

The out-turn of work of the Subordinate Judicial Officers are assessed by the Judges quantitatively and qualitatively by reviewing statistical returns, by the annual confidential reports or half-yearly confidential reports and also by the perusal of Judgments.

The Chief Justice himself sees all important files and no general principle is laid down or important question of policy decided without the approval of the Chief Justice.

The Judges meet as often as the Chief Justice considers necessary for the discussion of important matters.

There is a Council of Law Reporting of which the Chief Justice is the President with a few other members. The Registrar is the Honorary Secretary to the Council. The Council supervises the publication of the Indian Law Report (Madras) Series, which is a Government Publication.

There is a Council of Legal education, a body concerned with making recommendations in policy matters on legal studies. A few Judges are also members of the Council.

There is a Rule Committee constituted under Section 123, Civil Procedure Code consisting of three Judges (one of whom will be the President) with four other members. There is a part-time Secretary to the Rule Committee, chosen from among the members of the Bar. This Committee attends to the framing and amendment of Rules of Practice and Procedure of Civil Courts and such other matters as are referred to it. The framing and amendment of Rules of Practice and Procedure on the Original Side (including Appeals) are carried out by virtue of the powers under the Letters Patent. The Rules of Practice and Procedure to be observed by Criminal Courts are made by the High Court with the prior approval of the State Government.

A chart showing the distribution of work of various officers under the control of the Registrar is given in Annexure I.

The Registrar is the Chief Gazetted Officer and the other Gazetted Officers who assist him in the administrative work are :

- (a) The Deputy Registrar.
- (b) Assistant Registrar, Appellate Side and
- (c) Sub-Assistant Registrar, Administrative Department.

The other Officers, *viz.*, Master, Official Referee, First Assistant Registrar, (Original Side), Second Assistant Registrar, Original Side and Sub-Assistant Registrar, (Appellate Side) attend to Judicial and other matters.

The Registrar is the appointing authority for most of the non-gazetted establishment. He exercises supervision and control over the entire establishment on the Original Side and Appellate side besides Administrative Department which comes under his direct supervision. He is incharge of the High Court buildings and compound, necessary supervision being exercised through the Overseer.

Duties assigned to each Officer are set out in Annexure No. II.

## APPELLATE SIDE.

The Officers in charge of the Appellate Side are :

1. The Deputy Registrar, Appellate Side.
2. Official Referee.
3. The Assistant Registrar, Appellate Side.
4. Special Officer (for Pondicherry work) and Additional Assistant Registrar.
5. The Sub-Assistant Registrar, Appellate Side.

The Deputy Registrar controls the Judicial work in all the Departments on the Appellate Side and is assisted by the Official Referee, Additional Assistant Registrar, the Assistant Registrar and the Sub-Assistant Registrar, Appellate Side who are Gazetted Officers.

The Appellate Side Office is comprised of the Court fee and Appeal Examiners' section, the Filing sections, the Notice section, the Posting section, the Criminal section, the Translation and Printing Department, the Vernacular Records section, the English Records section, the Bench Clerks' Department the Shorthand-writers' section, the copyists' Department and the Supreme Court Section.

The Memoranda of Appeals or Petitions or Applications on the Civil Side received on the Appellate Side of the High Court Office are examined in the Appeal Examiners' Section to see whether they conform to the Rules of Practice and Procedure and to check whether sufficient Court fees are paid. The papers, if in order, are numbered and sent to the filing sections. They are then circulated to the Deputy Registrar or to the Judge as the case may be for orders as to the issue of notice to the respondents. The Notice section issues notices to the parties after the collection of necessary Process fees and



examines the endorsement on the Processes as to the sufficiency of service and finally certifies the completion of service. The papers are then sent to the Translation and Printing Department for preparation of the record for the Court. One of the two Record section has the custody of the original records received from the Subordinate Courts for reference and preparation of the record until they are returned to the respective Courts after the disposal of the cases.

After the cases are made ready, they are notified on the ready board. A weekly list of ready cases is published. From this list, cases are added to the daily list of cases and notified on the Notice Boards of the High Court. Copies of the daily list of cases are furnished to the Advocates on payment of monthly subscription. The Posting section of the High Court is in charge of the preparation and printing of the several Cause Lists mentioned and of the daily circulation of the case records to the residences of the Judges in respect of the cases in the cause lists for the High Court.

A branch of the Government Press functions in the High Court campus. This is intended exclusively for the printing of the Cause Lists for the High Court.

Prior approval of the Chief Justice for the sittings of the Judges for the succeeding week is obtained and a list thereof is exhibited on the notice board on the last working day of each week.

Judgments are taken down by the Shorthand-writers who form a section of the High Court office and work under the supervision of a Manager, who is also the confidential Stenographer to the Chief Justice. The Shorthand-writers will also have to attend the residences of the Judges as and when required, out of office hours, on Saturdays and holidays for taking down Judgments and Orders dictated by the Judges.

After the cases are heard and Judgments are delivered, the records are sent to the Bench Clerks' Department. The Judgments are checked with reference to the case records and citations. The Decrees and Orders are drafted and are approved by the Officers. Then, they are sent to the Current section for fair copying and for examining. The fair copies will be signed by the Officers concerned before despatch in the Current section. Copies of Judgments, Decrees and Orders together with all the records received from the Subordinate Courts are re-transmitted to the Courts concerned through the Current section.

Ultimately, all papers filed in the High Court are sent to the relevant Record Rooms together with the Judgment and Decrees and printed papers for being indexed and kept in custody. Such of the papers as are not required to be retained permanently are later destroyed as prescribed by the rules for the destruction of records.

The grant of copies of Judgments, Decrees, Orders, Exhibits, etc., is regulated by the rules of the High Court relating to copies. The Stamp Copyists' Section consisting of a Superintendent, Assistant Superintendent, Copyists, Examiners and Readers furnishes on copy stamp papers certified copies of orders, etc., of the High Court on payment of charges. These copies are certified by the Superintendent of the section.

On the Original Side, there is no separate copyist establishment as such, but two clerks of the general establishment attend to the copy complying work. Copies of the Judgments, Decrees, Orders, Exhibits, etc., in proceedings on the Original Side are furnished mostly by taking Photostat copies on payment of charges which are collected in the shape of Court fee stamps.

In respect of the Judgments, Decrees, Orders, Exhibits, etc., which are found unsuitable for the preparation of the Photostat copies, typed copies thereof, are furnished on plain paper, duly certified by the Bench clerks or the Manager (Original Side) on payment of the requisite charges by way of Court fee stamps.

The adequacy of payment of Court fees in the proceedings on the file of the Subordinate Civil Courts are examined by Touring Court Fee Examiners (Northern and Southern Divisions) of the High Court, who tour all the districts in their respective divisions.

The Criminal section is a compact section dealing with the receipt, preparation and postings of all Criminal matters, viz., Referred Trials (References under Section 374, Criminal Procedure Code), Criminal Appeals, Criminal Revision Cases, and Criminal Miscellaneous Petitions.

Periodically a panel of Advocates known as the Referred Trial Panel is constituted by the High Court to defend the accused who are not represented by Counsel in cases where an accused is under sentence of death, and in appeals against acquittal, where an accused is liable to be sentenced to death or a term of imprisonment. Such fee not less than Rs. 50 as may be fixed from time to time is paid for each engagement out of the State funds, to the Advocates in the Referred Trial Panel.

There is also an *Amicus Curiae* panel of Advocates to defend the accused not represented by Counsel in appeals involving sentences of imprisonment for life or in other cases where the Court directs.

A panel of *Amicus Curiae* (Civil) is also constituted from time to time from which Advocates are appointed in suitable cases in First Appeals, Second Appeals and Civil Revision Petitions, wherein the parties are not represented by Counsel. The Advocates who act as *Amicus Curiae* are not paid any fee.

There are separate panels of Advocates to act as Commissioners and Receivers. Receivers appointed are required to furnish security. A panel of auctioneers of standing is also maintained in the High Court for conducting sales ordered by the Court. The auctioneers have also to furnish security.

The Supreme Court section attached to the Translation and Printing Department deals with the preparations of the Record in Appeals preferred to the Supreme Court. After the records are made ready in the prescribed form, they are transmitted to the Supreme Court.

Posting of cases before a single Judge or a Division Bench or a Full Bench is governed by the rules of the High Court in its Appellate Jurisdiction. Where a Bench of two Judges hearing a case is divided in opinion, the matter is referred to a third Judge on the point of law involved and the majority view prevails.

The records of the several categories of cases are maintained separately. The Record-keeper and the staff are required to be careful in handling the records.

## ORIGINAL SIDE.

The Original Side Office consists of two parts, the Original Side (Main) and the Insolvency Office.

The Original Side Office, which is controlled by the First Assistant Registrar, is under the supervision of a Manager and consists of the Receiving section (known as Diary), Summons and Registering section, Execution and Taxation section, Probate section, Original Side Records section, Posting section, Decree-drafting section, the Photostat and the Copy complying section.

The Master, who ranks next to the Registrar, is a Judicial Officer and does much of the Preliminary Judicial Work which would otherwise occupy a greater part of the time of the Judges on the Original Side. The following are some of the items of work attended to by the Master :

(a) Passing of decrees in suits to recover a debt arising on a negotiable instrument or a liquidated demand in money in cases where the defendant has not obtained leave to defend;

(b) Permitting the withdrawal or dismissal of a suit, appeal, application or matter by consent or where the other side has not answered, or for passing a decree by consent except in matters where all the parties are not *sui juris*;

(c) Disposing of applications for leave to defend, leave to sue or defend in *forma pauperis*, adding or striking out parties, amendment and expunging of pleadings, issue of commission for examination of witnesses, payment of moneys or delivery of securities out of Court, appointment of *guardian-ad-litem* of an infant, granting leave to strangers to inspect and obtain copies of records, issue of notices or citation, and enforcing decrees against legal representatives;

(d) Passing orders on applications relating to inspection, Discovery and interrogatories, and generally on all applications relating to the conduct of suits previous to the hearing;

(e) Examination of witnesses *De Bene Esse*;

(f) Hearing and disposing of applications in execution for arrest, attachment, and issue of precept, and contested execution petitions;

(g) Confirmation of sales in execution;

(h) Public Examination under the Companies Act.

On the Insolvency Side, the Master makes orders of adjudication on petitions of debtors, grants protection from arrest to insolvents, directs the issue of warrants of arrest against defaulting insolvents and fixes the allocations.

The Master is also the Taxing Officer under the Court Fees Act for dealing with reference relating to the proper Court fee payable in suits, appeals and other proceedings instituted in the High Court. He also holds enquiries as to the true value of the estate of the deceased when moved by the Collector of **Madras**.

The First Assistant Registrar, controls the offices on the Original Side. He settles the daily Cause List in consultation with the Judges on the Original Side, approves Orders and decrees, passes orders on uncontested execution petitions, settles sale proclamations and attends to taxation of costs. On the Insolvency Side, he holds the public examination of the debtors.

The complaints are presented to the Second Assistant Registrar, Original Side, the original petitions before the First Assistant Registrar and the other proceedings to the Manager of the Original Side Office. The Manager, Original Side, examines

the plaints as to the sufficiency of Court fees and for compliance with the requirements under the rules. If the plaints are in order, they are admitted and numbered. The papers are then sent to the Original Side Record where they are indexed and sent to the Registering and Summons clerk for entry in the Suit Register and for issue of summons. After the service is effected and written statements are filed, the case is posted before the Master for framing Draft issues. Later, they are posted before the Judges for settling issues. When the cases become ready for trial, they are included in the monthly list of causes and later posted before court for hearing and disposal. After the disposal of the case the records are sent back to the Original Side records and the Judgment and Orders are sent to the Decree Drafting section and the Orders are approved by the First Assistant Registrar after which copies thereof are made available to parties on payment of the prescribed charges.

The Insolvency section is under the immediate supervision of a Manager (in the category of Bench clerk). The section deals with all matters arising out of Insolvency Petitions filed by the bankrupts or their creditors. This section is also under the control of the First Assistant Registrar.

There is a Photostat section (since 1948) attached to the Original Side office for the preparation of photo copies of Probates, Letters of Administration, Orders, Decrees, Judgments and other records inclusive of Plans.

The Sheriff of Madras and the Under Sheriff are Honorary Officers appointed by Government annually. The staff of the Office of the Sheriff of Madras has come under the administrative control of the High Court, since 1957 and became merged with the Office of the Registrar of the High Court.

The Deputy Sheriff (a Ministerial Officer) supervises the work of the section. The main function of this office is to effect services of all process such as Writs, Summonses, Notices and Warrants and to conduct sales by public auction under orders of Court.

The Second Assistant Registrar receives and admits the plaints. He is in charge of the Original Side records and Interpreters' section. He has to pass accounts of guardians, receivers, etc., and to test the security offered in Court. He has to sign the decrees, sale proclamations, letters of administration, etc.

The Original Side records section is under the immediate supervision of the Record-keeper. The destruction of records in cases disposed of on the Original Side is done in accordance with the rules.

There is also the Interpreters section with Gujarati, Hindustani and Tamil-cum-Telugu Interpreters who are also Commissioners for oaths. They attend to the interpretation of evidence let in by parties and witnesses in Court.



## B

### STANDING ORDERS OF THE HIGH COURT OFFICE.

#### GENERAL ORDERS.

##### *Recruitment, Pay, etc.*

1. The method of recruitment, the conditions of service, the salaries and allowances, leave and pensions of the members of the High Court of Judicature at Madras are regulated by the Tamil Nadu High Court Service Rules.

##### *Office Hours and Attendance.*

2. The Office of the Registrar will work from 10-30 a.m. to 5-00 p.m. but will be open for the transaction of business from 10-45 a.m. to 3-30 p.m. On Saturdays the office will work from 10-30 a.m. to 4-00 p.m. but will be closed for money transactions at 1-00 p.m. The time for lunch interval will be from 1-45 p.m. to 2-15 p.m. The Honourable Judges will sit in Court from 10-45 a.m. to 1-45 p.m. and from 2-30 p.m. to 4-30 p.m. on Court Working days.

3. Attendance sheet for permanent members and approved probationers will be kept in each Department and it shall be initialled by the members of the staff immediately on arrival. A separate attendance sheet will be kept in the Accounts Section in which the acting Clerk, Examiners, Typists, etc., will initial soon after arrival. They will also indicate in the last column of the attendance sheet the section in which they are actually working. The Head of the Department or Section will close the attendance sheet at 10-30 a.m. and send the same to the First Assistant Registrar, Original Side or the Deputy Registrar as the case may be.

A grace of 10 minutes will ordinarily be allowed to members after 10.30 a.m. to sign the attendance sheets provided they give satisfactory explanation to the Officers concerned.

4. Such of the members, who arrive later, i.e., after 10.30 a.m. on all the working days and on Saturdays shall sign in the late attendance register kept for the purpose.

The late attendance register will be closed at 11.30 a.m. on all the week days and on Saturdays. Forfeiture of a day's casual leave will normally be the penalty for every three days' late attendance in a month. In the first week of each month, the Account section will prepare a list showing the names of members who were late for three days and above, during the preceding month and submit the same to the Deputy Registrar or the First Assistant Registrar, Original Side as the case may be for necessary orders.

### *Leave.*

5. (a) Casual leave is not provided for in the Fundamental Rules and is a concession to enable the Government Servants in special circumstances to be absent from duty for short periods without such absence being treated as leave under the Fundamental Rules or the Madras Leave Rules, 1933, as amended.

(b) No Government servant may, in any case, be absent on casual leave for more than 15 days in the course of one calendar year. Nor may any single period of absence on casual leave exceed seven days. Casual leave may be combined with Sundays or other authorized holidays provided that the resulting period of absence from duty does not exceed ten days. The fact that a maximum has been fixed for the amount of casual leave which may be taken in one year does not mean that a member is entitled to take the full amount of casual leave as a matter of course.

(c) Casual leave cannot be taken in combination with any leave recognized by Fundamental Rules, joining time or vacation. Such combination may, however, be sanctioned in exceptional cases provided there is no evasion of the rules: for instance, when a member is obliged to be absent owing to the prevalence of an infectious disease in his house and is placed on special casual leave and he himself contracts the illness and has to be granted regular leave in continuation.

(d) Ordinarily applications for Casual leave, in the prescribed form below, for any particular day on account of anticipated causes should be submitted at least a day previous.

<b>Name :</b>		<b>Designation</b>	
		<b>Section.</b>	
<b>*Number of days taken already.</b>	<b>Number of days required.</b>	<b>Reason.</b>	<b>Remarks.</b>

Date

Signature of Applicant.

To

.....

(e) Bench clerks and shorthand-writers, in particular, should give previous notices of their intention to be absent from office. In case of sudden illness or the like before the commencement of office hours, due intimation must be sent to the Manager, Bench clerks' department or shorthand-writers' section as the case may be, by 10.15 a.m.

(f) Casual leave on account of sickness will not be granted for more than three days without a medical certificate.

(g) Casual leave applications in the prescribed form should be submitted to the Heads of Departments/Sections who will, in turn, make necessary endorsements and submit them through the accounts section to the Officers concerned for necessary orders.

(h) Separate casual leave registers will be maintained by the account section.

(1) for the members in the category of Bench clerks and above.

(2) for the members on the Appellate side.

(3) for the members on the Original side.

(4) for the other members of the establishment, last grade service, etc.

All the casual leave granted will be entered in the respective casual leave registers and a note should also be made then and there on the casual leave applications as well. The Head Accountant should check the registers once a week and submit a monthly report to the Registrar through the Deputy Registrar about the proper maintenance of such registers.

All applications for casual leave, granted for a year should be preserved by the Accounts Section for that period.

(i) When a member of the staff absents himself on casual leave he must hand over or send with his casual leave application any office keys in his custody to the Head of the section and inform the latter about any paper which must be attended to during his absence. The Head of section should give specific instructions to the other members in his section to attend to any item of work which need not or should not await the return of the clerk from casual leave.

(j) When the Head of section absents himself on casual leave he shall hand over or arrange to send any office keys in his custody to the senior member in the section and inform him about any urgent matter to be attended to during his absence on leave

(k) When a member of the staff absents himself without leave, it should be duly reported to the Officers concerned. Soon after return to duty, an explanation should be obtained from the member and submitted to the Officer concerned, by the Accounts Section, for orders.

(l) The acting members of the staff with less than three months' service may not be granted any casual leave. They may, however, be granted casual leave at the rate of one day per month, thereafter.

6. (a) Applications for leave should be submitted to the Registrar/Deputy Registrar through the Head of the department. The Head of the department should always state whether he recommends that leave to be granted or not and whether a substitute is necessary and submit the application to the officer concerned through the Accounts Section for remarks as to eligibility.

(b) Applications for leave from members of the last grade service should invariably be submitted to the Deputy Registrar through the Heads of Sections or the Overseer as the case may be, for orders. In all cases where substitutes are necessary, the Overseer will make suitable arrangements and will give top priority in sending substitutes at the residences of the Honourable Judges.

7. When leave or extension for leave on medical certificate is applied for, a medical certificate from a Government Medical Attendant or other Registered Practitioner in the prescribed \*form should be produced.

FORM.

\* Medical certificate for Non-Gazetted Officers recommended for leave or extension or commutation of leave.

Signature of the Applicant :

I ... .. after careful personal examination of the case hereby certify that ... .. whose signature is given above, is suffering from ..... and I consider that a period of absence from duty of ... .. is absolutely necessary for the restoration of his health.

Dated ... ..

*Government Medical Attendant  
or other Registered Practitioner.*

8. Leave at short notice will be refused unless the application is made in exceptional circumstances. Applications for leave without medical certificate must be made at least a fortnight in advance of the date on which the leave is to commence.

9. Applications for extension of leave should be submitted one week in advance of the expiry of the previous leave. Belated applications may be rejected.

10. Leave will be refused in cases where the address of the applicant is not given in the leave applications and Heads of Sections are not to entertain such applications.

11. Privilege leave (Earned leave) for less than one month at a time will not normally be granted.

12. No shorthand-writer shall apply for leave while a case or other proceedings in which he has taken notes of evidence remains part-heard, unless there are strong grounds for so doing. But if it becomes imperative that he should take leave, he must obtain the necessary sanction for leave of absence from the gazetted officer concerned. He must apply sufficiently early, if possible, on the previous day or at the latest by 10.15 a.m. on the day on which the shorthand-writer has to be absent. In such cases care should be taken to see that the note books containing the notes taken by the shorthand-writer in Court previously are made available to the Court through another shorthand-writer.

13. Heads of sections should see that when a clerk goes on leave (including Vacation turn leave) or when he is transferred or promoted he furnishes (before relief is given) a list of all cases and papers pending with him to be attended to by the successor and a list of all articles (especially material objects in Criminal cases), in his custody to be delivered to the successor. If a member stays away through sudden illness or any other cause, it is the duty of the Head of the Section to check the work that he has left and to see that it is dealt with by other members.

14. Whenever there is a change of personnel in the office or the services of temporary hands are dispensed with, their stationery should be transferred to their successors or secured by some person deputed by the head of the section concerned to be returned to the stationery clerk.

#### *Holidays and Vacation.*

15. (a) Urgent work must be disposed of and accumulation of arrears if any, must be cleared before holidays are availed of by the members and turns shall be arranged according to the requirements of each department.

(b) A skeleton staff will be deputed for "turn duty" by the Sub-Assistant Registrar, Administrative department to work on holidays, to attend to phone calls or other urgent calls from the Officers and Honourable Judges, for which compensation holidays will be allowed under the rules in force.

*Dress.*

16. Members of the establishment should be neatly and cleanly dressed. Bench clerks, shorthand-writers and other members who attend Courts are required to wear black coats. If they are open coats, white shirts and black ties will have to be worn. Those not dressed in Western style will, in addition, wear white turbans.

*Responsibility for custody of papers and records.*

17. No member in whose custody a paper ought to be by virtue of his office or to whom it may have been given will be relieved from liability to account for it, unless and until he shall have shown satisfactorily by written vouchers that it has passed from him to another member of the staff.

18. When papers containing records or enclosures are sent in the course of business from one branch of the office to another, it will be the duty of the member who receives them to see that none of the enclosures belonging to the record are missing.

It will also be the duty of the member, who sends such papers or enclosures, to get written acknowledgment in a note book (non-standardized) with full particulars as to the papers sent, by obtaining necessary initials with dates from the recipient.

19. Heads of Departments/Sections must exercise careful supervision over the work of their staff especially to see that official papers are not lost. Records or disposals taken from the record room should be returned to the Record room as soon as the purpose, for which they have been taken, is over.

20. Heads of departments/sections will periodically inspect the respective Record rooms under their control and see that the rules regarding indexing and classification of records and destruction of records are properly and promptly observed and also ensure that the relevant registers are properly maintained. When any record of disposal is outstanding for more than six months from the date of issue, steps should be taken to see that it is not unnecessarily retained. Any breach of the rule or neglect of duty in the record rooms must be reported to the Registrar.

21. When a Judge retires or vacates office, particular care should be taken by the Heads of sections/departments to see that all papers, records, confidential boxes and keys, etc., sent to the Judge are received back in the office.

22. No member of the establishment is permitted to remove papers from the office. The Bench clerks will stay late in the office and acquaint themselves with the records. Special permission for taking any papers home should be obtained from an officer of the rank not lower than the Sub-Assistant Registrar.

23. Judgments, decrees and orders and other records should not be shown to Practitioners except under specific orders of the Registrar or Deputy Registrar.

24. No newspaper reporter shall be allowed to see any Judgment without the express permission of the Head of the department. The Head of the department will obtain the orders of the Officer-in-charge of his department in cases where he feels a doubt and in special cases.

25. No member of the establishment shall disclose information made to him in Official confidence or knowledge gained by him in the course of Official business.

*Furniture List—Maintenance of.*

26. (a) A list of furniture in each room will be maintained in a note book, the size of which will depend on the number of items of furniture in the room. The list of furniture will be maintained by the following persons :

1. Court list—Daffadar or peon (to be kept in the Court concerned).

2. Chamber list—Attenders or peons in charge of the chamber (to be kept in the chamber itself).

3. Section list—Head of the section. The Police Sergeant will keep the note book for the guard-room and the Court-keeper for the Court-keeper room.

The furniture in the mending section will be included in the note-book of the Original Side records.

A Master list of furniture will be maintained by the accounts section, 'D' section and the Overseer.



(b) The Court list should be made available to the Bench clerk when he makes the weekly check of the books in the Court so that he may check the furniture also and include it in the reports and this report as regards furniture should be submitted to the Assistant Registrar (Appellate Side).

(c) The attenders in charge of the respective chambers will, at the beginning of each month check the articles of furniture in the chamber and tally the same with the list in their custody and submit a report to the Assistant Registrar (Appellate Side) through the Overseer.

(d) The Heads of sections will similarly cause a check to be made of the furniture in their sections during the first week of every month and submit a report to the Assistant Registrar, Appellate Side.

(e) The Assistant Registrar will scrutinize the reports and bring to the notice of the Registrar through the Deputy Registrar any matter which he considers to be important.

(f) These monthly reports should be collected and submitted to the Registrar through the Deputy Registrar for perusal every quarter, viz., in the months of March, June, September and December of each year.

(g) Any temporary change or shifting of furniture should carefully be noted in the list and the articles transferred back to their original places, the moment the purpose for which the temporary transfer was effected is over.

(h) No article of furniture should be permanently transferred from one place to another except with the sanction of the Assistant Registrar, Appellate Side and when it is made, the respective lists should be suitably altered under intimation to 'D' section, accounts section and the Overseer for necessary alterations being carried out in the Master lists maintained by them.

(i) Corrections and additions in the Overseer's note book relating to the furniture in his room will be initialled by him and the Sub-Assistant Registrar, Appellate Side. The officers who have the custody of the note books will bring to the notice of the Overseer, any repairs that are necessary from time to time. They

will inspect the furniture in their charge and send a report by first of February each year to the Budget section as to the articles of furniture which require repairs.

(j) On Saturdays, the Overseer will collect half a dozen of the Court and chamber peons at 12 noon, when they would have finished their weekly cleaning of the Courts and chambers and put them on the special work of scraping and polishing the office furniture.

(k) All the articles of furniture must be checked annually during the Summer vacation and a report submitted to the Registrar by the first of August each year with the inventory. The check will be done by the Vacation Officer with the help of the Overseer. All items should be ticked if in good condition and a report made about the other items. The officer will after completion of the physical verification of furniture, endorse a certificate of check in the Master list as required in Madras Financial Code, Volume I.

*Buildings and gardens—Duties of the Overseer.*

27. The Registrar is in charge of the Buildings and grounds of the High Court and he exercises his control mainly through the Deputy Registrar and the Overseer of the High Court.

28. (a) The overseer is responsible for seeing that the High Court premises are kept clean. Persons who have not got business in the High Court should not be allowed to loiter unnecessarily in the verandahs, though persons who come to watch the proceedings (of the High Court) should not be prevented from doing so. He is also responsible for seeing that the latrines within the High Court compound are kept clean.

(b) The Overseer is under the direct control of the Deputy Registrar. All his registers of accounts and stationery, etc., will be checked by the Sub-Assistant Registrar, Administrative Department periodically and a report sent to the Deputy Registrar every quarter.

29. The Overseer should see that the National Flag is duly flown on the High Court flag-staff according to the procedure prescribed for the purpose, from time to time, by the Government.

If the flag gets torn or worn out or becomes faded or soiled, it should be destroyed. When the flag gets unfit for further use the Overseer should forthwith report the matter to the Budget section, Administrative department for replacement. The said section will immediately supply a new flag to the overseer. The Budget section will always in advance, make necessary indent for the new National Flag and keep them in reserve.

30. On the first Saturday of every month, the following officers will in turn inspect the whole of the High Court premises with a view to finding out any defects and to make a report to the Registrar as to the repairs that are necessary.

1. Deputy Registrar, Appellate Side.
2. Official Referee.
3. Special Officer (Pondicherry) and Additional Assistant Registrar.
4. First Assistant Registrar, Original Side.
5. Assistant Registrar, Appellate Side.
6. Private Secretary to Hon'ble the Chief Justice.
7. Second Assistant Registrar, Original Side.

31. The Overseer will see that all Courts, Chambers and rooms are locked at night and the keys handed over to him.

The Overseer and the Court-keeper should by turn make surprise visits to the building at nights to see whether the watchmen are alert and are discharging their duties properly and promptly and should submit their reports on such surprise visits to the Registrar, through the Deputy Registrar.

32. The Overseer is also in charge of Advocates' chambers and garages. He will see that they are kept clean. When an Advocate signifies his intention of vacating his chambers, the overseer will formally take charge of them and report immediately to the Registrar through proper channel the condition in which he finds them and the loss of any fixture that he may discover.

33. The allotment of chambers and garages will be dealt with in Budget section and orders of the Registrar will be obtained as and when necessary.

34. The Overseer and the Court-keeper should periodically inspect Notice Boards and see that they are being kept properly.

35. A Master list of electrical fittings and fixtures in the chambers of the Advocates will be maintained by the Overseer. He should periodically check the fittings and fixtures with the member in charge of the portfolio in the Administrative department and report to Sub-Assistant Registrar, (Administrative department) whether the electrical fixtures, etc., are in conformity with the sanctioned scale for which electrical charges are collected.

36. The Overseer is also in charge of the garden and the garden staff. The malees should be mustered before him at about (7.30 a.m.) in the morning by the maistri. No cattle should be allowed to graze in the High Court compound and the Overseer should see that this prohibition is enforced and that the regulations as to the parking of vehicles are carried out by the Police. The Overseer should also see that the garden is well maintained and the plants are properly watered and periodically manured. He is also in charge of garden implements.

37. The Overseer should see that all attenders, peons and night watchmen clearly understand the rules and instructions for the protection of Government buildings against fire contained in the annexure to G.O. No. 2993, Public Works, dated 10th December 1941 as amended from time to time. They should be clearly instructed that immediately a fire is detected, the bell gong (situated at the High Court quadrangle near the High Court Post Office) should be sounded for giving the first alarm and intimation also given to the nearest Police Station and fire brigade by telephone or otherwise and that the electric current should be switched off at the main. The Overseer will assist the officer deputed to give practice drill to the attenders and peons in this behalf.

38. The Overseer will be responsible for keeping the fire extinguishers in the High Court buildings in working order and shall go round once a week to see that each extinguisher is lifted off its stand in order to ascertain whether it is filled or in proper order. If any fire extinguisher is found discharged or any other defect is detected, the matter should at once be reported to the Sub-Assistant Registrar, Administrative department for taking suitable action.

39. A Register of fire extinguishers should be maintained by the Overseer in which the numbers of the defective extinguishers with remarks as to the nature of the defects, date of report, etc., should also be noted.

40. The Overseer should see that the fire extinguishers are pressure tested once in two years and soda solution in the fire extinguishers are replaced once a year. He should also periodically see whether the nozzles of the fire extinguishers are free from any defect.

41. The Overseer will also see that the fire buckets are full of sand or water. Fire buckets filled with water should be emptied on the ground (not down a drain) thrice a week and should kept dried up before they are refilled. It should also be ensured that at least one bucket filled with water is always available.

42. The Overseer should also keep a list showing the location of the fire hydrants and should arrange to have them checked once a year to see whether they are in working condition. (Vide also High Court's Circular Roc. No. 79/69 S.O.P., dated 18th December 1969).

43. The Overseer should maintain the office bi-cycles in proper condition and see that the machines are not damaged through negligence. It must be impressed on the peons that they will be liable to pay for any repairs or damages caused by their negligence or carelessness.

44. The Overseer will supervise the circulation vans and the work of the Drivers. Every Saturday morning the Overseer will check the level of the water in the battery (the plates should be well covered with water) and the pressure in the tyres and submit a report to the Deputy Registrar setting out also the defects if any detected. The vans should be sent for checking and servicing periodically to the Government Central Workshop (as required under the rules in force). Once a month he will work out the average mileage for a litre of petrol (consumed) and submit a statement to the Deputy Registrar for review.

45. The Overseer should apply in time to the office for renewal of licences for the High Court Vans and the Hand Cart. He should also apply in time for the renewal of fitness certificates for the vans.

46. He shall arrange for the purchase of minor articles out of contingencies which may be sanctioned for packing or clearing or for other purposes.

47. The members of the establishment other than those belonging to superior service will come under the supervision of the Overseer. He will muster all Duffadars, Chobdars and Peons in the morning at 9.30 a.m. and will report breaches of discipline to the Deputy Registrar. He should see that the peons, etc., maintain a neat appearance. The attenders working in various sections should also give their roll call to the Overseer before 10.00 a.m.

48. Applications for leave from peons at the residences of the Honourable the Judges other than applications on grounds of ill-health should be submitted after obtaining the permission of the Honourable Judge concerned. The applications will be submitted to the Deputy Registrar for orders.

*Duties of the Court-keeper.*

49. The Court-keeper will work under the immediate supervision of the Overseer. He will see that the floor and carpets of the Court halls are properly swept and furniture kept neat and tidy. He will be responsible for seeing that the furniture, lights and fans in the Court halls are in good condition. He will see that strict silence is maintained in and around the Court halls. He will also report anything of an unusual nature to the Overseer.

50. The Court-keeper should personally inspect the Courts before 10.30 a.m. and see that everything is in order. The Overseer will also make a random check by himself inspecting one or two Court halls every day.

51. Every Saturday the floors of the Court halls must be properly washed, the furniture being removed for the purpose. The Court-keeper will be responsible for seeing that this is done regularly.

52. The carpets on each dais will be taken out during Summer Vacation and scrubbed properly and the dais and stair thoroughly cleaned. The Vacation Officer will see that this is done. During the Dasara or Christmas Vacation the Court-keeper will see that carpets are given a special brushing and cleaning without removing them.

53 (a) The Court-keeper will be responsible for the proper maintenance and running of the wall clocks in the Court halls, Chambers and Office. If any clock or time piece goes out of order at any time it should be immediately reported to the budget section in the administrative department. He should go round the High Court buildings each morning to examine whether the clocks in the Court halls and the clocks and time-pieces in the chambers and sections are keeping up accurate time. The bell gong should be sounded only under his immediate supervision.

(b) The Court-keeper will be responsible for the cleanliness and neatness of the chambers of Honourable Judges. On all Saturdays when the office functions, the Court-keeper should direct the attenders in-charge of chambers to see that the walls, doors and windows in the chambers are properly dusted and the furniture kept neat and tidy. He may also utilise the services of the chobdars whenever necessary.

(c) The Duffadars and Peons in the Courts will work under the immediate supervision of the Court-keeper.

54. Court-keeper, Jamadar, Duffadars and Peons should be courteous in regulating the crowds in Courts.

55. While the jamadar will be in charge of the first Court, the duffadars will be in charge of the rest of the Courts, each being in charge of two or three Courts.

56. The jamadar will in addition attend to the following.

1. Allotment of peons or attenders to various sections in the office.

2. During exigencies the Overseer may, in consultation with the gazetted officer in charge of the section/department concerned, depute a Peon or attender to the Courts or chambers of the Honourable Judges. He should see that a chobdar always goes ahead of the Honourable Judges and a peon or duffadar invariably follows each Honourable Judge when going to the Court from the chambers or *Vice Versa*.

57. The Court-keeper should depute sufficient number of Peons or gardeners, etc., for packing or despatching all articles sent by rail. He should similarly arrange for unpacking of parcels or packages received by rail.

58. The daily cause list boards hung up in front of each Court room will be placed in charge of the duffadar of the Court and should be shown in the list along with other articles in the Court. The number of the Court to which the boards relate should be painted on the back of the board.

59. The peon in charge of the key of each Court room, chambers or office room will be held personally liable for the loss by theft or otherwise of the furniture fittings, books, papers and other things in the room. When the Public Works department maistries and coolies are allowed into the room for repairs, etc., the peon in charge must personally be present there till they leave the room.

60. Peons especially those on duty at the residences of the Honourable Judges are expected to keep themselves clean and neatly dressed and to be orderly and obedient in their behaviour.

61. The Court-keeper will be responsible for the collection of clothes from the last grade servants for purposes of washing and for the redistribution of the washed clothes to the members concerned from time to time. A register therefor will also be maintained in which particulars of clothes given for washing, charges therefore, due date for return of clothes by the Washerman and also the payments made from time to time, will be entered. The Court-keeper will bring the bills to 'E' section, administrative department, for being scrutinized before they are passed for payment.

62. The heads of sections will see that their sections/departments are kept clean and tidy, that the attenders and peons in their sections dust the doors and windows as also the furniture daily and that the racks, almirahs, glass panes, etc., are dusted once a week every Saturday. Any neglect on the part of attenders or peons will have to be viewed seriously and action taken therefor. All heads of sections will submit to the budget section a monthly report as to the observance of these instructions.

#### ADMINISTRATIVE DEPARTMENT.

63. The Administrative department under the control of the Sub-Assistant Registrar (Administrative department) will be divided into following sections :

1. Accounts and establishment section.



B. Gazetted Officers' Service section (District Judges, Sub-Judges and District Munsifs).

C. Services section.

D. Budget section.

E. Magistrates' section (Additional First Class Magistrates and Sub-Magistrates).

F. Rules and rulings section.

G. Current section.

B5. Statistics section (Civil).

Each section will have a Superintendent besides the sanctioned strength of assistants and clerks. The Head Accountant will be in charge of the accounts department. All matters relating to establishment will be dealt with by the establishment clerk and his assistants, subject to the overall control of the Head Accountant. Each seat in the administrative department will be known by the section alphabet followed by arabic numerals. For instance seats in 'B' Section will be known as B1, B2, B3, etc. This number will be clearly marked on the concerned member's personal and periodical registers. The subjects to be dealt with in each section and the distribution of work among the various Assistants, etc., will be in accordance with the orders of the Registrar and the list settled by him from time to time.

64. Members in the Administrative branch should not leave the office until the Registrar does without special permission.

*Entering of tapals, etc.*

65. (a) When the tapals are opened by the Assistant Registrar, the Tapal clerk will take out the Administrative Tapals, sort them section-wise and will give each current a serial number in the respective distribution register (as in Form I below). The Assistant Registrar will initial the last entry in the distribution registers.

(b) The Government tapals will be placed in a flat file marked "Very Urgent—Government Tapals" and sent to the Registrar generally before 12 noon every day for perusal. After

perusal by the Registrar they will be perused by the Deputy Registrar and then by the Sub-Assistant Registrar and the Superintendents of the Administrative department including the Head Accountant. Thereafter the Government tapals will be returned to the tapal clerk who will sort them section-wise and include them in the general Tapals kept for distribution to the sections.

(c) All the Tapals after entry into the respective distribution registers, will then be placed before the Registrar the same evening for perusal. After such perusal, the tapals will be seen by the Sub-Assistant Registrar, Administrative department and then sent to the respective section heads. The Heads of sections will then mark on each current the seat No. (like B1, B2 or D1, D-2, etc.,) to which the papers relate and thereafter the members concerned in the section will soon take out the currents, initial in the distribution register with date and also make a note of the back number if any. The Heads of sections will finally initial the distribution registers at the end of the day's entries and send back the registers to the tapal section. In case of any dispute as to the section to which a current should belong, the Sub-Assistant Registrar, Administrative Department or the Assistant Registrar will examine and decide the matter then and there. In case any current has been wrongly sent to a section to which it does not relate the head of the section concerned will take the formal orders of the Sub-Assistant Registrar for being sent to the concerned section through the tapal section. The Assistant Registrar will be responsible for seeing that the Tapals are distributed as expeditiously as possible.

(d) If telegrams, etc., come into the office when the distribution register is, for any reason, not available, the Sub-Assistant Registrar will get the acknowledgment of the clerk concerned on a separate slip which will be handed over to the tapal clerk, who will as soon as possible incorporate the contents of the slip in the distribution register and get a formal acknowledgment from the recipient. Telephone messages will not be entered in the distribution register. A reference "arising" in the office will be numbered in the distribution register and entered in the personal register of the clerk, just like any other paper.

(e) During the vacation, papers will be entered in the distribution registers under the supervision of the Vacation Officer. Turn clerks will deal with urgent matters making a note of action

taken. This and all non-urgent papers will be handed over to the member concerned for incorporation in his personal register as soon as he comes to the office.

(f) Each member (excluding Superintendents) will maintain a personal register in Form II and (where necessary) a periodical register in Form III given below. It is enough if the Budget Clerk, the Stationery Clerk and the Librarian have each one personal register without separate registers for their assistants. As soon as the clerks receive the tapal papers, they will enter them in their personal and periodical registers. The tapals will consist of, (1) old cases, i.e., papers which have to be filed with existing current, (2) new cases, i.e., papers whether received by post or "arising" in the office which will start new files.

FORM I (H.Ct. FORM No. 579).

*Distribution Register.*

Current number.	From.	Encls.	Clerk's initials.	Back current number if any
(1)	(2)	(3)	(4)	(5)

FORM II (H.Ct. FORM No. 580).

*Personal Register.*

(1) Serial number.	(2) Current number.	(3) Date of receipt.	(4) Abstract.	(5) From whom.	(6) Outside number and date.	(7) Submitted to Officer.	(8) Returned to Section.	References.		Replies.		(13) Nature, number and date of disposal.
								(9) Date.	(10) To whom.	(11) From whom.	(12) Outside number and date.	

## FORM III (H.Ct. FORM No. 581).

*Periodical Register.*

	Serial number.	Nature.	Due date.	From whom.	Date of receipt.	H. C. current number.	Outside number and date.	References.		Replies.		Nature, number and date of disposal.
								Date.	To whom.	Current number.	From whom.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)

(g) All covers containing Tappals addressed to the Registrar may, be opened by the Tapal Clerk except :

(1) those addressed to the Registrar by name or marked confidential;

(2) those addressed to the Honourable The Chief Justice by name or designation; and

(3) Secret and Top Secret letters addressed to the Registrar.

*Confidential papers.*

66. Every confidential communication received in the Administrative Department will be registered in a separate register to be kept with the Sub-Assistant Registrar and maintained by a member specially deputed for the purpose. Confidential papers will be kept with the Sub-Assistant Registrar after disposal and should find a place in a special annual index. This does not apply to secret papers kept with the Registrar and given a Registrar's confidential number.

*Periodical Register.*

67. Before the beginning of each month, each member should enter (with reference to the permanent list of periodicals) firstly those periodicals which originate in the office (not being compilations from district returns); secondly the periodicals which are due to the High Court, showing the offices from which they are due. Returns on receipt in the High Court will be numbered in the distribution register like any other letter and this number will be repeated in column (6) of the periodical register. Column (13) will show the disposal, e.g., the High Court's return to Government or the High Court's view of the returns from the districts, etc. Entries in column (2) should be crossed out when the return has been disposed of, so as to show at a glance which are pending and to obviate the necessity of carrying forward pending returns from one month to the next.

68. If any periodical return is not received within seven days from the due date, a reminder must be issued at once. A second reminder calling for the explanation for the delay should be issued on the 15th day. If the return is not received in 21 days, the matter should be brought to the personal notice of the Registrar.

69. The following papers need not be entered in the personal registers, but shall on receipt be entered in the special registers maintained for the purpose :

1. Reports of transfer of charge and casual leave.
2. Applications for chambers generally (except when they relate to particular vacant chambers).
3. Landed property statements.

These may be entered in the personal registers when references have to issue on them.

*Personal Register.*

70. The serial number in column (1) indicates only the number of new papers, the member has to deal with. It is not the number to be quoted in referring to any letter. The number in column (2) is the number by which any letter on the subject will be known.

It is the number given in the distribution register and in quoting the number, the section letter and the seat number are added, e.g., A2 receives a new paper which is numbered in the section's distribution register as 2438. Subsequent references regarding this subject will be numbered as 2438 A2, dated . . . . .

All intermediate references will bear this number. When the file is finally disposed of, it will receive a disposal number in one of the four numbering books according as to whether it belongs to the P, K, R or D series maintained by the Telephone Operator. This number will be noted in the last column of the personal or periodical registers. When a file is simply lodged, it will go to the record room under its current number only with the letter "L" prefixed.

(a) Column (4) of the personal register will contain first the major head from the authorized list of heads, then the sub-head and then a few words indicating the purport. These index heads will invariably appear at the head of all notes and letters on the subject and will be copied on to the index slips. The correct preparation of these abstracts requires considerable skill and should be constantly checked by the section heads and superior officers. (For detailed instructions regarding indexing *vide* Standing Order No. 88).

(b) In making the original entry in the personal register, the clerk should allow enough space for the entry of the subsequent correspondence likely to result. If more space is later required, a fly sheet may be pasted in for continuation. Entries must be neat and in ink except that columns 7 and 8 (movements of file within the office) may be entered in pencil and if more space is required the old entries may be rubbed out. The personal registers maintained by the clerks must contain all the particulars indicated by the column headings. Dates must be given for every entry. Every outgoing and incoming letter, whether it be an intermediate reference or a reply, and the final disposal must be entered with the date.

(c) The letters and references received subsequent to the original reference should also be entered in the appropriate place in the personal register. In such cases it would suffice if columns 1, 2, 3, 5 and 6 of the personal register are filled up. Original current number will be entered in column 13 and the entry in

column 2 rounded off. Entries should also however be made in the original reference for all subsequent references or letters received. In important matters like G.Os., a brief purport will be noted in column (4).

*Arrangement of current files.*

71. As soon as the member dealing with the file receives the previous papers, he will arrange the file and put up papers for reference in pads marked "Urgent" or "Very Urgent" as may be appropriate. The papers forming the current file will be tagged together and not pinned or tied with thread. A hole should be punched in the left hand upper corner of each paper with a punch and the tag must pass through the holes. Files must not be tagged untidily or in such a way that the pages cannot be turned over freely and read conveniently, nor must the holes be poked in the papers with the pointed end of the tags. The papers in the current file must be arranged in chronological order beginning from the top, and the pages numbered neatly in the same order.

*Arrangement of reference files.*

72. (a) Disposal files put up for reference will be arranged under the current file in chronological order, the earliest file at the bottom, then the next oldest and so on. Every disposal file put up for reference to which reference is actually made in the current or notes must be flagged. No flags must be attached to the current or note files themselves, but shall be fastened to the docket sheet of each disposal. References to these will be made by quoting the number of the page. Reference will be made to the year to which the file relates and to the number of the page. Flags will be attached by paper fasteners, and not by pins. As far as possible flags should be arranged in alphabetical order and in such a way as to readily catch the eye. Thus if flag A is affixed to the bottom file, flag B will be fixed to the one next above it and so on. They will also be so arranged that one flag does not cover another. There must only be one flag on each file put up for reference. Care must be taken not to use more than one flag bearing the same letter or number on the same occasion.

(b) Very old papers likely to crumble but are essential for putting up for reference may be enclosed in an envelope and fastened by flags at the appropriate place in the file before circulation to Judges. Wherever references are made as to any Volume or Books, marginal indications should be made in the note file as to the page, paragraph, rule, etc., of the Book or Volume and at the actual time of circulation, the Book/Volume should be placed above the folded flaps of the flat file and then tied with the tape of the flat file.

*Putting up of drafts and notes.*

73. (a) In cases where orders cannot or not likely to be passed at once, notes should not be written on the current. As a rule when the subject-matter of a file is such that a draft can be put up, a note should not be necessary. A brief explanation may, however, be added where necessary in some cases. Lengthy notes and notes on important cases should be written separately on note sheets.

(b) While putting up notes, every statement made therein except expression of opinion should invariably be supported by certain authority. Such authority may be cited by giving marginal reference to page, para, disposal, etc., which should also be duly flagged. If any authority or reference is made to a pending file, then that file should be linked (placing the reference file below with both flaps folded) and the original file placed above that with its tape tied underneath and then both the files should be tied up with the tape of the reference file kept below.

74. Information sought for by other High Courts, etc., may be furnished by the Registrar without resorting to note to Judges, if such information is based on the rules governing the subject-matter and published for general information. But in regard to any matters of policy or those not provided for in the rules or such that in the opinion of the Registrar, orders of the Chief Justice would be necessary, orders of the Chief Justice shall then be obtained.

*Answers to Queries.*

75. As far as possible, the following procedure shall be adopted in answering queries of officers. When the officer writes a question in the margin of the note, the reply to it is to be written in



continuation of the note and not in the margin. The officer's question will if necessary, be copied out afresh at the end of the note and the answer written below the copy; or the letters A, B, etc., will be written boldly against each such question and the answers, marked with the corresponding letters, written at the end of the note. If the officer writes any questions on drafts or currents they will be similarly dealt with, and the answers written in continuation of the note; and if a note file has not been opened already and if the answer is such that it cannot be conveniently written below the query itself, a separate note file will be opened for the purpose.

#### *Fresh subject files.*

76. When in the course of dealing with a subject any fresh subject arises, with which it is desirable to deal separately, extracts will be taken of the parts of the current file and note file relating to the fresh subject, and with these a separate file will be started. In order to avoid such new cases being lost sight of, fresh current numbers should be given to such files. The same procedure should be followed when any question of general importance arise in connection with periodicals.

#### *Explanations.*

77. Explanations and notes of a personal nature will be signed legibly with the full name of the officers submitting them, and will be kept separately from the note file and flagged, and will be merely referred to in the note file thus: "so and so's explanation is submitted at flag A".

#### *Title.*

78. (a) At the head of every draft communication, the title must be written. It should be framed and arranged exactly like an index title. On no account titles or "Purports" should be written on the backs of communications or on separate docket sheets attached to them. The title should come after the word "Sir." After the title, and separated by a line from the body of the letter, should come the number and date of any communication to which the draft is a reply, and also the numbers and dates of any other

communications or files, the quotation of which may be helpful either to the issuing office or to any one to whom the communication is addressed, or to whom a copy of it is sent. The Order of proceedings should be complete in itself.

(b) Drafts shall not be tagged on until and unless they are approved and issued. Whenever, a number of short drafts have to be put up together, they should invariably be written in the 'run on' form (i.e., consecutively draft after draft) but not in fresh or separate note sheets. While sending Telegrams or Telephonic messages, drafts should be written precisely and intelligibly. Post copy of such Telegram/Message should invariably follow soon after issue of the message. Communications authorising payments etc., should be clearly expressed in words and figures. Unapproved drafts should not be filed along with the current or note files. If, however, they are considered useful for future reference if any, they may be kept apart till final disposal and placed as Miscellaneous papers (in order of Current file, Note file and Miscellaneous papers) at the time of closing the files.

79. Drafts should be headed by the abstract taken from column (4) of the personal register. In the margin of every draft which requires an answer should be noted a tentative reminder date which, unless inconvenient, can usually be the last working day of a week. This date (as modified by the officer passing the draft) will be noted in pencil in column (12) of the personal register. This entry may be erased on receipt of a reply. The observance of this system will obviate the necessity of submitting files for orders as to issue of reminders. When a draft has been approved by the officer, it will be sent to the Fair Copying Section with clear instructions as to enclosure, etc.

80. Correspondence with M.L.As., M.L.Cs., M.Ps. etc., should be in the form of letters only. Letters received from M.L.A's., M.Ps., etc., should at first be acknowledged immediately and replies may be sent in the matter in due course. A reference is invited to Article 212 of the Constitution of India in regard to the proceedings against Honourable Speaker or M.L.As., etc. No notice or summons should be sent to them on any account. In such matters, they should be promptly brought to the notice of the Registrar, who will correspond with the Honourable Speaker or M.L.As. about the pending proceedings in the High Court.

(High Court's Circular, dated 13-8-1968.)

81. The following rules will be observed in fixing tentative dates for reminders prescribed by Standing Order No. 79.

The first reminder in the case of ordinary papers will issue one month from the date of the Proceedings, the second reminder three weeks after the issue of the first and the subsequent reminders at intervals of two weeks. (In the case of commissions issued to foreign Courts the first reminder may issue after two months to Burma and after three months to other countries and subsequent reminders at such intervals depending on the nature and circumstance of each case.) If no reply at all is received for three successive reminders the matter will be specially brought to the notice of the Registrar for orders as to the issue of a demi-official reminder if necessary. References to Government should be treated differently and reminder will issue at intervals of six weeks. If periodical statistical returns are not received within twenty one days of the due date the matter should be brought to the personal notice of the Registrar.

#### *Call Book.*

82. Call books in the form shown below will be maintained for each section and will show only calls in cases which have been closed in the personal register.

Disposal Number.	Subject Nature of the action to be taken and by whom.	From whom reference is due.	Date on which reference is due.	Date of issue of reminder.	How disposed of.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

#### *Disposal number and lodged papers.*

83. In order to avoid waste of time, a disposal number should be given once for all to the final proceedings on any file. The same procedure should be adopted in the case of correspondence which has to be lodged. When putting up papers which are to be lodged after despatch of orders on them, an indication should

be made that the file will be lodged after issue of the references and the officers will also approve the suggestion in passing the reference. In the case of confidential papers which are finally disposed of, the confidential clerk will make the necessary entries.

84. The Telephone Operator will maintain four numbering books for disposals, one for each of the P, K, R and D series in the form given below :—

*Numbering Book.*

Disposal numbering book. Disposal number.	Date.	Series, current number disposed of.
(1)	(2)	(3)

85. It will be the duty of each member closing the files to write all the entries on the Docket Sheet, except Disposal number before the papers are sent to the Sub-Assistant Registrar for approval and recording. The Heads of Sections will scrutinize the docket sheet entries and decide whether the classification of the disposal should be as proposed by the member of the seat concerned or whether it should be modified such as marking 'P. Dis.' instead of 'R. Dis.' or 'R. Dis.' instead of 'D. Dis.' or the like. The moment Dis. No. is given for the current and the relevant entries are made in the numbering book, the Telephone operator should also write in ink, the number of disposal, as entered in the numbering book on the docket sheet front page as well.

86. All papers that are finally disposed of will be duly docketed with the index heads and cross references clearly written on the docket sheets. The index slips will be typed from the dockets in duplicate in the form prescribed \* hereunder at the same time as the drafts are fair copied or in cases of simply recorded papers without any despatch entry, soon after noting disposal numbers on them. One copy of the slip will be retained by the member concerned for his reference and the other together with the disposal will be promptly sent to the Record-keeper after getting the files properly stitched by the muchhi. The

member concerned should send the index slip and the disposals to the Record-keeper within fifteen days from the date of noting disposal numbers on them.

## \* FORM.

			Office of the High Court.
			.....Series.
		Dated	19
Disposal number.			
Main head.	Sub-head.		Purport.
(1)	(2)		(3)
Cross references.			

87. The Record-keeper will examine the disposal numbering books (P, K, R and D) and report to the Sub-Assistant Registrar (Administrative Department) every month, in case all the disposals are not received within the time fixed, stating the steps taken by him to trace the disposal not received in the records. The Record-keeper will prepare the annual index from the slips sent to him.

88. (a) The primary object of an index is to enable papers to be rapidly traced. It also has subsidiary uses to show the orders passed, to assist in compiling statistics, etc.

(b) *Index heads.*—The utility of an index depends largely on the choice of the correct head. This should be one of the authorised heads. If a subject falls naturally under two or more heads, it should be indexed under the more obvious head with a cross-reference to the less obvious head.

(c) The index head must be (a) Obvious, (b) Distinctive, (c) Not too wide and (d) Consistent.

Thus to index a petition relating to the pay of the Head Clerk of a District Munsif's Court under the index head "Petition" would be absurd. But a general order relating to the way of dealing with petitions would be rightly indexed under "Petition". The memorial regarding the head clerk's pay would probably be best indexed under "Establishment—Pay—District Munsif's

Court—Srivaikuntam—Head Clerk". But the important point is to index all such papers in the same way. Any major head may be used as a sub-head, but sub-heads may not be converted into major heads without orders.

(d) Local classification should be used as far as possible e.g., papers relating to the sanctioning of a temporary additional District Munsif at Chidambaram would be indexed under "District Munsif—Temporary additional—Chidambaram". This would of course take an earlier alphabetical order than "District Munsif—Temporary additional—Thanjavur".

(e) Personal papers relating to officers (other than general questions relating to the pay, etc., of the office they hold) should ordinarily be indexed under the name of the officer. e.g., "Subrahmanya Ayyar, D.—District Munsif—Chidambaram—Corruption—Bar Association—Memorial—Recorded." In the case of subordinates a cross-reference to the Court to which the person is attached is desirable.

(f) *Arrangement of sub-heads.*—The General rule is that the wider sub-head should come first and the more particular sub-head later, e.g., "Accounts—High Court—T. and P. Department—Audit".

(g) The title proper comes after the sub-heads. It should be as brief as possible without being obscure. It should not repeat the head or sub-heads. It should consist almost entirely of nouns, adjectives (where indispensable) and participles, and prepositions and auxiliary verbs should be almost entirely excluded. The title should be split up into its various members to facilitate alphabetical arrangement, each member beginning with a capital and separated from other members by a dash. The title cannot include everything. It should, however, always indicate the main subject of the file in a brief, clear and unmistakable manner. If a single title is not sufficient, a subsidiary title may be shown in the index by means of a cross reference.

(h) The index head, sub-head and title will as far as possible be drafted correctly when the first entry is made in the personal register. If the Superintendent, Sub-Assistant Registrar, Administrative department or Assistant Registrar corrects the abstract in any way, the modification should be carried out in the personal register.

89. The members should keep on their table only those papers which are ready for disposal. The lie-over files and those on which references have issued should be kept in their side racks separated from each other in the order of their current numbers or disposal so as to avoid confusion. They should not keep with them disposed of files unless they are required for the disposal of any files pending with them. The practice of members keeping with them some of the disposal files on the ground that they may be required for frequent reference should cease.

*Maintenance of Personal Registers.*

90. (a) The personal register of each clerk must be checked and initialled by the Head of the Section on the last working day in each week and by the Sub-Assistant Registrar on the last working Saturday in each month. These officers will be held responsible for their proper maintenance. The Sub-Assistant Registrar, Administrative department, after his check of the personal registers will submit to the Registrar through the Deputy Registrar a summary of the total number of currents pending in each section with remarks regarding each case pending for more than six months.

(b) When the statement of files pending for over six months is put up, each section will also put up a list of references which have not been put up for orders for a month. This applies to new references and to intermediate references. The Superintendents and the Head Accountant are responsible for going through the personal registers and seeing that all letters not dealt with for a month are included in the list and for giving a brief explanation for the delay in dealing with the references.

*Transfer of charge, etc.*

91. No report of transfer of charge by Judicial Officers on appointment, transfer or leave, shall be lodged unless and until it is noted on the paper that the necessary entry has been made in the assumption register. If no such report is received within a reasonable time after the order of the appointment, transfer or leave, a reminder must be issued to the District Judge or District Magistrate concerned.

### *Departmental Tests.*

92. On receipt of intimation from Judicial Officers having passed the Departmental tests, necessary entries will be made in the probation register.

### *Reports on District Munsifs or Magistrates.*

93. The Registrar may, in his discretion, call for an additional report from a Second District Judge, District Magistrate in cases in which, owing to transfers or other causes, the District Judge/District Magistrate who first reported is not in a position to offer a considered opinion. Such additional reports will ordinarily be called for, before the 1st of January but may be called for later if the report of the District Judge/District Magistrate under whom the District Munsif/the Magistrate is serving is found inadequate.

### *Transfer of Judicial Officers.*

94. When a Judicial Officer is to be posted to a new station, the property and relations statement of the officer must be examined to see whether or not there is any objection to his being posted to the new station. If there is any reason to suppose that there is any objection this should be specifically mentioned in the office note seeking orders regarding the officer's posting. In all files dealing with the posting of officers, their property and relations statements should be put up along with the office note.

### *Quarterly and periodical returns.*

95. The member dealing with Civil Statistics will within three days after the arrival of the returns for each period, forward statements showing the cases that are pending in the Subordinate Courts on account of cases pending in the High Court to the Sub-Assistant Registrar, Appellate Side, for necessary action. The Sub-Assistant Registrar, Appellate Side, will cause the stages to be noted in the statements and return them within 15 days from the date of receipt. The returns will then be scrutinized by the Sub-Assistant Registrar, Administrative department and submitted to the Honourable Judges expeditiously. The quarterly returns from District Magistrates will be scrutinized by the member dealing with Criminal Statistics and submitted to the



Honourable Judges though the proper channel expeditiously adopting the same procedure as prescribed for the Civil Courts returns. A copy of the statements with the stages of cases marked, will be returned to the District Judge/Tribunal/District Magistrate concerned after review of the returns.

*Annual returns.*

96. The consolidated statements of receipts and charges on account of the process-service and copyist establishments submitted by District Judges should, on receipt, be checked by the member in charge. They will be put up with a note for orders expeditiously.

97. Annual Administration Reports received from the District and Sessions Judges and District Magistrates will be checked by the members concerned and the same will be submitted to the Honourable Judges expeditiously. Unless there is any special reason to doubt the accuracy of any figures given in the reports, it is not necessary that they should be compared with the statistical returns before the reports are so submitted.

98. The remarks of the Honourable Judges on the District Administration reports are not necessarily intended as reviews for communication to the officers concerned.

*Renewal of Pleaders' Certificates.*

99. Applications for renewal of pleaders' certificates when merely of a formal nature, need not be circulated to the Judges. The Assistant Registrar's order is sufficient. Any irregularity or any point that may seem to require special notice should be noted before submission of the application to the Assistant Registrar.

*Circulation.*

100. Files relating to confidential matters and those in which confidential papers are put up for reference will be circulated in boxes intended for the purpose.

101. (a) When circulating the files to the Judges for orders, a separate blank sheet (if necessary two sheets) should be put up with the file for Judges to minute on.

(b) This procedure need not be followed in cases where the Judges are not likely to minute, i.e., on files of a purely routine nature circulated for information and in cases circulated to one or two Judges, where the minutes are not likely to be lengthy and there is sufficient room for minuting on the docket.

102. Notes on the observance of the monthly special list system by the District Judges, etc., should be submitted to the Honourable the Chief Justice promptly and expeditiously soon after receipt in this office. Similarly, the notes of surprise inspection of Civil and Criminal Courts will be submitted to the Honourable the Chief Justice soon after receipt.

The annual inspection notes relating to Subordinate Courts shall be circulated to the Honourable Judge in charge of the district for perusal and orders.

103. In regard to the circulation of statistical returns during the summer vacation, the following procedure will be observed :

(a) If the Judge in charge of the district and the Judge in charge of the subject (Statistical returns) are available in the station and are willing to deal with the matter, the returns may be circulated to both the Judges. If either of them is absent or is not available, then the Judge available can pass final orders if the matter is considered urgent. If both the Judges are absent and the matter is considered to be urgent, the senior vacation Judge can pass final orders in the matter.

(b) The same principles would apply in the case of all other files circulated to Honourable Judges during the vacation.

(c) On the eve of the vacation or even earlier, the Sub-Assistant Registrar, Administrative department will with the prior approval of the Registrar, obtain the consent of the Honourable Judges for the circulation or otherwise of the files to their residences during the vacation.

104. Papers relating to the establishment of new Courts on alterations of existing jurisdictions should be marked specially for the Judges dealing with the Statistics, etc., of the particular district.

105. Ordinary files returning from circulation to the Honourable Judges, shall be brought first direct to the Registrar and then after his perusal to the circulation clerk who after noting their return in his register shall submit them to the Sub-Assistant Registrar, Administrative department. If the clerk considers that any emergent action is necessary in any of the files in consequence of the remarks made by the Honourable Judges, the circulation clerk shall bring such files specially to the notice of the Sub-Assistant Registrar.

106. When papers circulated to Honourable Judges are not returned to the office within one week after circulation, the Sub-Assistant Registrar, Administrative department with the permission of the Registrar, will remind the Honourable Judges at their chambers.

107. Only the opinion of the High Court as a body should be sent to Government and their Lordships will not object to their publishing it except where the subject is marked confidential. Verbatim minutes and opinions of individual Judges should not be sent up without (1) the consent of the Judges who wrote them and (2) orders of the Hon'ble Chief Justice.

*Supply of copies of rules, etc.*

108. (a) The rules and orders of this High Court may be supplied to other High Courts in exchange for the rules and orders of those Courts. Indian Law Report series of other States and copies of orders and rules of other High Courts framed under Article 227 of the Constitution of India may be obtained on reciprocal basis.

(b) Copies of the new editions to rules and circular orders and amendment slips published under the authority of the High Court and issued from time to time will be forwarded to--

(1) The Secretary to Government, Home department, Fort St. George, Madras.

(2) The Secretary to the Ministry of Home Affairs, Government of India, New Delhi.

(c) Whenever the High Court makes a new rule of practice or amends or repeals an existing rule a copy of the new rule or the amendment slip issued by the High Court shall be communicated to the Advocates' and Bar Associations.

*Records.*

109. (1) The Administrative Records is the repository for the administrative disposals and Gazettes. This section will be directly under the control of a Superintendent in Administrative department and under the overall supervision of the Sub-Assistant Registrar, Administrative department. The Sub-Assistant Registrar, Administrative department will inspect the section during each vacation and submit a report to the Registrar. The report among other things may deal with the following :—

(a) Whether records are in proper order and protected from white ants and or other insects and kept clean and secure from entry at all points and sufficiently lighted.

(b) Whether the disposals are methodically arranged in the racks.

(c) Whether the procedures regarding issue and receipt of records are strictly observed.

(d) Whether the disposals ripe for destruction are periodically destroyed.

(e) Whether the Gazette copies (Fort St George and India Gazette) are bound periodically and

(f) Whether annual index is prepared promptly.

(2) All requisitions for records should be in the prescribed printed record slips which should contain full particulars regarding the purpose for which the records are required and be signed in full by the clerks requiring the records. Separate slips should be sent for each record. On receipt of record slips the Record-keeper should first ascertain if the required records are available. In cases where they are not available, he should note on the record slips why they are not available, i.e., details as to when, by whom and for what purpose they have been taken out and return the slips forthwith to the clerks concerned. When the records are available, he should register the slips in the register for the issue of records in serial order and make the necessary entries in the appropriate columns of that register and issue the records. He should at the same time write on the slips the numbers noted in the register and have the slips inserted in the place of the records taken out. He is responsible for seeing that record slips are inserted in the place of all records taken out.

(3) When records are returned to the record room, he should have them filed in their proper places. The slips on which they were issued should then be removed and the date of the return of the records noted against each item in the issue register. The slips should then be either returned to the clerks concerned or destroyed, if not required. By the 10th of each month he should **prepare a list of records outstanding at the end of the previous month for more than two months from the date of issue and circulate it to the clerks concerned and it will be the duty of the clerks to note thereon why the records are retained by them. The Record-keeper will report to the Sub-Assistant Registrar when any record is outstanding for more than six months from the date of issue.**

(4) The Record-keeper will examine the disposal numbering books once a month and report to the Sub-Assistant Registrar, Administrative department as to the steps taken for tracing the disposals not received in the Records. It will be the duty of the Superintendent to check the tables, side racks, etc., of the members of the Section to see whether any unwanted disposals are retained and if so to consign them to the records as frequently as possible. **The old personal and periodical registers, disposal numbering books, etc., should be sent to the Administrative Department Records then and there. Whenever white ants are noticed on the walls, floors or on the racks of the record room, the matter should at once be reported to the Budget Section and the Sub-Assistant Registrar, Administrative Department. Records and Record racks should be periodically dusted and cleaned.**

110. (a) In printing the index the various entries under one head can be clubbed in the following manner to save space and facilitate search—

District Munsif—Temporary additional—Sanctioned—  
Chidambaram—Dis. R. 2346, dated 23rd June 1965.  
Thanjavur—Dis. R. 3001, dated 2nd August 1965.

(b) Government Orders should all be indexed under the Government Order number and date with a cross reference to the subject of the Government Order.

111. The Record-keeper will prepare the annual index from the slips sent to him under Standing Order No. 88 and see that the index is completed, printed and bound as soon as possible after the close of the calendar year.

112. (a) The administrative files should not be closed without the orders of Sub-Assistant Registrar, Administrative department.

(b) The Record-keeper will also maintain a note wherein the exact time of closing of the Administrative department records for the day will be noted with due signature of the Sub-Assistant Registrar, Administrative department, obtained for each day.

#### *Stationery.*

113. Heads of Sections will be held personally responsible for seeing that no waste of stationery or printed forms occurs in their sections and will submit monthly an indent for their whole section. Indents by attenders or peons on behalf of the Judges should be brought to the Assistant Registrar for counter-signature.

114. All printed forms in the office will be handed over to the Stationery clerk.

115. The indent will be in the form appended hereto and must be sent before the 7th of each month to the Stationery clerk who will be responsible for a strict scrutiny of all indents as well as for seeing that every item of the Government Stationery Rules is strictly observed.

#### FORM.

Description.	Expenditure last month.	Balance on hand.	Quantity now required.	Remarks.
(1)	(2)	(3)	(4)	(5)

In the last column, a full explanation must be given of all extraordinary requirements.

#### *Inspection and check of Stationery.*

116. The stock of stationery in the stationery clerk's charge will be inspected and checked with the stock book every quarter in accordance with Article 51 of the Stationery Manual, Volume I.

The check will be done in the first half of March, June, September and December by the Sub-Assistant Registrar, Administrative department and Judicial, or any other officer deputed for the purpose.

#### *Vacation.*

117. All papers received in the office during the vacation will be registered at once. The senior member on duty will be responsible for seeing that this is done and that urgent papers are dealt with immediately.

118. Vernacular petitions received in the Administrative department during the vacation may be sent if necessary for translation to the Translation Department, in urgent cases under orders of the Vacation Officer in charge of the Administrative Department.

119. All papers pending with members on the date of the recess should be completely noted on by the respective members when they attend for turn duty during the vacation and kept ready for submission to the Registrar, Deputy Registrar or the Assistant Registrar, as the case may be, on the reopening of the Court.

Members of the Administrative department can avail of the vacation or enjoy the turn leave during the vacation, only when they clear off all the arrears and report such facts to the Sub-Assistant Registrar, Administrative department.

#### *LIBRARY.*

120. The High Court Library is intended for the use of the Honourable Judges and the Office of the Registrar, High Court. It also caters to the needs of the members of the Bar who may desire to consult some of the Law/Text books for reference. The Librarian, the Assistant Librarian and clerks intended for pasting correction slips (amendment slips, etc.) will all come under the direct control of a Superintendent in the Administrative department subject to the overall supervision by Sub-Assistant Registrar, Administrative department.

121. New books or volumes are added to the library by obtaining specific sanction of the Honourable Judge in charge of the subject and the Honourable the Chief Justice. The expenditure therefor will be met from and out of the budget allotment.

As and when new books are received/purchased, they will immediately be entered in the copy of the catalogue kept by the librarian at the appropriate places.

122. (a) The librarian is responsible for the proper performance of all work connected with the library and for seeing that the staff under him carry out their duties satisfactorily. He must see that books are issued promptly when required in Court or by Judges or Officers and that they are returned when the purpose for which they were issued has been served. He should see that the registers kept in the library are correctly and properly maintained.

(b) The Librarian will see to the prompt circulation of books for reference of the Honourable Judges at their residences including cases in which Judgment may be reserved. A written requisition from the Bench clerk concerned should be obtained for the purpose. Whenever books are taken from the library racks the slips obtained therefor will be placed by the attenders in the plates provided for the purpose at the proper places.

123. The assistant librarian will visit the Judges' residences once a fortnight to see that the libraries are attended to, that the peons are on duty and attend regularly. The librarian or the assistant librarian should, before leaving the office, see that all the exits from and entrances to the library are properly secured and that the key of the main entrance is sent to the Overseer.

124. All books in the High Court library will be stamped on every hundredth page as well as on the fly leaves and covers. All illustrations should be stamped.

125. (1) The work of issuing correction slips for the amendments made by the High Court to any rules of practice or procedure will be done by the section concerned. A correction slip will contain only the operative portions which affect the rule and references to the authority for the amendment, (e.g., the current number or disposal number of the proceedings of the High Court or G.O. number) will be given in italics at the end. This will be done by the clerks concerned in the library under instructions from the Librarian.

The Assistant Librarian will see that the slips in the copies provided for the Courts, the Judges, the library and the officers of the Court are pasted properly.



126. When new books are received in the library, they should be catalogued and filed at once. The Librarian should keep a special copy of the catalogue for this purpose and this should be taken to the Sub-Assistant Registrar to be checked when the register of books received and to obtain the approval of Sub-Assistant Registrar as to the correctness of the heading under which the new books have been entered, before passing of the bills by the Registrar.

127. No book entered in the catalogue should be struck off without the permission of the Sub-Assistant Registrar, Administrative department and his initials should invariably be obtained for any entry struck off.

128. (a) The Librarian should note down in his copy of the catalogue, the number of copies of any book received in the library and also explain how they have been distributed in the respective distribution registers.

(b) Once a year in April, a supplement to the library catalogue should be prepared and sent to press showing the books added to the library during the previous year.

(c) The librarian must see that the library catalogue kept in the Courts are brought up to date whenever new books are received in the library.

129. (a) The Librarian shall check the books and periodicals kept in the several Court halls once a quarter and bring to the notice of the Sub-Assistant Registrar, Administrative department any missing volumes.

(b) Bench clerks attending Courts should check the books kept in the Court halls every Saturday and submit a report to the Manager, Bench clerks' department. The Manager, Bench clerks' department will then prepare a consolidated report and submit the same to the Sub-Assistant Registrar, Administrative department, through the Sub-Assistant Registrar, Appellate Side, for orders. In cases of discrepancy, with reference to the orders passed by the Sub-Assistant Registrar, Administrative department, the Librarian or the Assistant Librarian will check the books in the Court halls and take necessary steps for restoring the missing books or volumes.

130. There should be maintained in the library—

(1) A separate file of all Judicial Notifications and orders issued by Government under all Acts and published in the Government Gazette.

(2) A separate file also of all bills with statements of objects and reasons.

131. The Sub-Assistant Registrar, Administrative department, should supervise the work of the Librarian in this respect very closely and verify on every Saturday that the Librarian has filed, in their respective files, copies of the notifications, orders and bills with statement of objects and reasons published in the gazette received during the week.

132. The Librarian will continue to issue books to practitioners for reference in the Courts on the responsibility of Bench clerks in charge of the cases in connection with which the books are required. All requisitions for books under this rule must be signed in full by the Bench clerks concerned before the books are issued.

133. The Law Officers of Government, the Officers of the High Court and the Judicial Officers in the City will be allowed to take books from the library for reference to their chambers, on condition they are returned to the library the same day. No book, however, may be removed out of the High Court, or retained beyond the day on which it is issued without the orders of the Registrar, Deputy Registrar, or Assistant Registrar.

134. The binder who is entrusted with the binding or mending work of the library books, will be under the administrative control of the Sub-Assistant Registrar, Administrative department. He will submit a weekly statement of work to the Sub-Assistant Registrar, Administrative department, through the Librarian, High Court. All his indents for stationery, etc., will be scrutinized by the Librarian before being passed for supply.

#### ACCOUNTS SECTION.

135. The Head Accountant is primarily responsible for the proper working of this section and the maintenance of the various registers prescribed and for all payments made into and out of the Courts and for all moneys drawn and disbursed.

136. The Head Accountant will be required to furnish security for Rs. 5,000; the Assistant Accountant at the counter, security for Rs. 1,000 and the Gollah security for Rs. 500.

137. When sums up to five thousand rupees are sent to or brought from the bank, the Gollah will be accompanied by one Police constable. For sums between five thousand and twenty thousand rupees, the Gollah will be accompanied by two Police constables. For sums in excess of twenty thousand rupees, the Gollah, one clerk in the Accounts section, two Police constables and two last Grade Servants will go.

138. In the absence of Gollah, money shall be sent to and brought from the Bank by one clerk of the Accounts section and a constable. Two constables will accompany the clerk and peon in case the cash value exceeds Rs. 5,000. The instructions contained in the Articles 273, 274, 274-A of Madras Financial Code, Volume I, will be generally followed in the matter of cashing the bills or remitting the money into bank.

139. No cheque will be issued during the last five working days of a month without the orders of the Registrar. Money received will be remitted to the bank on the day it is received unless it is received too late for remittance the same day.

140. The orders of the Registrar and Deputy Registrar regarding appointments, reversions and leave will be entered in the order book maintained by the establishment clerk and will be initialled by the Registrar or Deputy Registrar at the time of making the orders.

141. The Establishment Clerk will be assisted by the clerk in charge of service register maintenance, in the preparation and maintenance of service books. He will be held personally responsible for their correctness and completeness in accordance with the rules contained in the Annexure under Fundamental Rules 74 (iv). In each service book every change in the order of its occurrence will be noted and after the entry has been duly verified by reference to departmental orders, pay bills, leave statements and other official documents, the change will have to be attested by the Official Referee or any other officer as the Registrar may direct. The verification of the service registers will be performed by the Head Accountant with the help of his assistants. The

signatures of the subordinates should be taken in column (8) of the service registers once a year. This can be conveniently done at the time of the annual verification of service registers.

142. All applications for pension will be prepared by the Establishment Clerk and verified by the Head Accountant. Every such application is to be treated as emergent.

143. All cash payments out of the permanent advance will be made by the Head Accountant who will take the requisite receipts. When repairs to furniture have been executed, the Overseer will certify to the satisfactory completion of the work and obtain orders as to payment from the Deputy Registrar or Registrar. All the payments will be entered in the contingent register daily and the initials of the Deputy Registrar obtained against each item. The vouchers will be cancelled in the presence of the Deputy Registrar when the contingent register is closed and a bill is drawn up.

144. On receipt of orders for refunds under the Translation and Printing Rules, the Accounts section shall draw up a consolidated bill after the refund vouchers become ready, get it certified by the Manager, Translation and Printing department, draw the amount from the Accountant-General and disburse the sums due to the respective Advocates after obtaining their acquittance in the register specially maintained for the purpose. Any amount that may remain undisbursed after a reasonable time will be remitted to the bank under the orders of the Registrar.

145. All investments in securities should go to the Suitors Fund (with the privity of the Registrar) and only cash should go to Civil Court deposits, and when the cash is converted into Government Securities it should go to the Suitors' Fund.

146. In the case of an order for investment of moneys by the Manager, Reserve Bank of India, with the privity of the Registrar, High Court (a copy of which has been sent to the Accounts section) the Head Accountant should move promptly in the matter without waiting for the application of the parties concerned. The Head Accountant shall intimate to the Original Side Office or other department concerned through the Sub-Assistant Registrar, Administrative department the receipt of the copy of the order and also the steps taken by him regarding the investment of funds.

147. If moneys are paid in the accounts section in pursuance of orders in which such payment of moneys is made a condition precedent to the doing of a thing; the fact of the payment should be immediately communicated by the Head Accountant through the Sub-Assistant Registrar, Administrative Department to the concerned section on the Original Side or Appellate Side as the case may be.

148. When moneys are paid into Court to the credit of a pauper suit the First Assistant Registrar, Original Side, should, when he signs the lodgment schedule, endorse thereon whether the amount is paid in satisfaction of Court fees due to Government, or to the credit of the party liable to pay the Court fee. On receipt of the lodgment schedule, the Head Accountant should notify to the Government Pleader the fact of the deposit, so that he may take steps to realize the court fee due to Government.

149. Whenever Non-judicial or Court fee stamp papers are purchased by the accounts section either from and out of the amount realized by the encashment of a cheque issued for the purpose by the Registrar or from the amount to the credit of a suit or original petition and handed over to the Probate or Drafting section or the Original Side, the same shall be entered in a separate register kept for the purpose and the member who takes charge of the stamp papers will after obtaining the initials of the Manager in the register take the same to the First Assistant Registrar and obtain his initials thereon as a token of his having noted the fact of purchase of the stamp papers.

150. The Receipt Registers and Repayment Registers in respect of Civil Courts Deposits on the Appellate Side and Original Side shall be reconciled at the end of each month with the bank pass book before the Deputy Registrar and the First Assistant Registrar respectively.

151. In January every year, the Accountant shall draw up a list of deposits included in the Civil Court Deposits and Suitors' Fund Account which have remained unclaimed for twenty years and over and shall publish the list in the Official Gazette with a notice that such deposits will lapse to the State Government unless claims are preferred before the third week of March in that year. The list shall contain a sufficient description of the parties and the amounts and printed copies of the list shall be published

on the various notice boards in the High Court buildings and notice to the Advocates or parties concerned given wherever practicable. If no claims are received before the 23rd March in that year, the amounts shall be transferred to the credit of the State Government.

152. Acquittance rolls in respect of establishment bills shall be checked by Assistant Registrar every month.

153. The cash balance with the Head Accountant will be verified every month by the Official Referee.

154. Accounts which are excluded from the Accountant-General's audit shall be annually inspected by an officer of the High Court nominated for the purpose by the Registrar every year. A member with some accounts experience drawn from some other department or the office may be deputed to help the Officer.

155. A monthly statement of amounts deposited into bank under various heads should be prepared and the same sent to Bank for reconciliation.

#### CURRENT SECTION.

156. Current section consists of four branches :—

- I. Tapal section;
- II. Typing section;
- III. Fair Copy Examining; and
- IV. Despatching section.

I. *Tapal section*.—There are two tapal clerks deputed from the Current section to work at the chambers of the Assistant Registrar, Appellate Side (also called tapal section). They come under the direct control of the Assistant Registrar. One of them will attend to the receipt and distribution of papers received on the Administrative Side and the other to the parcels, papers, etc., received on the Judicial Side. Soon after receipt of the papers, they will be entered in the distribution registers of the respective sections. The clerks will watch promptly about the receipt of papers by the members concerned by obtaining their initials with date in the distribution registers. The Senior Tapal Clerk will enter all the Government Tapals in a separate register, place

them in a file marked " Very Urgent—Government Tapals " and submit the same to the Registrar before 12 noon each day for perusal. Thereafter the Government tapals will be perused by the Deputy Registrar and Sub-Assistant Registrar (Administrative department) and then sent round various sections in the Administrative department including accounts section and then returned to tapal section the same day. Then the tapal clerk will sort them out and include them in the general papers for distribution to various sections. The other clerk will prepare the pay order for payment of parcel way bills submitted by S.R.V.S., etc., for delivering the railway parcels from the stations—Egmore, Central, etc. He should also watch whether the payments are promptly made then and there.

II. *Typing section.*—All the typing work in the various sections of the High Court (excluding Original Side, translation and Printing and Stamp Copy) will be done in the current section (a centralised despatching section). The Superintendent, Current section with the help of an assistant will distribute the work to all the typists each day. Normally each typist is expected to type not less than 24 pages of 350 words each, every day. The Typists, readers and Examiners may leave the office only after all urgent orders are issued for the day.

III. *Fair copy examining.*—Each set of reader and examiner will normally examine about 100 pages per day.

Examiners and readers will see to the correctness of the fair copies when compared and see that the comparison work is kept up-to-date as far as possible. Reference shall be given to special and urgent matters in comparing work and it will be the responsibility of the examiners and readers to see that the fair copies are duly signed or approved by the officers concerned before their despatch.

IV. *Despatching section.*—The Chief Despatching Clerk is generally responsible for the proper despatch of local and moffussil papers. Clerks in the despatch wing should scrutinize all communications intended for despatch, write correct addresses legibly on the covers and see that requisite postage stamps are affixed thereon. It should also be ensured that the Judicial orders are sealed with the official seal of the Court before despatch.

157. The Superintendent, Current section, will see that there is a fair and even distribution of work among the typists, examiners and readers. He must watch the work turned out by them and personally see that their daily out-turn is raised whenever there is a rush of work. He is responsible for seeing that arrears are not allowed to accumulate and that the typing, comparison and despatch work is reasonably up to date.

158. (a) Two Registers one for 'urgent' and another for 'ordinary' showing the progress of the papers from the date of receipt to the date of despatch will be maintained in the forms prescribed. (High Court Form Nos. 602 and 779).

The register in respect of 'urgent' papers will be maintained by the Superintendent, while the register in respect of 'ordinary' papers will be maintained by one of his assistants under his overall control.

NOTE.—While entering the date in the register in High Court Form No. 779 in column "given for despatch" in "no record" cases merely a "dash" will do under the column "actual despatch of the records". In the "record cases", the actual date of despatch of the records will be entered later.

(b) All letters, proceedings, etc., received from various sections for typing will be entered in the fair copy and despatch register (High Court Form No. 751) in which columns (1) and (2) will be filled up by the distribution clerk before the drafts are distributed to the typists.

(c) A register of proceedings, orders, decree, judgments and records despatched will also be maintained in the current section in High Court Form No. 150 in which will be entered the number and description of stamps utilised for the despatch of various proceedings.

NOTE.—1. The date can be entered at the beginning of each day.

2. Serial number should be started afresh for each day.

159. The Superintendent, Current section will maintain a Progress report showing all Non-urgent Judicial Orders pending for over two weeks and submit the same to the Registrar fortnightly in the form given below.



*Current Section.*

Statement for the period from \_\_\_\_\_ to \_\_\_\_\_  
 ( \_\_\_\_\_ working days)

	Record cases. (1)	No record cases. (2)
Pending at the commencement ..		
Received during the period ..		
Total ..	-----	-----

Dealt with during the period

Pending at the end of the period

(includes also cases in which orders have been despatched but the records have not been returned and the papers sent to E.R.)

Previous balance ..		Pages.
Fair copying work. } Received during the period	{ 1. Cases ..	Pages.
	{ 2. Files ..	Pages.
	{ 3. Miscellaneous.	Pages.
	Total ..	Pages.
Disposed of ..	.. ..	Pages.
	Balance ..	Pages.

Number of cases pending for more than two weeks with the Examiners :

Pending with the Despatching Clerks :

Number of cases pending with the Typists :

Date of the oldest case } Record Case:
pending in the Current } No Record
section. } Case :

Number of cases in which records have to be despatched to Lower Courts :

Number of cases in which records have to be called for from V.R. and Criminal Section :

Number of cases in which records are awaited from V.R. and Criminal Section :

Number of cases in which E.B. etc., have to be sent to E.R. after receipt of records from V.R. and Criminal Section :

Number of typists sanctioned :

Dates.	Typists attended.	Pages typed.	Total pages typed.
(1)	(2)	(3)	(4)
S.A.R. (A.D.),	S.A.R. (J),	Dy. Rr. (A.S.),	Registrar

160. The Superintendent, Current section, should every day check the despatch register and the papers and records received for despatch once at 3 p.m. and again at the end of the day and satisfy himself that all papers received on a particular day are despatched that very day. He should at the end of the day's entries in the despatch register endorse that the papers and records noted therein have, in fact, been despatched and indicate those that have not been so despatched.

161. The Superintendent, Current Section, shall keep the service stamps under lock and key in his personal custody and give the despatch clerk such amount as he requires daily. He should daily check the stamp accounts with the greatest care and regularity.

162. The number of postage stamps to be affixed should be minimised by using highest denominations in each case.

163. The Assistant Registrar, Appellate Side will check the stock of service stamps on the first working day, each week. He will also, once a month, conduct a test check as to the proper use of service stamps by the despatching clerks and submit a report to

the Registrar. The instructions laid down in Article 119, Madras Financial Code, Volume I, should generally be followed in regard to the maintenance of service stamps. The Official Referee will scrutinize the carbon copy applications register periodically and submit a report to the Registrar as and when any defects are noticed.

164. Original judgments should not be taken away from the current section if this can possibly be avoided. When, however, such judgments are taken away, the Superintendent, Current section, will make a note in a rough book to be kept by him and call for such original judgments if they are not returned to the current section within three days.

165. On receipt of papers for despatch, the despatching clerks shall see if the papers are in order, that is, if they are duly signed and sealed and are accompanied by the requisite enclosure and shall where necessary, send for the printed papers and the vernacular record from the printed papers sales clerk and the vernacular Record-keeper respectively. The latter will be responsible for the correctness of the vernacular record, which the despatching clerk should not open on any account. After despatching the necessary papers the despatching clerks shall send the office files or bundles to the concerned clerks or the Record-keepers as the case may be.

166. A register, for calling for records should be maintained in High Court Form No. 658 (Revised).

167. Orders and notices in Criminal cases, interim orders, intimations calling for records, orders calling for findings and reports and the like, letters to Government, urgent proceedings, etc., must be despatched on the very day, they are given for despatch and should on no account be kept over for the next day.

168. The despatching clerk should affix the despatch seal on the office copy of the letter or on the docket sheet of the Order/Decree and Judgment only at the time of actual despatch (i.e., on the day when the papers are despatched). He should initial over the despatch seal immediately after the papers are despatched.

169. All packets containing original records, certificates, service registers and the like will, as a rule, be sent by registered post/acknowledgment due unless there are orders to the contrary.

170. Local letters should be prepared and despatched as soon as possible by the peons who can most easily deliver them on their way homes. Local letters which are marked urgent or directed to be sent by special messengers should be attended to promptly. Letters, notices, etc., intended for Advocates or Offices in or near the High Court buildings should be given to a peon deputed for the purpose with directions that he should deliver them expeditiously and without any delay.

171. The Overseer should see that the peons entrusted with the local delivery, promptly deliver the letters and obtain the acknowledgment of the addressees in the registers. After despatch, the registers will be returned duly to the Current Section for making the entries for the next day.

172. All typists must take special care to keep the machines in their charge scrupulously clean and in good working order. Once a week the Superintendent, Current Section will examine the machines in his department and see that they are kept properly clean. If any typist is found to be careless in this matter he should be reported to the Registrar.

173. Every Typist should maintain a machine card as required by the rules in the Stationery Manual, Volume I, the entries in the card should be checked once a month by the Superintendent, Current Section. The instructions contained in G.O. No. 3168, Education, dated 14th October 1949 and in G.O. No. 3381, Public Works Department, dated 26th December 1961 in regard to the upkeep and maintenance of Typewriters/Duplicators should be strictly followed.

174. Typists will be made to pay for any repairs or cleaning to be done to their machines if it is shown to have been necessitated by their neglect.

175. The duplicator (Roneo Machine) should as far as possible be handled by a single operator who will be primarily responsible for the proper upkeep of the machine.

176. (a) Any Judgment, Order or Decree which is forwarded to a Subordinate Court shall be certified to be " True copy ".

(b) It should be signed by the sub-Assistant Registrar, Appellate Side or any other officer authorised for the purpose and duly sealed with the seal of the High Court.

177. All pages in a Judgment, Order or Decree shall be sewn together in the form of a book and not merely tied together by a thread at the top left hand corner.

178. (a) All orders and other papers which have to bear the seal of the High Court will be sealed with the seal in the Deputy Registrar's Chambers.

(b) To ensure no improper use of the seal, the fair copies or certified copies of the Judgments, Orders, Notices and other papers both on the Appellate Side and on the Original Side, should be taken by a responsible clerk, deputed by the Section Head and accompanied by a peon, to the Deputy Registrar's Chambers for the purpose of affixing the Official Seal of the High Court kept therein. It shall be the duty of the clerk concerned to see that the accompanying peon promptly affixes the Court seal on such authorised papers entrusted to him by the Head of the Section.

179. (a) The furnishing of carbon copies to Advocates will mainly rest with the Current Section.

(b) The carbon copy applications register will be maintained in the following form :

Serial number.	Case number.	R. No.	Advocate's name.	Application when filed.	Amount paid.	Date of compliance.	Signature of the recipient.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

## JUDICIAL DEPARTMENT.

*Receiving Clerk.*

180. The Receiving Clerk shall on presentation of papers check them and verify if the stamps and enclosures are correct and in accordance with the endorsement made on the docket; and

Advocate, his clerk or any party presenting the papers shall not leave until they have been so checked and found correct. He shall number the papers received using the numbering machine and enter them in the registers concerned and then endorse on the papers the date of presentation. He shall effect cancellation of all stamps as required by Section 77 of the Court Fees Act, 1955. The punched heads shall be carefully collected and destroyed. The papers shall then be handed over to an Appeal Examiner for being scrutinized by him to ensure that the stamps have been properly punched and defaced and the High Court rubber stamp has been properly affixed. After this is done, the receiving clerk shall send the papers to the respective section, viz., filing, notice, etc. The distribution clerk will then send the papers to the Appeal Examiners for scrutiny after entering the same in a separate register.

#### APPEAL EXAMINERS.

181. On receipt of an appeal or petition of a civil nature, it will be the duty of the Appeal Examiner to attach to it a certificate as to whether or not it is presented in the form and within the time prescribed by law, and is accompanied by proper enclosures and a memorandum of valuation giving clear particulars for computing the Court-fees payable thereon, and is stamped as required by law. If defective in any of the above particulars, the appeal or petition will be returned to the Advocate or party, with a note of the defect endorsed thereon under the signature of the Deputy Registrar. If in order, the papers will be handed over to the docketing clerks. Then they will be numbered and sent to the respective sections by the distribution clerk.

182. The examination of appeals, petitions, applications, etc., by Appeal Examiners must be thorough and all the defects must be pointed out in the first endorsement.

183. When an appeal or petition is returned to the Advocate who presented it with a requisition for further information, payment of additional stamp duty or the like and is represented without the requisition being fully complied with, the reasons for non-compliance are to be submitted for orders of the Deputy Registrar before the case is docketed for admission.

184. (a) Check slips issued by the Touring Court Fee Examiners with reference to deficiencies in Court fees collected in suits or appeals, together with the report of the Presiding Officer of the

Court on the action taken by him thereon, shall, when received in the High Court, be submitted to the Deputy Registrar by the Court fee Audit Clerk. A check slip involving a difference of opinion between the Court fee Examiner and the Presiding Officer of the Court shall, if so directed, be forwarded to the lower Appellate Court, wherever appeals are found to be pending from the suits covered by the check slips, for such action under Section 12 (4) of the Court Fees Act, 1955 as the Court may consider necessary.

(b) Such check slips involving a difference of opinion shall under the directions of the Deputy Registrar, be posted before Court for orders with the connected main case pending in the High Court for action under Section 12 (4) of the Court Fees Act.

(c) When the Deputy Registrar and the Advocate for the appellant or petitioner disagree as to the Court fee that should have been paid on the plaint or memorandum of appeal in the lower Court, the question of Court fee shall be posted with the main case for orders of Court with reference to Section 12 (4) of the Court Fees Act.

(d) Where it is found that the respondents in the High Court have not paid the requisite Court fee in the lower Courts, the Appeal Examiners should make a note prominently on the docket in red ink to that effect, mentioning also the amount that is to be collected. The appeal and the second appeal clerks should watch if the respondent has entered appearance and as soon as this is done, they should send the english bundles to the appeal examiners, who will take the necessary steps to realize the amount.

(e) Cases referred to in paragraph (b), (c) and (d) *supra* shall first be posted before Court "for orders whether notice should go to the Government Pleader on the question of Court fee".

185. When Court fee payable in an appeal or a memorandum of cross-objections depends on the market value of immovable properties and there is nothing on record to show their market value, the parties concerned shall be required to file an affidavit giving, besides the market value and the date on which it has been calculated, a list of the properties, their nature, situation, extent, annual gross and net profits, assessment or rent particulars of any sale and mortgage deeds and copies thereof in respect of the properties and

other particulars necessary for checking the valuation. Special orders of the Deputy Registrar should be obtained for accepting market value given in the affidavit.

186. Where a memorandum of appeal or a petition presented to the High Court is not signed by the Advocate who holds the vakalath from the party, but is signed "for" him by another advocate who holds no vakalath in the case, the Appeal Examiner must return the memorandum of appeal, or petition, as the case may be, for representation with the signature of the Advocate who is authorized to present it. This order will not apply to routine applications, e.g., applications to Registrar for adjournment.

187. Appeals and petitions presented to the High Court on its Appellate Side will be returned for amendment if the description and place of residence or address for service of every party are not given in the cause titles.

188. The Appeal Examiner will see whether the list of papers, to be translated and printed or typed, if any, filed with the memorandum of appeal, is in the prescribed form, typed or printed copies of which will be sold by the Manager, Translation and Printing Department. If it is not in the correct form, the Appeal Examiner will return the list for amendment. Translation and Printing applications in First Appeals, need not be returned to the practitioners for amendment when the records required to be translated, and typed are described as exhibits and depositions in the suit.

189. The Appeal Examiners shall by turn scrutinize the papers presented with Court fee stamps affixed to them and check the value of the stamps and see that the stamps have been properly punched and defaced and the High Court rubber stamp has been properly affixed. He shall then make an entry in the stamp register in token of everything being found in order. Appeal Examiners shall also see that no unpunched stamps are found in records passing through their hands.

190. In cases in which copies of decrees, judgments, orders, etc., filed with appeals and petitions require amendment of what is obviously a clerical error or of the date of judgment, the cases should not be returned to the party presenting them on this ground alone but a note of the error should be made at the head of the petition docket and the cases filed. On receipt of the records from



the lower Courts, the pleadings clerk will deliver the english bundle with the originals of the Decree and Judgment to the Appeal Examiners for necessary action being taken as stated below :—

If the error occurs in the originals, they shall be returned to the lower Courts for correction and return. On receipt of the originals, after correction or in cases in which there is no error in the originals, the copies shall be produced before the Assistant Registrar for necessary corrections being made under his initials.

#### *Civil Revision Petitions.*

191. Every Civil Revision Petition must show in plain terms, whether it is made under Section 115, Civil Procedure Code, or Section 25 of the Act XI of 1887 or under any other enactment and any petition presented for admission which omits to state this distinctly, must be returned to the party or Advocate presenting it with an endorsement requiring it to be stated precisely the provision of law under which the application is made. Every such petition must state only one or the other provision definitely.

#### *Original Side Appeals.*

192. If an appeal from the Original Side is presented by an Advocate or Attorney other than the one who conducted the suit on the Original Side and if no application for change of Advocate or Attorney be filed, the Appeal Examiner should, unless the appointment of the Original Advocate or Attorney was limited to the suit or matter only return the Appeal Memorandum with an endorsement that the Appeal Memorandum should be signed by the original Advocate or Attorney also or that an order allowing change of Advocate or Attorney should be filed.

193. Appeal Examiners should insist on the particulars of valuation being entered in the memoranda of appeals and objections presented against decrees and orders made on the Original Side.

194. Appeals against orders passed under Section 103 of the Presidency Towns Insolvency Act III of 1909, received on the Appellate Side, shall be filed and dealt with, as appeals from the Original Side.

195. (a) Original Side Appeals will be divided into two classes :  
(1) Appeals from judgments (decrees).

(2) Appeals from interlocutory orders (which are in the nature of Judgments).

(b) The Appeal Examiner will note on the docket sheet whether the appeal is from an interlocutory order. The filing clerk will note in red ink, in the last column of the file book against appeals from interlocutory orders "interlocutory order." Such appeals will be expedited as regards preparation and posting, etc.

(c) All Original Side Appeals of a special nature, e.g., Appeals under the Companies Act, Guardian and Wards Act, Insolvency Act, etc., will also be expedited at every stage. The appeal Examiner will note on the docket sheet the nature of the appeal as in the case of appeals from interlocutory orders and prior to decree cases.

196. (a) All appeals from orders of the Subordinate Courts and of the High Court in its Original Jurisdiction rejecting applications to set aside *ex-parte* decrees; and

(b) All appeals from orders of remand under Order XLI, Rule 23 of the Code of Civil Procedure, should be expedited at every stage. The Appeal Examiner will draw attention to every such case by noting the nature of the appeal on the docket and marking it urgent. The filing clerk will note the fact of urgency in the file book and the posting book.

(P. Dis. 294/53, 14th April 1953.)

197. All appeals under Section 384 of the Indian Succession Act XXIX of 1925 shall be numbered and registered as appeals against orders and not as regular appeals.

198. Applications for review of judgments of the High Court shall be treated in every branch of the office as "urgent" and made ready for posting at the earliest possible date.

*Application to admit additional evidence.*

199. A prayer to receive additional documentary evidence under the Code of Civil Procedure should not be combined with a prayer to translate and print or type the documents under the rules of the High Court. A separate petition for each purpose should be filed. An application in which both the prayers are combined will be returned with an endorsement requiring two separate petitions to be filed.

*Interlocutory applications.*

200. On receipt of an interlocutory application, it will be the duty of the Appeal Examiners to check the names of the parties and the number of the case given therein with those given in the main case and to see if it is drawn up in proper form and where necessary verified, and whether it is presented within the time prescribed by law and along with the necessary enclosure (e.g. Vakalatnamas and affidavits where necessary). If defective in any particulars, the petition shall be returned with a note of the defect endorsed thereon under the signature of the Deputy Registrar. If correct, the petition shall be registered after being numbered

201. (a) The docketing clerks will docket and index all main cases and any petitions accompanying them, passed by the Appeal Examiners.

(b) In converted cases like Civil Miscellaneous Appeal into Civil Revision Petition, etc., the docketing clerk will put up new dockets. Docketing of applications/petitions in pending main cases will be done by the respective filing sections.

(c) The docketing clerks will after docketing and indexing cases send those cases to the distribution clerk who will number them and send them to the respective filing clerks in the Judicial Department. The respective filing clerks will, after making necessary entries in the file books, submit the cases and memo. of Objections, First Appeals, O.S.As., L.P.As. where leave to appeal is granted by this Court, to the Deputy Registrar for admission. In respect of Second Appeals and Civil Revision Petitions the papers will be circulated to the Honourable Judge in charge of the district concerned for admission or otherwise as the Honourable Judges may direct.

202. A Distribution Register in High Court Form No. 619 (revised) will be maintained in the appeal examiners' section, by the distribution clerk.

*Filing Clerks.*

203. The filing clerks will call for the records immediately an appeal or a revision petition is admitted. But in the case of Appeals or Revision Petitions against interlocutory orders prior to decree, the records of the case need not be called for, except at the instance of the Court hearing the Appeal or Civil Revision Petition concerned.

The filing clerk will enter the date on which the record has been called for in the file registers as well as on the docket sheet of the case. The filing clerk should watch the receipt of the records called for and for this purpose a separate book should be maintained showing the number of the case and the dates on which records were called for and received respectively. The filing clerks in Judicial department will initially send memos. to lower Courts calling for the records, copies of which will be marked to Vernacular Records. If it is found that the records have not been received in any case or cases within three weeks after the issue of first memo. by the filing sections, the Junior Assistant concerned in the Vernacular Records will send the first reminder. If they are not received within a further period of two weeks, a second reminder should then be sent. If no reply is received within two weeks after that, a demi-official reminder should be sent.

The forms and registers in Judicial Department should be maintained as per the instructions contained in the High Court's Forms Revision Proceedings 1 and 2/57, dated 20th September and 12th November 1957.

204. When records have to be called for from the Original Side, the Sub-Assistant Registrar (Judicial) will address the Second Assistant Registrar, Original Side. The Record-keeper, Original Side, after obtaining the orders of the Second Assistant Registrar will forward the records with a list to the Vernacular Record-keeper who will initial the Original Side, Record-keeper's book in token of having received the papers.

205. Translation and Printing applications in first appeals will, if not accompanied by certified copies of documents referred to therein, be returned by the filing clerks to the concerned advocate for being re-presented with all the enclosures.

206. Translation and Printing applications which are defective should under no circumstances be returned for rectifying the defects without a time limit of not more than seven days being fixed for re-presentation.

207. (a) On receipt of a reference made to the High Court under Order XLVI, Rule 1 of the Civil Procedure Code, the appeal filing clerk shall before issuing notice to the parties, examine the papers to see whether the reference is competent under that provision. In cases of doubt, he shall take the orders of the Deputy Registrar as to posting them before Court for directions

(b) When references are received from Subordinate Courts under the Code of Civil Procedure, or under any of the Special Acts such as the Indian Divorce Act, the Indian Stamp Act, the Workmen's Compensation Act, the Indian Companies' Act and the Guardians and Wards Act, they shall be registered as "Cases Referred" in a register maintained for the purpose. After issue of notice in such cases to the necessary parties as ascertained from the Subordinate Courts, the records shall be returned to the first appeal filing clerk who shall immediately take orders of the Sub-Assistant Registrar, Appellate Side, as to the papers to be printed. The cases should be expedited at all stages of their preparation till they are posted for hearing.

(c) The categories of cases coming under "Referred Cases" are set out in detail in High Court's Proceedings Forms Revision No. 2/57, dated 12th November 1957.

208. In the returns and registers, Civil Revision Petitions "under Section 115, Civil Procedure Code" "under Section 25 of Act IX of 1887" or under any other enactment must be clearly distinguished.

209. After registration, it will be the duty of the filing clerks to put on the notice board, notices of the admission of appeals and petitions and to deliver to the Superintendent, Notice section, all cases in which notices are required to issue and to enter the numbers of the cases in the posting book consecutively.

210. When the Court has directed the appellant in a case to furnish security, and when such security is not furnished within the time allowed, the fact that security has not been produced should be notified by the filing clerks to the Manager, Translation and Printing department who shall thereupon stop proceeding further. The case shall be given to the posting section for being posted for orders of Court.

*Printing of shorthand notes of evidence.*

211. (a) After an appeal from the Original Side has been admitted, the filing clerk should separate from the bundle the request, if any, for a copy of the transcript of shorthand notes of evidence in the suit and send it to the Original Side for the transcript of shorthand notes being put up.

(b) The Manager, Original Side, shall intimate to the Sub-Assistant Registrar, Appellate Side, if a copy has already been furnished of the transcript of the shorthand notes of evidence.

212. When in an unadmitted second appeal, an application is filed for an urgent motion in that appeal, such application and second appeal will be circulated to the Judge looking into the papers of the district from which the second appeal has arisen and orders of the Judge taken as to when the application will be heard.

213. Where Second Appeals have been directed to be posted under Order XLI, Rule 11, Schedule I, Civil Procedure Code, before a Judge who is proceeding on leave every possible effort should be made to see that such cases are disposed of by him before he proceeds on leave. If, however, such Judge proceeds on leave without disposing of them, such appeals should not be kept pending till the return of that Judge from leave, but they should be re-circulated to the Judge to whom the concerned districts are re-allotted and should be dealt with according to his orders.

214. When a Second Appeal is filed together with an application for leave to appeal *informa pauperis*, such application and Second Appeal will be circulated to the Judge in administrative charge of the district from which the Second Appeal has come. Thereupon the Judge will allow or reject the application, provided that if he does not reject the application and considers further inquiry necessary in respect of the alleged pauperism, he will confine himself to ordering that the application be posted for disposal in the admission Court. In such cases it will aid that Court if the Judge indicates his reason for not acting under the proviso to Order XLIV, Rule 1 of Schedule 1 of the Code of Civil Procedure.

215. Second Appeals and Civil Revision Petitions will be circulated by the filing clerks in Judicial department for the order of the Honourable Judge in charge of the district as early as possible after they are filed and entered in the respective registers. A list of Second Appeals and Civil Revision Petitions admitted by the Hon'ble Judges and cases that are directed to be posted for orders, under Order XLI, Rule 11, Civil Procedure Code shall be affixed to the notice board of the Court.

216. Original Side Appeals, First Appeals, Civil Miscellaneous Appeals and C.M.S.As. except against orders of Remand and Memo. of cross-objections will be placed for orders of the Deputy Registrar

for admission. However appeals against orders of remand will be posted before Court. If the Deputy Registrar so directs orders shall be obtained for such cases being posted for admission before the admission Court.

217. When a vakalatnama or appearance is received separately, the filing clerk shall check it. If found defective in any particulars, it will be returned with an endorsement under the signature of the Sub-Assistant Registrar. If found correct, the filing clerk will enter the necessary particulars in the file register and stitch the vakalatnama or appearance with the E.B. of the case after noting it in the index.

218. (a) It will be the responsibility of the miscellaneous filing motion clerk to make a note of all interlocutory and other petitions filed in the main case against the main case in the file registers and in the posting book.

(b) In respect of petitions relating to First Appeals or Second Appeals, the respective filing clerks will make similar endorsements in the file books and in the posting books.

219. On receipt of vernacular affidavits, the filing clerks should send them to the Manager, Translation and Printing Department, for translation.

220. When petitions to bring on record Legal Representatives or Guardian or adding or striking out parties are ordered, the filing clerk will carry out the amendment in the file book and in the memorandum of appeal or petition (original and typed or printed copies) as the case may be, make an endorsement on the reverse of the C.M.P. to that effect and place it for the signature of Sub-Assistant Registrar, Appellate Side.

221. When a refund is ordered of the excess Court fee paid in cases filed in the High Court, an endorsement in red ink shall be made on the E.B. and the printed papers of the case of the fact of the refund in the docket sheet and the original memorandum of appeal in the case.

222. If any note had been made by the Judge admitting a Civil Revision Petition a copy thereof shall be prepared by the miscellaneous filing clerk and supplied to the posting section for circulation with the papers in the Civil Revision Petition to the Judge before whom it comes up for final hearing.

223. In appeals against orders passed under Section 103 of the Presidency Towns Insolvency Act III of 1909, notice should be given to the Public Prosecutor as a matter of course as in Criminal Appeals.

*Finding cases.*

224. Where any matter has been once heard, and an explanation or finding is called for, the return of the lower Court is first to be communicated to the concerned Advocates, if any, and the case or petition is then to be reposted for a further hearing before the Judges by whom the explanation was called for. The date of receipt of the lower Court's reply should be noted by the filing clerks in the posting book, as also the date of notice to the Advocate of its receipt.

225. Filing clerks must be prompt in delivering english bundles to the vernacular record clerk, the moment a case is posted.

226. (a) Whenever an appeal under Section 15 of the Letters Patent or a Civil Miscellaneous Petition for review of the Judgment of the High Court or for leave to appeal to the Supreme Court has been filed, the appeal filing clerk and the miscellaneous filing clerk respectively should give notice of the filing of such cases at once to the English Record-keeper.

(b) The English Record-keeper will immediately note in red ink the number of L.P.A., Revision Petition or Supreme Court Petition boldly on the main case bundle for further references, if any. In such cases, a cross reference (in red ink) should also be made in the register showing the receipt of records in english record against the main case about the number of the review of Supreme Court Petition or Letters Patent Appeal.

**NOTICE SECTION.**

227. (a) It shall be the duty of the Superintendent, Notice section to see that notices in all cases of urgent nature as also cases wherein special dates have been fixed for return, are prepared and despatched to parties within two days of the receipt of the batta. He will also see that notices in other cases are issued without delay, the time limit herein being seven days.



(b) The Superintendent, Notice section will see that the dates of issue of notices in all cases are duly entered in the posting books.

(c) All default cases shall be posted before the Registrar or such other Officer authorised for the purpose on the expiry of the time limit or after two weeks where no time limit is fixed.

228. The Superintendent, Notice section, shall maintain an interim orders register showing the number of the Civil Miscellaneous Petition, the date of the interim order, probable date of hearing and the date of service or reason for non-service. The register shall be submitted through the posting clerk in the first week of every month to the Sub-Assistant Registrar (Judicial) for scrutiny.

229. When an application is made for the issue of processes only to some, but not to all, of the parties to whom processes should *prima facie* be issued in a case, the application should not be returned by the office *suo motu* for the inclusion of the names of the respondents omitted in it, but process should issue only to the respondents mentioned therein, as it is for the party or his Advocate and not the office to see that the requisite parties are entered in the application. If any requisite party is omitted, the omission should be brought to the notice of the Court in the usual manner, by posting the case for orders of the Registrar or such other officer authorised for the purpose, after expiry of time fixed by the rule, or, where a returnable date is fixed by the Court, for the orders of the proper Bench or the Admission Judge sitting on that date as the case may be.

230. Notices for service on parties living outside the City of Madras, shall ordinarily be sent for service direct to the Court from whose decree or order the appeal or petition has been preferred, provided that the party to be served does not live outside the district, in which case, the notice shall be sent through the District Court concerned.

231. In respect of notices or summonses, etc., to be served on parties residing in the City of Madras they will be entrusted to the Bailiffs in the Sheriff's office for service. However in respect of cases arising from the City Civil Court or the Court of Small Causes such processes or notices will be sent through those Courts for service

232. In cases where service of notice on a proposed guardian is effected by affixture, such service is insufficient, and intimation should be given to the Advocate concerned accordingly requiring him to take out a fresh notice without obtaining formal orders therefor.

233. In every case referred to the High Court under the Indian Stamp Act, notice shall issue to the Government Pleader, Madras as soon as the case is numbered.

234. When motion cases cannot be brought on for hearing on the returnable dates fixed by the Court, owing to simple non-return of process such cases need not be posted in Court for orders but should be placed before the Deputy Registrar for orders for the required extension till notice is returned.

235. All returns on notices shall be examined by the notice clerks who may, if necessary, submit the same to the Bench Clerk for determination of the sufficiency of service.

236. When the notices are returned served or when the service is declared sufficient, it will be the duty of the notice clerks to enter in the posting book the dates of service.

237. Whenever there is any case of irregularity in the service of notice by Subordinate Courts, the matter will be brought to the notice of the District Judge of the respective District.

238. When a notice is returned unserved on account of the death of a party intimation should be given to the appellant (petitioner) or his Advocate and the date of death shall be entered by the notice clerks in the posting book. If no action is taken within 90 days after the date of such death, the cases will be posted for orders of Court if there is only one respondent in the case but if there is more than one respondent in the case, it will be posted for orders before the Master.

239. Whenever a practitioner states in writing that he will proceed against the surviving respondent or counter-petitioner in any appeal or petition, no formal order of the Court confirming his statement is necessary.

240. When an Advocate of the Court dies it will be the duty of the notice clerk to prepare a list of the cases in which such Advocate has been engaged, together with a requisition calling upon the

parties to come forward and substitute another Advocate within one month. A copy of this list must be posted on the notice board, and copies must also be transmitted to each of the Civil Courts of the districts from which the appeals are pending.

#### CRIMINAL SECTION.

241. The Presidency Magistrates are nowhere officially designated as "Senior" or "Junior" Presidency Magistrates. The Presidency Magistrates are designated as Chief, Second, Third, Fourth and so on. If these Magistrates are not properly described in the petitions or appeals, the Criminal Appeal and revision filing clerks should return them for correction. In the orders issuing from the High Court to the Presidency Magistrates they should be addressed as Chief, Second, Third or Fourth Presidency Magistrate, and so on, as the case may be.

#### *Referred Trials.*

242. A list of pending Referred Trials and of appeals against acquittals in which the person acquitted had been re-arrested shall be made and laid before the Deputy Registrar once a week. The list shall show how long the case or appeal has been pending and the steps in detail taken to advance the hearing. Referred Trials and Appeals Against Acquittal in murder cases are to be given priority over all other work whatsoever.

243. The Magisterial records in Referred Trials shall not be circulated to the Public Prosecutor and the Advocate for the prisoners but they may be inspected in the office.

244. Briefs in Referred Trials and in cases referred to in Rule 241, Criminal Rules of Practice and Circular Orders, in which death sentence is likely, will issue every Wednesday to the counsel selected. The cases concerned will be posted on the Monday of the week following the issue of the briefs.

245. In appeals from acquittals by Sessions Judges, notice to the accused should be sent to the concerned Court from which the appeal has been preferred, direct for service. The Preliminary Register number as well as the Sessions Case number should always be given.

246. Whenever an appeal against acquittal by the Public Prosecutor is preferred after the expiry of three months from the date of acquittal, the Criminal appeal filing clerk will make a note in red ink in a prominent place on the docket sheet that the appeal is presented so many days (i.e., specifying the number of days) after the expiry of three months.

247. In every case of Appeal against acquittal in which the accused is entitled to be defended by Counsel engaged by the State under the rules, the Criminal appeal filing clerk will take the orders of the Registrar as to briefing counsel to defend the accused.

248. In appeals against the acquittal of an accused charged with murder when the report of the Sessions Judge that the accused had been released on bail is received in the High Court, the Criminal appeals clerk will note on the E.B. of the appeal and the Judges' printed or typed papers, the fact of the release of the prisoner on bail and also inform the Public Prosecutor of this fact.

249. Where any case is heard before a Bench of Judges and such Judges are equally divided in opinion, the case after being laid before another Judge under Section 378 or 429 or 439 (1) Criminal Procedure Code, shall again be posted for pronouncing Judgment before the Judges who composed the Bench or such other Bench as the Honourable the Chief Justice may nominate.

250. All applications under Section 215, Criminal Procedure Code, for the quashing of a commitment to a Sessions Court and all references recommending that a commitment should be quashed must be treated as urgent cases, i.e., they must be made ready expeditiously and posted for hearing as soon as possible, being placed high up in the Criminal cause list.

251. When the High Court takes up a calendar for revision *suo motu* or admits a Criminal appeal for hearing, if notice is ordered to be given to the Public Prosecutor such notice should contain a short note of the reasons or remarks, if any, recorded by the Judge for taking up the revision case or admitting the appeal, unless in any case the Registrar directs otherwise.

252. Requisite number of copies of every Criminal appeal petition for the purpose of issue of notice, etc., shall be typed by the copyists who prepare copies for the Public Prosecutor.

253. When notice to the Public Prosecutor has been ordered by Court in a Criminal Revision Case or Criminal Miscellaneous Petition, records shall be called for through the Sessions Judge or the District Magistrate as the case may be.

254. In every Criminal Revision or Miscellaneous Petition, preferred from the Judgment or Order of a Sessions Court and in every reference by a Sessions Judge under Section 438, Criminal Procedure Code, and in every Criminal Miscellaneous Petition, for stay of proceedings or for bail, two copies of the grounds of the petition (including affidavits, if any) or of the letter of reference shall be made by the copyists who prepare copies for the Public Prosecutor and sent to the Public Prosecutor along with the notice issued to him in the case.

255. Every Criminal Revision Petition shall be posted for admission at the earliest possible opportunity after it is filed, without the printing of either pleadings or evidence, unless the party has presented with his petition an application specifically asking for printing before admission and has also at the same time produced copies of the papers which he desires to be printed.

256. In Criminal Revision Cases posted before a Bench for disposal, copies of the Judgment and reference (if any) are to be typed for the use of the Judges.

257. In Criminal Revision Cases where the records are typed a copy of the charge in the case should always form part of the typed record.

258. When a Criminal Revision Petition which is in any way connected with a pending Referred Trial is presented, the special orders of the Registrar, shall be taken at once regarding the posting of both cases.

259. In Criminal Revision and Appeal Petitions presented against Judgments or Orders of the Presidency Magistrates two copies of the grounds set out therein should be sent to the Public Prosecutor along with the order of the Court admitting such petitions.

260. (a) Except appeals against sentence or imprisonment for life or death, all appeals and all revision petitions from prisoners in jail who are not represented by Advocates, shall, in the first instance, after translation, if necessary, be circulated to the Judge

in charge of the district. If they are marked for summary dismissal, they shall be posted immediately before the Judge who perused them. If they are marked for notice, they shall be posted for final hearing in the usual course after service of notice and printing, if any, before the Judge or Judges to whom the Chief Justice has assigned the disposal of Criminal work.

(b) Cases referred by the Sessions Judges and District Magistrates for revision shall be circulated in the manner stated above for orders.

261. When a prisoner in jail files an Appeal or Revision against a sentence or order passed by a Presidency Magistrate, the records of the case shall be called for and then circulated to the Judge along with the Appeal or Revision Petition for orders as to admission.

262. In cases where there are more than one accused, if a jail appeal by one of the accused under Section 420, Criminal Procedure Code, is pending and a regular appeal is filed by another accused against the same Judgment under Section 419, Criminal Procedure Code, both appeals shall be posted before the Admission Court after withdrawing, if necessary, the jail appeal from circulation.

263. Every appeal from a Judgment of a Criminal Court in which a sentence of imprisonment for life has been passed on the appellant or on a person tried with him shall be posted for admission before the Criminal Bench after circulation of the papers first to the Junior and then to the Senior Judge.

264. Petitions for revising the order of a Magistrate regarding the transfer of a Criminal case or for the Revision of any order of Court made in a case pending before it shall be treated as urgent.

265. (a) Ten copies of the record shall be printed or cyclo-styled in all Referred Trials, Appeals Against Acquittals on charges under Section 302, Indian Penal Code and Revision Cases in which the passing of a sentence of death is possible.

(b) In cases of appeals where records are not printed, six typed copies shall be prepared. In cases where there are more than one accused, an additional copy for each of the other accused shall be prepared.

266. (a) In every reference under Section 374 of the Code of Criminal Procedure for confirmation of a sentence of death, in every appeal under Section 417 on a capital charge and in every revision case in which notice has been issued under Section 439 (1) to the accused to show cause against enhancement of a sentence of imprisonment for life to one of death, the Head clerk, Criminal Section, will put up for reference of the Honourable Judges of the Criminal Bench hearing the cases (1) a copy of the explanation furnished by the Court of Session under Rule 315 of the Criminal Rules of Practice and Circular Orders, 1958, with copies of Judgments submitted under Rule 314 and (2) a copy of an explanation headed "Note on delay in the High Court's office" previously approved by the Deputy Registrar, Appellate Side, on the delay in the preparation and posting of the cases when there is an interval of over 60 days between the date of judgment in the Sessions Court, and the date on which the case is posted for hearing.

(b) Every explanation furnished under Rule 315 with Judgments in Sessions Courts will be examined in the Criminal section as soon as it is received to see that it contains sufficient details as to the causes of delay and, where the explanation appears to be inadequate, the orders of the Judge to whom it is submitted for perusal, should be obtained at once for calling for a more detailed explanation.

(c) In every case in which a sentence of death is passed or confirmed by the High Court, copies of these explanations shall form part of the records forwarded from the Bench Clerks' Department to the State Government under Rule 246 of the Criminal Rules of Practice and Circular Orders, 1958.

267. (a) Immediately after the memorandum of grounds is copied, it will be the duty of the Criminal filing clerk to issue notice and call for records and he will issue reminders in case of non-receipt of records as follows:—

(b) First reminder 15th day; Second reminder 25th day and D.O. by Sub-Assistant Registrar (Judicial)—32nd day.

(c) If within a week after the D.O. the records are not received the case will be submitted for orders of the Deputy Registrar.

268. Criminal Revision Cases, in which notice cannot be served, despite issue of notices thrice for service, should be submitted for orders of Court dealing with the Criminal work.

269. In Criminal Appeals and Revision Petitions presented to the High Court by the Public Prosecutor, such of the enclosures as are required by him to be printed/typed for the Admission Court shall be prepared at the expense of the State.

270. In all Criminal cases where the papers are printed/typed the appeal petition shall form part of the printed record if the petition is received in time. Otherwise it shall be typed.

271. One Criminal Revision Petition should not be received in respect of two separate proceedings or orders. Two separate petitions must be filed.

272. Where applications for bail of one or more of several persons convicted in one case had already been dealt with by a Judge or Judges, any subsequent applications for bail on behalf of the other accused in that case, filed on the same day or on different days shall be posted, as far as possible, before the same Judge or Judges who heard the prior application.

(P. Dis. No. 721 of 1952, 6th October 1952.)

#### *Material Objects.*

273. When jewels or other valuables are received as material objects or exhibits in a case, the boxes or packets containing them must be opened by the Head clerk and the clerk dealing with material objects in Criminal section in the presence of the Assistant Registrar, Appellate Side, and the contents checked with the list received from the lower Court. If, on examination, the Assistant Registrar discovers any discrepancy, the matter should at once be brought to the notice of the lower Court for enquiry and explanation. The valuables will then be sealed up again in the presence of the Assistant Registrar and handed over to the Head Accountant for safe custody. When the case in which the valuables are exhibited is posted for hearing, the Head clerk and the Material Objects clerk in the Criminal section must take charge of the box or packet containing the valuables from the Head Accountant on the day of hearing for delivery to the Bench Clerk in charge of the case along with the records. As soon as the hearing is over, the Bench clerk will return them to the Head clerk, Criminal section. If the seals have been broken in Court, the valuables must be checked once more with the list and re-sealed in the presence of the Assistant Registrar without the least delay. They will then be handed over to the Head Accountant for safe custody till they can be despatched to the lower Court.



274. The material objects sent for reference in Criminal cases should not be destroyed in the High Court but should be sent back to the lower Court if it seems likely that they may be wanted for the trial of other accused who may be absconding or if a re-trial has been ordered.

275. A proper bound register of material objects regarding Criminal cases will be maintained by the clerk concerned in High Court Form No. 199 (Revised). The following instructions will be typed and prefixed to each register :—

(1) Valuable properties shall be returned to the lower Courts by insured post. The postal acknowledgment will be filed separately and numbered in the order of receipt in the High Court.

(2) In the remarks column, the date of despatch, and the serial number of the postal acknowledgment when received back shall be noted.

(3) The register will be in two Sections—

(a) For valuables.

(b) For non-valuables.

(4) When items of non-valuable properties are handed over to the Overseer for disposal, his initials with date shall be obtained.

(5) If any accused is absconding, the material object shall be returned to the Court concerned and should not be disposed of in the High Court. In cases where any of the accused is reported to be absconding, necessary entries should be made in the remarks column.

(6) The Assistant Registrar will check all the valuables.

276. Material Objects will be unpacked by the Head Clerk and the Material Objects Clerk (Criminal Section) in the presence of the Sub-Assistant Registrar, Appellate Side. If any material object when unpacked has no label or mark on it to show the case to which it belongs, the clerk in the Criminal section will put a label giving the information on it. It will be the duty of the Head Clerk and the Material objects clerk to compare the material objects received with the list of material objects in the record of the case and with any correspondence received on the subject from

the lower Court and to bring any discrepancy at once to the notice of the Sub-Assistant Registrar (Judicial). Packets of material objects (marked as valuables) and received by insured post will be opened, examined and sealed in the presence of the Assistant Registrar.

277. In cases where material objects have not been sent up, a note will be made in red ink on the outside of the printed papers supplied to the Public Prosecutor of the material objects that have not been sent up by the lower Court to enable the Public Prosecutor to give information in time to the Registrar to take out of the rough list any cases in which the production of material objects is essential. A similar note will be made on the printed papers/ typed papers supplied to the counsel for the accused.

278. The attention of the Material Objects clerk, Criminal section will be drawn to the Rules 374 and 375 of the Criminal Rules of Practice and Circular Orders, 1958, regarding the disposal of Material Objects. Articles of trivial value like sticks, stones, earth, etc., will be handed over to the Overseer, High Court for destruction after the expiry of the Appeal time to the Supreme Court. Knives, bill hooks, axes and other weapons used for the commission of the crime shall be handed over to the Overseer after the lapse of the period referred to above, for being sent to the Public Works department for disposal while all the fire arms and ammunitions shall be returned to the lower Courts concerned.

279. (a) The Head clerk, Criminal section will submit to the Deputy Registrar a monthly statement of pendency of material objects for the preceding month on or before the 10th of each month showing the following particulars, viz :--

M. Os. pending at the beginning.	Received during the month.	Disposed of.	* Pending at the end of the month.
(1)	(2)	(3)	(4)

\* Of the total pendency, pendency for over 3 months, 6 months and over a year should be shown separately.

(b) In cases where action is possible but are not taken, the Head clerk, Criminal section will see that steps are taken expeditiously in regard to the disposal of the material objects.

*Calendars.*

280. Criminal clerks should take special care to see that all **the columns of the calendar statement attached to the Judgments** of lower Courts are duly filled in. In calendars of Sessions cases, the name and designation of the committing Magistrates should always be given. Any calendar statement not duly filled in should be returned to the lower Courts, for supplying the omission.

281. Whenever a Judgment is received without the statement containing a description of the prisoners, etc., the Sessions Judge should be requested to supply the omission.

282. Calendars for perusal will go to the Judges through the Sub-Assistant Registrar (Judicial).

283. (a) Criminal Rules of Practice, No. 315, requires that an explanation should be submitted whenever more than three months time have elapsed between the apprehension of the accused and the close of the trial in the Sessions Court.

(b) In submitting calendars for the perusal of Hon'ble Judges the assistant to the Head clerk, Criminal section, will draw the attention of the Honourable Judge in charge of the district to any instance of such a delay by marking the explanation and the relevant dates in red pencil.

(c) Any other delays which have taken place at any stage between the apprehension of the accused and the close of trial in the Sessions Court will also be marked in red pencil so as to attract the notice of the Hon'ble Judge perusing the calendar.

(d) If the Judges make any remarks on calendars, such remarks should be brought to the notice of the Deputy Registrar, Appellate Side, through the Sub-Assistant Registrar, Appellate Side and if considered necessary to the Registrar as well, before the issue of necessary proceedings to the lower Court.

284. When a Judge perusing the calendar and Judgment in a Sessions case makes any remarks on the propriety of acquittal of the accused and directs the office to ascertain from the Public Prosecutor whether the State Government intend to present an appeal to the High Court against the order of acquittal a copy of **the Judgment alone shall be sent to the Public Prosecutor together with a letter in the following form**. "I am directed to forward a copy of Judgment in Sessions Case ..... for examination and such further action as you consider, is called for in the case."

(P. Dis. 764/49.)

*Miscellaneous.*

285. After notices are written by the Criminal section they should be sealed with the seal of the High Court and sent to Current section for despatch. The Current section will affix the despatch seal on the office copy of the notices. The Criminal section will then enter the dates of issue of notices on the F. Bs.

286. (a) Copies of orders admitting Criminal Revision cases and Criminal Appeals where they indicate the reasons for admission shall invariably be sent to the Judges before whom the cases or appeals are posted for disposal.

(b) In Criminal cases no appearance shall be accepted or entered in the cause list on behalf of a complainant to whom the Court has not ordered notice to be issued.

287. The Judge will pass orders as to whether the evidence is to be printed/typed for Court if not furnished by the petitioner himself.

288. (a) An application for translation and printing/typing should be presented within one week from the date of admission in the case of the petitioner and within fourteen days from the date of the service of the notice if it is by the respondent.

(b) The bills should be paid within ten days of service. (Three days will be allowed in notices issued to point out portions.)

289. Applications from District and Sessions Judges for transfer of Criminal cases from one Court to another in the same Sessions division shall be delivered by the taluk clerk to the member dealing with the subject in the administrative department. He will verify from the Criminal section whether any application has been put in by the parties for transfer and then place the letter/application of the District and Sessions Judge to the Hon'ble Judge in charge of the District, for orders.

290. In the R.T. register the date of Judgment in the lower court should invariably be noted in red ink in the remarks column. Not more than five cases shall be entered in each page of file book. High Court Form No. 69 should be used only for state briefs.

Two separate registers shall be maintained :—

- (1) To watch the receipt of calendars;
- (2) To watch further correspondence, if any.

High Court Form No. 72-A need not be maintained in district-wise forms. Notice Form should be in the revised forms *vide* P. Dis. 1024/58. For *Amicus Curiae*, High Court Form No. 69-A should be used.

#### POSTING SECTION.

291. When notices have been returned as served and the records received, and when fair copies of the printed or typed papers are ready, it will be the duty of the posting clerk to bring the appeals or petitions on the ready list of which due notice should be given on the Court's notice board.

292. The sittings list will be settled and published weekly.

293. (a) A monthly list of cases ready for posting should be prepared by the posting section from which cases will be taken out for the weekly list.

(b) In each week, the posting clerk will put up on the Court's notice board the proposed cause list for the following week. In preparing the list the posting clerk will take up cases from the ready list according to the serial order and strictly adhere to the directions contained in Order IV, Rules 17 and 22 of the Appellate Side Rules, 1965.

(c) Orders of the Deputy Registrar must always be obtained before any case is taken out of its place in the ready list, whatever may be the reason.

(d) If cases once brought on the ready list become not ready in print/typing they should be placed before the Deputy Registrar for orders as to whether they may be retained in the ready list or not.

294. An appeal which has once been in the ready list, but has become temporarily not ready for posting owing to the death of party or parties, shall nonetheless be retained in its place in the ready list, but a note must be made against such case in the remarks column explaining that it is not to be posted until the

legal representatives of the deceased are brought on record (and if necessary served with notice), or until the time for bringing them on record has expired.

295. The posting of no case is to be delayed on the ground that it is connected with some other case or cases, except by order of the Court or by written order of the Deputy Registrar.

296. Whenever there is delay on the part of the appellant in applying for the appointment of a guardian for a minor respondent in any appeal, petition or matter, the office should not wait indefinitely, but should, after the lapse of a reasonable time, post the case for the orders of the Court with note as to the laches on the part of the appellant.

297. Reversed and remanded cases that come up a second time may be posted before any Bench.

298. No petition will be set down for hearing until the affidavits therein have been translated or the time for payment of translation charges shall have expired without payment.

299. Cases in which applications for security for costs have been ordered, but the time within which security should be furnished has not expired, should not be posted for hearing until the expiry of the time.

300. When an order has been made directing a party to an appeal or other proceeding on the Appellate Side of the High Court to furnish security or do any other action, or to the satisfaction of a lower Court within a given time, the report of the lower court in the matter shall be posted before the Admission Court or before the Bench which made the order, if it was made by a Bench.

301. When an appeal is posted for orders under Order XII, Rule 10, Civil Procedure Code, owing to non-compliance with an order to furnish security, the application on which the order was passed should also be posted with the appeal.

302. Specially important cases should be brought to the notice of the Registrar by the Deputy Registrar with a view to special arrangements being made to post them.

303. The preparation and posting of cases reported to be causing delay in the disposal of cases pending before the lower Courts should be advanced with all possible expedition at all stages.

304. The posting clerks, Appellate Side, will send to the First Assistant Registrar (Original Side) and the posting clerk (Original Side) a proof copy of the sittings as soon as the proof is received from the press.

305. Appeals against Orders under Section 103 of the Presidency Towns Insolvency Act (III of 1909) shall, as soon as ready, be submitted for orders to the Hon'ble the Chief Justice.

306. Cases "For withdrawal" or "For orders", etc., should be posted top in the list.

307. (a) Any cases postponed from the previous Court day because of insufficient time for hearing them shall maintain their position in the next day's cause list unless there are special orders to the contrary.

(b) If in passing orders on a stay petition the Court directs the main case to be posted for hearing on a particular day, such case should appear in the cause list of that day after part-heard cases, and the Bench clerks should obtain clear orders of the Court in each case. In other cases where no particular date is fixed but a case is directed to be posted after a specified period, it shall be added to the list at the end of the specified period.

308 (a) A register showing the Letters Patent Appeals and Civil Miscellaneous Appeals (Bench Cases) directed to be posted with Single Judge cases, such as Second Appeals, Civil Miscellaneous Second Appeals and Civil Revision Petitions should be maintained in the form given below. These cases should be posted as soon as both are made ready irrespective of the order of the single Judge cases in the general list.

(b) This register will be checked once fortnightly by the Superintendent (Judicial) and submitted for the scrutiny of the Sub-Assistant Registrar (Judicial).

## FORM.

Number of the cases to be heard together.	Date on which each case became ready.	Date of service of notice in each case.	Remarks.
(1)	(2)	(3)	(4)

309. In entering the names of the parties in the cause list, the phrase "and another" should not be used. All the names should be entered.

310. The posting clerk will see that in the printed cause lists accurate and complete information is given as to the party or parties for whom Advocates or Attorneys appear.

311. Before beginning their day's work, the posting clerks should examine the fair cause lists struck off by the press to satisfy themselves that the press has not inserted any wrong matter therein.

312. In cases posted "to be mentioned", two copies of the note to the Judges containing the points of reference should be prepared and sent to the practitioners on either side.

313. (a) In all cases of motion, the necessary papers should be circulated to the Judges concerned the previous evening.

(b) When there are several motions on a day, they shall be arranged in the order of seniority of the Advocates moving them.

(c) Papers in the cases posted for Monday should be circulated to the Hon'ble Judges with the cause lists on the previous Friday evening and not on Saturday evening.

314. (a) Unless a case is already in the day's cause list before a Judge or Judges, any application to adjourn it shall be made to the Deputy Registrar in writing.

(b) The Deputy Registrar is allowed the discretion to grant adjournments on the understanding that the Court is strongly opposed to adjournments, being granted on any ground whatever, in Criminal cases and in Civil cases on the ground of want of "instructions" or "of work in another Court or in the moffussil."



The death of near relations and personal illness may no doubt be good grounds for granting adjournments, but as a rule no adjournment can be granted unless the applicant produces the consent in writing of the other parties concerned.

(c) All letters for adjournment of cases in the rough list shall be made to the Deputy Registrar, Appellate Side. If an adjournment is refused by him, any further application should be made to the Court.

(d) If the Deputy Registrar has any doubt as to whether an adjournment should be allowed in any case, he may obtain orders (in chambers) of the Judges comprising the Senior Bench sitting at the time for the disposal of the class of cases to which the case in question belongs.

(e) The Deputy Registrar shall record his order on the letters for adjournment in writing and the office shall not adjourn any case except upon such written order.

315. During any temporary absence of Deputy Registrar, his duties under these rules may be performed by the Assistant Registrar, Appellate Side.

316. All applications to adjourn Referred Trials should be made to the Criminal Bench.

317. Ordinarily adjournments should not be made after 4 p.m. unless special reasons for the late application are given. The Deputy Registrar should not ordinarily give adjournment for more than ten days at a time.

318. Any application for sending papers in an undisposed of case to another Court for any purpose whatever will be submitted for orders through the posting clerk, who will note on the application whether the case is ready or not for posting. The application will be returned with orders through the posting clerk who, if the case is otherwise ready and the application is granted, will note the fact in the posting book.

319. (a) Applications for translation and printing which have been numbered and filed in the petition register, when disposed of by the Deputy Registrar (under the Translation and Printing Rules) shall be entered in the filing registers and posting books.

(b) The forms and registers to be used in the posting section should be in accordance with the revised forms prescribed as per instructions in High Court's Forms Rev. No. 4/57, dated 20th September 1957.

### ENGLISH RECORD.

320. Requisitions for papers from the English Record Room must state the purpose for which the records are required and must be made by means of prescribed record slips duly filled up.

321. In all cases referred for the decision of the High Court under Section 57 or Section 60 of the Indian Stamp Act (II of 1899) a copy of the instrument about which the referee is made shall be included in the records of the case and preserved along with the Judgment.

322. On being informed by the filing clerks that an appeal under Clause 15 of the Letters Patent or a Civil Miscellaneous Petition for review of a Judgment of the High Court or for leave to appeal to the Supreme Court has been filed, the English Record-keeper shall make a note of such filing and take steps to see that the connected records are not destroyed until such Letters Patent Appeal, Civil Miscellaneous Petition or Supreme Court Appeal is disposed of.

323. In all cases wherein the records are not printed, the certified copies of the Judgments and Decrees or Orders of the lower Courts filed at the time of admission along with such appeals or revision petitions will not be returned to the practitioners.

324. The Original Side taxing clerk will be allowed access to Appellate Side records for the purpose of vouching bills of costs, with the permission of the Sub-Assistant Registrar (Judicial).

325. For the purpose of vouching bills of costs, papers from the Appellate Side may be issued to the Original Side taxing clerk on his own signature.

326. The English Record-Keeper will send to the Original Side, records in Original Side appeals when they are required on the Original Side for granting copies on applications made to it.

327. The registers to be maintained in the section will be in accordance with the orders in High Court Proceedings—Forms Revision No. 13/57, dated 6th August 1958.

*Indexer.*

328. In all cases where L.R. copies are marked for typing, the indexer shall prepare the index of such a case by giving short notes of the case and using catch words sufficiently explicit to indicate the point or points that have been discussed or determined adding at the end, the names of the members of the Bench, the number of the proceeding and the date of judgment.

329. It will be the duty of the indexer to send the judgments and orders with the least possible delay to the Editor, Indian Law Reports, Madras, for selection, and to keep a register in the prescribed form showing the various steps taken thereafter.

330. When a judgment is reviewed and the fact is brought to the notice of the Indexer he will make a note of it on the Law Reporter's copy of the judgment so that the Judge granting permission may be made aware of it.

331. In the case of Supreme Court judgments as and when received from the Supreme Court, the assistant Indexer will make a note in the register showing the details like case number, name of parties, Judges who decided the case, etc., and circulate them to all the Honourable Judges. The Indexer will prepare a small head note in the register itself. The papers will be in his custody and whenever the Court calls for the same, they will be sent to Judges.

332. The assistant indexer will be in charge of circulation of head notes submitted by various Law Reporters, viz., Editor, Indian Law Reports, Madras Law Journal, Tax Case Reporters, Criminal Law Weekly and All India Reporter, etc. He will maintain a separate register for the purpose (in High Court Form No. 440).

**COPYISTS.***Stamp Copyists' Section.*

333. The Superintendent will be responsible for the general supervision of the section and for authenticating copies, for seeing that all the registers are maintained properly, for the distribution of copy-stamps to the copyists for the distribution of work to the examiners and for the custody of unused stamps and originals.

334. The Assistant Superintendent, will generally assist the Superintendent in all important matters such as registering applications; preparation of statements to be submitted to the officers, etc., and he will be in charge of the section in the absence of the Superintendent for short periods.

335. The Counter clerk will sit at the counter to receive stamps and keep the A register with him. He will make the entries in the A register as specified below. Anyone who has to make an entry in the A register must go to the counter and make it. The clerk on receiving the papers (if necessary at fixed hours) can endorse on the reverse of the first stamp the total number of stamps deposited with date and the number of the copy application. If he considers it necessary he can get the signature of the Advocate or the Advocate's clerk depositing the stamp papers.

336. (a) *A Register*.—The Superintendent is responsible for seeing that this register is properly kept—see Rule 7 of the Copyists Rules at page 141 of the Civil Rules of Practice and Circular Orders (Volume I), 1941 Edition. The Superintendent must fill up columns 1 to 5. Columns 6, 7, 8 and 9 must be filled in by the Assistant Superintendent. The Counter clerk will fill in columns 10, 11, 11-A 16, 17 and 18. The copyist receiving the papers must fill in columns 12 and 13 and the examiner who receives the papers columns 14 and 15. The Advocate or his clerk will fill up columns 19 and 20. When copies are sent by post, the Superintendent should fill in columns 16, 17 and 18 and initial in column 20 as required by instruction 3 in the Register. The attender must not make any entries in this register.

(b) Instruction No. 6 to this register must be strictly followed to prevent any loss by misappropriation or otherwise. The abstract must be prepared daily by the counter clerk and must be initialled by the Superintendent in token of its correctness. The register will be submitted to the Sub-Assistant Registrar (Judicial), every Monday with the balance of copy stamps as shown on Saturday and the Sub-Assistant Registrar will check the correctness of the entry. On the first Saturday of every month this verification will be done not by the Sub-Assistant Registrar but by the Assistant Registrar.

(c) The Superintendent will see that the last sentence of Rule 11 of the Copyists' Rule at page 142 of the Civil Rules of Practice and Circular Orders (Volume I) (1941 edition) is followed.

He is personally responsible for seeing that all original papers and all copies not delivered to the parties as well as all stamp papers not used for copies are locked up at night. If the Superintendent is not the last to leave the office, he must nominate each day a person who is responsible for locking the almirah. The person so nominated will not be allowed to delegate this responsibility to anyone else. He must himself see that the almirah is locked.

337. (a) *B Register*.—This register will be kept in the manner in which it is intended to be kept and the copy applications can be sent to the English Record-keeper, the Vernacular Record-keeper or the filing clerks as provided for under Rule 8 of the Copyists Rules at page 141 of the Civil Rules of Practice and Circular Orders, Volume I, 1941 edition. But the English Record-keeper, the Vernacular Record-keeper and the concerned filing clerks must keep a note of the copy applications received by them, the date on which they receive them and the date on which the originals are furnished to the Copyists' Department. This note may be made in a rough manuscript book and its purpose is, for the English Record-keeper, the Vernacular Record-keeper and the filing clerks, to watch what copy applications are with them. They will continue to initial in columns 4 and 7 of the B Register. Rule 12 of the Copyists' Rules at page 142 of the Civil Rules of Practice and Circular Orders (Volume I, 1941 Edition) will also be obeyed and the English Record-keeper, the Vernacular Record-keeper and the filing clerks will then initial in column 9 of the B Register.

(b) A rough manuscript book will also be maintained in the Bench Clerks' Department and Current Section wherein will be noted the filing of C.D. applications then and there, soon after intimation by the Records Section Vernacular Record or English Record and the filing sections in the Judicial Department.

(c) The Manager, Bench Clerks' Department and the Superintendent, Current Section will see to the expeditious despatch of such orders, etc., so as to make available the papers for prompt compliance of copy applications pending in the records or Filing sections as the case may be.

(d) If any originals of which copies have been applied for, are with Translators, the Clerk who gave the originals to the Translator shall, without delay, send for the originals, unless they are, at the time, actually under translation.

(e) Any delay in furnishing originals to the Superintendent of Copyists will be severely dealt with. The Assistant Superintendent shall properly maintain the ' B ' register and see that all the originals are returned to the concerned sections when no longer required. But when they are required for complying with the copy applications received subsequently and pending, then such of the originals as are required for compliance shall be retained.

338. A register as in C.R. 51 (' D ' Register of Copyist establishment) with necessary modifications will be maintained by the Assistant Superintendent of Copyists in order to facilitate calculation of remuneration to Copyists.

339. Stamp Copyists will maintain their work statements in High Court Form No. 190-F.

340. A daily statement in C.R. 53 (Register of Examiners) will be maintained by each Examiner in the Stamp Copy section.

341 (a) Statement ' E ' of the Copyist Establishment of the High Court will be prepared and submitted to the Registrar by the 20th of each month.

The following sections will see that the particulars required from their sections for the previous month are furnished to the Superintendent, Stamp Copy by the 10th of the current month.

1. Appeal Examiners' Section. . . . . Data relating to the receipt of fees on applications, etc., during the previous month.

2. Current Section . . . . . Particulars relating to Folio charges for carbon copies, postage incurred, etc., during the previous month.

3. Original Side .. .. Data regarding Folic charges in respect of case on the Original Side typed in Stamp Copy Section, during the previous month.
- .. Stationery Section .. .. Particulars as to the supply of Stationery articles such as paper, ribbons, carbon sheets, etc., made to the Stamp Copy Section during the previous month.
5. Accounts Section .. .. Proforma details as to the Establishment charges of Copyist establishment (after taking into account the remuneration bill of the Copyists as well) for the previous month.

(b) The Superintendent, Stamp Copy Section, will within a week thereafter, prepare and submit the 'E' statement relating to the previous month through the Sub-Assistant Registrar, Appellate Side, so as to reach the Registrar by the 20th of the current month.

(c) Failure to submit the statement abovesaid will be taken serious notice of.

(High Court's P. Dis. 84/71, dated 18th Feb. 1971.)

342. In the case of defective applications, Note III (c) to Rule 128 Copyist Rules at page 135 of the Civil Rules of Practice and Circular Orders, Volume I, 1941 edition, must be obeyed. A time limit must be fixed in every case.

343. After copy applications are complied with they should be sent to the Record-keeper for filing with the appeal or proceedings papers and destroyed in due course after three years in accordance

with Appendix C to the rules for destruction of records in Appendix III of the Appellate Side Rules. Copy applications which have been complied with should not be kept in the Copyists' Department, but sent up at once to the Record-keeper for filing with the case bundle.

344. (a) The Superintendent of Copyists Department should comply with copy applications in the strict order of receipt. Applications for the grant of copies urgently must be presented on the Appellate Side, to the Assistant Registrar, Appellate Side, stamped with a Court fee of Rs. 2 under Article 5 of Schedule II to the Court Fees Act, 1955 (Madras Act XIV of 1955).

(b) Copy applications on the Original Side should also be dealt with in the strict order of receipt unless the First Assistant Registrar (Original Side), on an oral or a written application from the party, directs that a copy application should be given preference.

345. The Superintendent of Copyists will submit every Monday to the Deputy Registrar through the Sub-Assistant Registrar (Judicial), a statement in the form given below :—

*Statement of pendency of applications for copies for the week ending \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_*

Application.	Pending for more than.				Duration in days of the oldest pending application.	Remarks.
	One week.	Two weeks.	Three weeks	One month.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. With the English Record-keeper.						
(a) Decrees, etc., under preparation.						
(b) Other Originals.						
2. With Vernacular Record-keeper.						
3. With other Clerks.						



Application.	Pending for more than				Duration in days of the oldest pending application.	Remarks.
	One week.	Two weeks	Three weeks	One month.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
4. With Superintendent—						
(a) Stamps not called for.						
(b) Stamps given for.						
(c) Stamps not distributed.						
5. With Examiners.						
Total ..						

346. When Copyists or other employees of the High Court are entrusted with the preparation of copies of originals, the work must be done in the office. Original plans like other records must on no account be allowed to leave the office except under the written orders of the Registrar.

347. The Stamp Copyist, before taking a copy, shall count the number of words in the original document to be copied and note on the docket sheet the number of words contained therein in ink and affix his initials with date.

348. While examining a copy, the examiner shall verify whether the page on which the matter has been copied is duly stamped.

349. The counter clerk will distribute the work to the examiners and take it back after the examination is over. He will also prepare the ready list.

350. All copies granted by the Superintendent of copyists shall be sealed with the seal of the High Court.

351. When the Public Prosecutor applies for copies of Criminal records, such copies should, as a rule, be made on plain paper by copyists employed for the purpose.

352. Stamp copyists will be eligible for their pay in the time scale of pay for a minimum number of words to be copied every month. Besides they will be allowed extra remuneration at such rate as may be fixed by the Government from time to time.

353. The Assistant Superintendent, Stamp Copy section will see that the section is locked after all the Copyists leave the section each day and the Superintendent shall also check the same.

#### TRANSLATION AND PRINTING DEPARTMENT.

354. (a) The Translation and Printing Department is subject to the general supervision of the Sub-Assistant Registrar (Judicial) and the Deputy Registrar.

(b) The Manager is responsible for the work of the Department being performed punctually and efficiently. He will refer to the Sub-Assistant Registrar (Judicial) for orders any question of office practice not clearly provided for by the rules or any departure from the customary routine of the department.

355. Separate file books will be kept for Appeals, Second Appeals and Miscellaneous Cases, etc.

356. (a) A register of appeals to the Supreme Court from decrees and orders of the High Court will be maintained in the form prescribed for the purpose.

(b) A register for Supreme Court Petitions will also be maintained.

357. Statement showing the pendency of Translation and Printing applications with the Billing Clerk for the week ending  
day of \_\_\_\_\_ 19\_\_

Applications.	Pending for more than		Remarks.
	Two weeks.	One month.	
(1)	(2)	(3)	(4)
1. After receipt of reference :			
(a) Awaiting portions to be pointed out	...		
(b) Awaiting billing :			
Pleadings	...		
Documents	...		

## 2. After payment—

(a) Awaiting distribution to  
translator or copyists  
copyist ... ..

(b) Under translation or  
press copy ... ..

## 3. After translation—

Awaiting transmission to  
Press Copy ... ..

4. After transmission to Press  
or to Press copy—

Awaiting preparation of  
typed sets ... ..

## 5. After transmission to press—

Awaiting printing ... ..

A statement in the above form *vide* also High Court Form No. 175 (b) will be prepared on the last working day of each week and submitted to the Deputy Registrar every Monday or the next working day if Monday happens to be a holiday.

358. A weekly statement showing the pendency of translation and printing applications with the referencer in High Court Form No. 175 (c) will be prepared on the last working day of each week and submitted to the Deputy Registrar on Monday or the next working day as the case may be. (*Vide* High Court's R. Dis. No. 84 of 1948 and P. Dis. No. 1023 of 1958).

359. A weekly statement showing the amount of work done by each translator shall be submitted to the Deputy Registrar by the Manager every Monday or on the next working day if Monday happens to be a holiday.

360. Before office books, etc., are given to the office binder for binding, a proper estimate must be submitted for sanction of the Deputy Registrar through the Manager, Translation and

Printing Department. The materials purchased by the binder in accordance with the estimate must be shown to the Manager, Translation and Printing Department before they are used.

361. The Manager should take note of the non-production of security in cases in which security has been ordered and stop translation and printing.

362. Chalan in cases specially posted should be specially treated and issued without delay. No case will be returned as ready in the Translation and Printing department till the Manager has checked and apportioned the printing charges between the appellant and respondent.

363. The Manager or in his absence, the Superintendent of translators will be responsible for seeing that no suitor, Advocate's clerk or other person, enters the translators' room, or holds any communication whatever with any of the translators during office hours.

364. Care must be taken to give the press due and sufficient notice when any printing work has to be done urgently.

365. The Translation and Printing Department will sell the following printed forms at the rates that may be fixed from time to time :

Lodgment schedule forms—Appellate Side.

Lodgment schedule forms—Original Side.

Copy application forms.

Translation and printing application.

Original Side appeal notice forms.

Batta forms.

Guardian notice forms in vernacular.

Form of receipt showing Court-fee paid—Appellate Side.

Form of receipt showing Court-fee paid—Original Side.

Rent chalan form.

366. When application is made for spare copies of printed papers on paper charge, Manager, Translation and Printing Department, is authorised to comply with the application provided that each party in the case has already purchased one copy of the papers on full charge and that the number of copies required does not exceed the number of practitioners engaged for the party requiring spare copies. In all other cases, he will obtain the orders of the Deputy Registrar.

367. In addition to transmitting every day duplicate chalang after noting payments made, the Accounts Section shall also enter all final chalan payments relating to the Translation and Printing Department received each day in an authorised register opened for the purpose with columns as shown below, and named "T. & P. Chalan Payments Register" and transmit this also to the Translation and Printing Department. The Head Accountant shall verify the entries therein and after duly vouching for their authenticity shall send the register each day before noon to the Translation and Printing Department where the T. & P. Head clerk will compare and check the entries in the new registers, with the entries already made in T. & P. Sales Registers by the concerned clerk. Further, when the Advocates produce the duplicate chalang issued by the Accounts Department, the entries will again be verified in the respective registers in the Translation and Printing Department. The Head Clerk of the Translation and Printing Department should also certify to the Manager every day, the fact of his having so compared and checked the entries. Only on the basis of payments so verified, shall printed/typed papers be issued to Advocates and their registered Clerks. The Advocates or their clerks must also be required to produce a copy of the receipt issued by the Head Accountant, for inspection by the printed papers clerk before taking delivery of the printed papers. In cases of special urgency the Advocates concerned may get a copy of the receipt vouched urgently by the Head Accountant after obtaining orders of the Deputy Registrar therefor and may take delivery on production of the said receipt. The printed papers clerk shall not issue papers to any one who fails to produce such receipts for the payments made.

368. (a) Similar authorised registers with columns as shown below and named "T. & P. Bill Payment Registers" shall be opened by the Accounts Department for entering payments on

T. & P. bills issued after estimates are made and these registers after verification and check by the Head Accountant shall be transmitted to the Translation and Printing Department for noting every week or twice a week as occasion may demand. The Superintendent of Translators, Translation and Printing Department shall check all the file book entries made by the concerned clerks of payments with the entries in this register as soon as possible and vouch his having done so by initialling the entries. He shall also certify to the Manager of his having done so. This certificate and the one relating to the verification and checking of the chalan payments by the Head Clerk can be made in a note book to be maintained for the purpose. They shall be submitted to the Manager, Translation and Printing Department every day as regards chalan payments and periodically as occasion demands in the case of bill payments.

(b) With the exception of the current volumes of the new register referred to above all the back volumes shall be in the custody of the Manager, Translation and Printing Department, and he will be held responsible for the safe custody of these registers.

369. The Superintendent of Translators shall verify the accounts in all disposed of cases, and it shall be his duty to certify that the printing and translation charges have been properly levied according to rules, that accounts have been properly closed in all cases and refund and arrear orders are correctly issued. The disposal clerk, when closing the accounts of a case, and the Superintendent of translators when counter-checking, shall verify if all payments by way of bills, chalans, etc., and other payments noted in the sales register are supported by payments as noted in the new registers.

370. Every month a Bench Clerk shall be deputed for the purpose of test-checking the accounts of the printed/typed papers. He shall not only see that in selected cases all the copies received from the press are properly accounted for but also see that in about twenty disposed of cases selected at random, charges have been properly levied and accounts properly closed. He shall also verify if the payments relating to those cases and noted in the translation and Printing Registers are covered by actual payments as noted in the original Day Books of the Accounts Department.

## T. &amp; P. CHALAN PAYMENTS REGISTER.

(1) Date of payment.	(2) Number of the case.	(3) Name of the Advocate.	(4) For whom appearing.	(5) Amount paid.	(6) Accounts department receipt number. T. and P. chalan number.	(7) Remarks.
				Rs.		

## T. &amp; P. BILL PAYMENTS REGISTER.

(1) Date of payment.	(2) Whether pleadings or documents.	(3) Number of the case.	(4) Name of the Advocate.	(5) For whom appearing.	(6) Amount paid.	(7) Accounts department receipt number. T. and P. bill number.	(8) Remarks.
					Rs.		

371. The accounts must be regularly kept and all transactions recorded therein immediately after they occur so that the amount paid in by each party, the amount of charges incurred, and the amount for which he has received printed/typed papers in each appeal or petition may always be readily ascertainable to avoid

delay in selling papers or calling for further deposits or taking costs. On a case being disposed of, the account will be closed immediately and a return bill or a memorandum calling upon the advocate to pay the arrears, if any, will be issued. In making the entries in the ledger, the clerk in charge will also test the correctness of the figures he enters.

372. Refunds will be made only in cases finally disposed of. The posting section will daily send the duplicate cause list of the cases disposed of on the previous day to the Manager, Translation and Printing Department, who will prepare the refund orders and send them on to the Accounts Department for further action.

373. It will also be the duty of the Manager, Translation and Printing Department, to prepare every month a list of arrears due by the Advocates in respect of the cases finally disposed of and submit it to the Deputy Registrar. For this purpose a statement of account in form High Court No. 722 shall be maintained by the refund clerk which will be checked by the Manager, Translation and Printing Department, as and when arrear memos are issued and by the Deputy Registrar once a month along with the arrears list.

#### TRANSLATORS.

374. The Superintendent of Translators will distribute among the translators pleadings, documents and other papers required to be translated. Old and difficult documents will be distributed to senior and experienced translators. No translator is to be supplied work at one time with more than he can execute in two days.

375. The Superintendent of Translators shall have custody of the confidential papers sent for translation and copying until they are sent back to the respective departments.

376. The Superintendent of Translators will help the translators in difficult cases and check the work turned out by them. He will bring to the notice of the Deputy Registrar any bad work of the translators. He will see that translators do not postpone any work.

377. As a general rule a translator must do all his work himself. He may consult the Superintendent of Translators or in some cases (with the latter's permission) another translator. But in no cases a party or his Advocate is to be consulted as to the translation.



Translators are not on any account to take out of the office any papers given to them for translation. Any transgression of this order will be severely dealt with.

378. A translator is expected to translate not less than nine pages per day. However on Saturdays a translator should do at least six pages, newly appointed or inexperienced translators may be permitted to translate, initially for a few months, eight pages per day.

379. Each translator shall affix his name to his translations.

380. As soon as translations have been made and after check by the Superintendent of Translators and duly certified all the papers are to be returned to the distribution clerk.

381. The translation of a word of which the meaning is in dispute or doubtful should be entered in the margin of the paper under the head " Translation " and should be initialled by the translator. All translators are also warned against explaining words. They must in no case do more than strictly translate.

382. All papers translated and typed or printed should be such as to correspond with the originals as nearly as possible. The relative positions of the different portions of the original documents (signatures, etc.), should be maintained in the printed or typed paper as the case may be.

383. When registered documents are translated and printed/typed the registration endorsements should also be translated and printed/typed except when the parties specifically ask for them to be omitted.

384. The formula of attestation signed by the authority before whom an affidavit or documents purporting to be an affidavit is sworn, must always be translated literally into English, if it happens to be in vernacular. The entry "here enter attestation" or any similar entry must not be made.

385. (a) When Indian dates are used in documents translated in the High Court the translators must give accurately the corresponding English dates from the Indian Ephemeris.

(b) When documents are typed for the press the Examiners and Readers in the Press Copy Section will draw the attention of the Press clerks by noting any Indian dates on the docket sheet of each copy and the Press clerks will enter the corresponding English dates from the Indian Ephemeris.

(c) If the English equivalents are in dispute, they need not be given.

386. A translator or Proof Examiner shall maintain a work statement in the High Court Form No. 175.

387. No translator should be sent to the Interpreters' Section without a written requisition from the Senior Interpreter and that too, only when it is found absolutely necessary.

*Preparation of the records.*

388. (a) The following points will be borne in mind in the preparation of the record :—

The index should not be prolix but should be as brief as is consistent with clearness.

(b) There should be a heading for each part of the index, e.g., Original Suit No. 12 of 19 , District Court, North Arcot. This will obviate the necessity of repeating the number of the suit, etc., in describing each individual paper. If a "part" of the index extends over the end of a page, the heading of the "part" should be repeated at the top of the new page.

(c) Documents not filed as well as documents which have been rejected should be excluded from the record. But if the printing or typing of any such paper is specifically asked for, the matter should invariably be brought to the notice of the Registrar for orders.

389. The Head Clerk, Supreme Court section, and his assistants must acquaint themselves with the rules and orders which have been or may be framed from time to time relating to the preparation and despatch of records to the Supreme Court. The Head Clerk will be primarily responsible for the proper working of the section and will see that there is no delay in the preparation of the records.

390. The certificate as to the service of the petition of appeal on the respondents impleaded in the Civil appeal on the file of the Supreme Court shall be despatched to the Supreme Court as required under Order XV, Rule 11 (iii) of the Supreme Court Rules.

391. At the top of the Dockets of Petitions relating to Supreme Court matters, a red printed label "Supreme Court Urgent" shall be affixed.

392. All pleadings will be delivered to the pleadings clerk directly who will give acknowledgment therefor and will have them in custody in a separate almirah and be responsible for their printing/typing and safe return to the filing clerks, with stamp papers complete in each case.

393. The pleadings and press clerks will be held responsible for the accurate selection and printing/typing of all the papers required to make up the pleadings as defined by the rules in force, and they should, for this purpose, examine the records and ascertain what papers are required.

394. In every case the pleadings paper should be complete in itself, and any essential matter should not be omitted on the ground that it has already been printed/typed in some previous case.

395. The preparation of typed or printed records for the use of the Court shall be in accordance with the provisions of Orders VIII and IX of Appellate Side Rules. The preparation of records in Original Side Appeals shall be in accordance with Original Side Rules to the extent necessary.

396. In copying the B Diary for the press, care should be taken that the entries are properly arranged. It is possible that, for want of space, some of the entries in the original have not been made immediately below one another. The more important items are printed in the original and to make it easy to recognise these at a glance in the printed/typed copy prepared here, such headings should be got printed/typed in distinctive type.

397. The issues shall be printed/typed from the notes taken at the "first hearing" and not simply extracted from the judgment. The issues will of course appear in the judgment as well. The list of documents appended to the judgment will be omitted as the table of contents renders it unnecessary.

386. The cause, title should be printed/typed in plaint, issues, decree and judgment but need not be repeated in the written statements, B Diary, finding, order, etc.

399. Whenever a judgment is printed/typed in the pleadings paper, the following note should always be printed/typed :—  
 “List of exhibits filed and witnesses examined in the suit (*vide* table of contents appended to the documents).”

400. (a) The table of contents shall be in High Court Form No. 479.

(b) The table of contents will be printed/typed along with the other papers in the case. Should any further application for translation and printing be allowed, the table of contents must be altered accordingly.

(c) The descriptions and dates of papers should be taken from the documents themselves and no reliance should be placed on the list furnished by the parties, those appended to the lower Court's judgment, or the dates appearing in the printed/typed papers.

(d) In First Appeals and Original Side Appeals the table should be based on the list attached to the judgment of the lower Court but only those documents which are printed/typed will have a page assigned to them. All other documents, that are not printed or typed, may be indicated by the words “Not printed” or “Not typed” against each of them in the column relating to page number.

(e) When any paper is omitted owing to the failure of the party to point out the portions required, the fact of such omission shall be noted in the table of contents.

(f) In the case of first appeals and Original Side appeals the documents to be typed should be in chronological order. The oral evidence will be arranged according to the rank of the witness and the evidence for each party shall be grouped separately. In printing/typing depositions, the names and descriptions of parties should be retained but such formal portions as the Judge's certificate and signature should be omitted.

(g) In the printing/typing of pleadings, the papers shall be arranged in chronological order except in the case of written statements which will be arranged according to the rank of the defendants in the Court of first instance.

(h) When portions are pointed out, care should be taken to see that "headings", etc., are inserted in the proper places so as to make the portions selected intelligible.

401. If copies of decrees and judgments filed with appeals and petitions differ as to date of judgment, the cases should not be returned to the party presenting them on this ground alone, but a note of the discrepancy should be made at the head of the petition docket and the cases filed. On receipt of the records from lower Courts, the pleading clerk shall deliver the E.B. with the originals of the decree and judgment to the Appeal Examiners, for the necessary action being taken.

402. If, in a judgment, deposition or other record in English which has to be printed, words written in the vernacular occur, the words in the vernacular as also their translation should be printed. If the meaning of such word is discussed in the judgment, the translations of the word should not be given. Vernacular and foreign words found transliterated in the record should be printed in italics and therefore underlined by the press copyists.

403. In cases where there has been a remand to the Court of first instance from the lower Appellate Court, the record of proceedings prior to remand should be treated as part of the pleadings. But if they have already been printed in a previous appeal, and if copies of the printed paper in that appeal are available for the Judges and the parties, they need not be printed again.

404. In all cases posted in the admission Court for orders as to translation and printing, a note must be made as to the stage at which the case has reached, i.e., whether ready, or not ready, and if not ready how far preparation has progressed.

405. Appeals from the Original Side and under special enactments, e.g., Rent Recovery Act, Succession and Probate Acts, Guardian and Wards Act and Land Acquisition Act, etc., shall be given preference in preparation over ordinary appeals. In other cases, the preparation shall be in the order of payment unless the Deputy Registrar, in any special case or class of cases, finds it necessary to advance the preparation.

406. The preparation of the records in appeals against orders passed under Section 103 of the Presidency Towns Insolvency Act III of 1909, should be expedited as in the case of Criminal Appeals.

407. In preparing the estimate care should be taken, as far as may be, to avoid refunds or collection of excess cost. The indexes which cannot be fully estimated before hand will invariably entail a further deposit. A proper discretion should be used in each case.

408. The fact whether any party has not fully paid will be tested as usual with the cause list of each day and a report made, if necessary, to the Registrar to exercise his powers under Rule 14 of Order VIII of the Appellate Side Rules.

*Printing in Criminal cases.*

409. Records of evidence shall be printed/typed or cyclo-styled at State cost in Referred Trials, in Appeals Against Acquittal on a capital charge, in Revision Petitions and cases taken up for enhancement of sentence to death; and also in Criminal Appeals where the accused is represented by an Advocate. In all other cases filed in the Criminal Section, where the admitting Judge orders notice, five copies of the record shall be typed (on one side of the paper only) by the Press copy section. These copies will be available for the Court, the Public Prosecutor and Counsel for the accused, if any. In jail appeals, where the Public Prosecutor requires more than one additional set of papers and in cases where the Judge who admits the cases expressly directs that typed record will not suffice and that printing is essential, the records shall be printed. In Criminal Appeals—Bench cases—where typed papers are allowed, minimum of six copies of the records shall be typed. In respect of Referred Trials and Criminal Appeals involving life imprisonment, 10 copies shall be got printed. If there is more than one accused, one additional set for each additional accused shall be taken. Any other cases in which typing appears specially unsuitable should be submitted to the Registrar for orders.

410. Translation and printing charges shall not be levied in respect of copies of records supplied to the Law Officers of Government in cases where the Government is a party but they shall be entered in the account maintained for the purpose.

411. In Criminal Revision Cases where the records are typed, a copy of the charge in the case should always form part of the typed records.

412. To avoid delay in the preparation of Criminal Cases, the bills for pleadings and documents should be issued simultaneously. When there is a note in the T. & P. application that "portions will be pointed out", notice to point out portions should be given to the Advocate as soon as the records are received. The originals in English must be given out for copy at the same time as vernacular papers are given for translation.

413. All classes of cases should be prepared simultaneously, cases being ordinarily taken in the order of file and payment both being considered (as where many cases are paid for at the same time).

414. The Law Reporter will on requisition be furnished with such of the printed/typed papers as he requires.

415. The printed papers sales clerk will maintain a book showing the printed/typed papers received from the press in each class of Criminal Cases, the numbers being entered in their serial order. When the Public Prosecutor applies for typed papers in Criminal Case, the printed papers sales clerk should see that all the papers typed in the case are furnished to him with proper acknowledgment taken in the book.

416. When the appellant in a Criminal Appeal is unrepresented and an *Amicus Curiae* is appointed, he may on application to the Registrar, be supplied with copies of the papers in the case, gratis.

417. The Editor of the Madras Law Journal may have a typed copy of pleadings and judgment, after a case is finally disposed of, on payment of necessary charges.

#### *Cause Lists.*

418. The printed cause lists of the several Benches on the Appellate Side will be delivered to the cause list contractors on their paying to the Accounts Department a monthly subscription, in advance at the rates that may be fixed from time to time for each set before 4 p.m. on the last working day of the previous month.

419. The printed cause lists intended for the use of the office should, as soon as they are struck off, be handed over to the peon at the "para".

#### VERNACULAR RECORD.

420. Every record in a Civil matter, shall on its receipt, be entered by the Judicial tapal clerk in the distribution register and then delivered to the Vernacular Record-keeper who shall initial the distribution register in token of receipt against the appropriate entries.

421. The Assistant Record-keeper shall note the case number, the district and the date of receipt in the record register and hand over the record to the record-checking clerk who shall forthwith compare it with the list of papers sent therewith and fill up columns 4 and 5 of the record register. If any paper entered in the list as sent has not been received or if any exhibit or deposition the existence of which is clear on the face of the list or any material paper (such as B diaries, original judgments and original decree in second appeals) has not been sent and the omission is not explained in the remarks column of the lists, the record checking clerk will at once have a draft put up by the Record-keeper calling for the papers. When these papers or papers called for by the Translation Department or under orders of Court, are received, the Record-checking clerk will examine them and the Assistant Record-keeper will make a further entry in the columns (4) and (5) below the original entry. When the record of a case remitted for a finding on issues received back, the receipt shall be entered in red ink below and in substitution of the original entry.

422. Requisitions for records must state the purpose for which the records are wanted. In the case of the Translation and Copyists' departments, the mere transmission of the applications shall be deemed a requisition. In all other cases, the requisition must be made by means of printed record slips duly filled up. On receipt of a requisition for papers from any department of the office, the Record-keeper or his assistant shall take out from the record, the papers required and mark on each of them in red ink the case number on the file of the High Court and in regard to requisitions from the translation department, shall enter the papers in detail in record slip. This slip shall be signed in full by the clerk who receives the papers and shall be placed in the record file instead of the papers taken out.



In the case of papers given to the copyists' department, the particulars shall be entered in High Court Form No. 667. In other cases, i.e., the requisitions made through the record slips they will themselves be placed on file. In all cases of issue of records an entry must be made simultaneously in columns (6) and (7) of the Record Register. (High Court No. 684). When the record comes back, the slip shall be returned to the person returning the record as a voucher and an entry shall be made simultaneously in the appropriate column. The procedure prescribed in this rule must be strictly observed in the case of every paper given out of the record room. The Record Register will be maintained in the presence of the Record-keeper by the Assistant Record-keeper who will be responsible for noting therein the receipt, issue, return and despatch of any record from the room. (*Vide* also High Court's Proceedings No. 12/57, Forms Revision, dated 4th August 1958).

423. The referencing clerks will work in the record room directly under the Record-keeper (subject to the supervision of the Manager, Translation and Printing Department). They select requisite papers to make up the pleadings as also such of the papers as are applied for in the translation and printing lists and make a note of all the papers so selected in a record slip and in a note book. This slip will be placed on record and the note book with the papers selected will be sent to the proper clerk in the Translation and Printing Department, who will acknowledge receipt thereof and return the note book to the referencing clerk; after the translation and printing/typing is over, the concerned clerk in Translation and Printing Department will enter such of the papers as he returns to the vernacular record in his note book maintained for the purpose. The Record-keeper will not recognize return of papers to anyone but himself or his assistant. The referencers will first be employed in referencing translation applications and it is only when they have no work of that kind to do, that they can be employed on any other work by the Manager, Translation and Printing Department. They will mark (in red ink or blue pencil) on each paper taken out of the record the number of the High Court case to which it relates before sending it to the Translation and Printing Department, and will be responsible for arranging and replacing on file the record of the case handled by them and for the correctness of the papers therein. They will call for the papers not on record or ordered to be called for on translation applications and will attend to them on receipt. Reminders should be sent if such records are not received promptly.

424. The attenders in the Vernacular Record Section should not under any circumstances, be allowed to open any bundles of vernacular records. The Vernacular Record-keeper, the clerks and the attenders in the department are all warned that any breach of this rule will be severely punished, both the attender and the person for whom he is opening the bundle, being liable therefor. The Vernacular Record-keeper should report at once to the Deputy Registrar, any infringement of the above order.

Note.—There is no objection to the attenders to teaching on to the list of material papers, vouchers for papers taken out of the record, if the bundles are so tied that they can get at the list of material papers for the purpose without undoing the string which ties the bundle of records proper.

425. Whenever a change takes place in the office of Record-keeper, the relieving officer shall take charge of every voucher or register which explains the absence of any paper received into the record room.

426. No paper or record shall be delivered by any member of the staff to another without the acknowledgment of the latter being taken in a book to be kept for the purpose. Each entry should be vouched for. The practice of bracketing several entries and writing one signature to apply to them all, is forbidden. The officer, receiving the paper or record before giving his acknowledgment, shall examine the paper or record and satisfy himself as to its correctness. If he omits so to examine and takes it on trust, he does so at his own risk and will be held responsible for any missing sheet or paper on the record and will be subject to such punishment as the Registrar shall deem fit in the circumstances.

427. No clerk in whose custody a paper ought to be by virtue of his office or to whom it may have been given, will be relieved from liability to account for it unless and until he shall have shown satisfactorily by written vouchers that it has passed from him to another clerk.

428. When papers are sent to lower Courts on summonses or letters the fact should be noted in the record register and when they are received back, a similar note should be made.

429. In sending back records to lower Courts in respect of cases in which appeals are pending before this Court, great care must be taken that only those papers that are absolutely required should be sent, and that they are returned sufficiently before the time for hearing of the appeals, etc., before the High Court.

430. It will be the duty of the Vernacular Record-keeper to call for all original documents in the Translation and Printing Department belonging to cases which have become ready in that department according to the ready list as soon as they are ready and have them filed with the appropriate records.

431. The Court clerks in the Vernacular record will always examine and have ready with them the records in at least twenty appeals and thirty second appeals in advance of the appeals or second appeals being heard on any given date, and in all ready miscellaneous cases.

432. The examination of the records in cases in the ready list must not be postponed until such cases actually appear in the cause list.

433. To ensure the daily examination of records in advance and that being done systematically, the Chief Court clerk, vernacular records will maintain a personal register in the following form and submit it to the Manager, Translation and Printing Department daily through the Record-keeper, Vernacular Records.

Date of Examination.	Number and nature of the case.	Whether record is in order or what paper is missing.	Remarks.
(1)	(2)	(3)	(4)

434. The Chief Court clerk must every evening, as soon as the lists are settled, deliver to the Manager, Bench clerks' department, the records of cases posted for the next day, entered in a note-book maintained for the purpose, and obtain his acknowledgment in the said note-book. The Manager, Bench clerks' department will be responsible for the distribution of the records to the Bench clerks concerned.

435. When records are to be returned to lower Courts the Vernacular Record-keeper will check such records with the index and satisfy himself of their completeness. Before sending records so checked to the despatching clerk for despatch, the Vernacular Record-keeper will tie them up with tape or string long way and in such a way that the knot lies at the middle of the back of the bundle. A strip of strong paper will then be placed round the bundle so that one end of the strip lies below the knot referred to above and the other end above it. The two ends will then be gummed together so as to completely cover the knot. At the centre of each strip, the following direction will be printed—  
 “ on receipt of this bundle in the lower Court, this strip of paper should be cut open along the adjoining line. The contents should be checked and if incomplete, necessary action should be taken at once and this strip preserved for reference. ”

At the end of the strip which lies OVER the knot, the following will be printed :—

Records in

Checked and found correct.

Date :

*Record-keeper.*

436. The filing clerks in the Judicial department will receive and examine the T. & P. applications, make the requisite entries in the Translation and Printing department file book, note the name of the district from which the case arose and the number of printed judgments filed in each case and send the English bundles and the Translation and Printing Department applications to the respective Referencers in the Vernacular record. When applications are vague and defective they will return them to the Advocates through the receiving section under the orders of the Deputy Registrar or Assistant Registrar.

The referencers in the vernacular record after further scrutiny will send the English bundles and Translation and Printing department applications with the reference papers to the concerned

clerks in the Translation and Printing Department for which the letter will give acknowledgment, attend to billing and other work and finally return the records to the Vernacular record. Translation and Printing department applications which are defective should under no circumstances be returned without a limit of not more than seven days being fixed for re-presentation after rectifying the defects. A note must invariably be made in the Translation and Printing department file books of the dates of return of defective applications and their representation. In the case of applications already entered in the Translation and Printing Department file books these dates must be entered by Referencers. But applications returned at the initial stage by the Filing Clerks as vague and indefinite must be entered in a note-book and the Translation and Printing Department informed if they are not returned in time.

437. When Advocates or their clerks wish to point out portions of documents to be printed, that must be done in the presence of the Manager, Translation and Printing department. Each clerk in the Translation department will be provided with a separate almirah with safe locks and will be in charge of the papers himself and will be held responsible for their safe return to record. The Vernacular papers in each case will be returned to record as soon as the translation is over, and the English papers as soon as copying is over, except where there are only a very few mixed papers in a case, when all may be returned after the preparation is over. All papers should be returned directly to the Record-keeper and to nobody else. The voucher should be taken back from the Vernacular Record-keeper.

438. Lists of additional papers to be translated and typed or printed, presented with the memorandum of objections under Order XII, Rule 22 of the Civil Procedure Code, or within the time allowed for putting in such objections, shall be received and complied with without special orders.

439. The Press Copists' section shall be under the immediate control of the Superintendent of the section. The Superintendent, assisted by the Assistant Superintendent, will maintain the prescribed registers properly and see that the work sent to the section is done as quickly as possible and correctly.

440. The Superintendent, Press Copy Section will attend to the receipt and distribution of records (originals) for typing, to the Copyists after making relevant entries in the registers concerned. He will prepare weekly statements showing the pendency of Copying and examining work.

441. The Assistant Superintendent will, assist the Superintendent in sorting out the Civil and Criminal plans before sending them to Copyists for copying out the plans. He will generally assist the Superintendent in all important matters such as preparation of weekly statements to the Deputy Registrar and the Registrar, calculation of copying or examining charges for typed papers filed by the Advocates in all categories of cases, sending back all the plans (Civil and Criminal) to the respective sections after copying, preparation of monthly remuneration bill of the copyists etc.,

442. Where original documents Tamil or English of which printing or typing is applied for, such copies will be made by the Press Copyists and examined in the Press Copy Section. Such copies when prepared shall be charged at such rate as may be determined by the Hon'ble Chief Justice from time to time.

443. In cases where Tabular or Accounts matter, chronological index, etc., are to be copied, extra remuneration will be paid to the Copyists. They will be eligible for the extra remuneration besides their pay in the time scale for the prescribed minimum number of words to be copied each month. The payment of extra remuneration to the Press Copyists will be as admissible to other copyists attached to Stamp Copy Section and will be determined with reference to the orders of Government from time to time.

444. Each Copyist in the Press Copy Section will maintain a register showing the daily out-turn of work, showing the particulars of case, number of pages typed and words copied for the day.

445. Similarly each set of Examiner and Reader will maintain a daily statement of work showing the number of the cases, number of words examined and the total out-turn for the day, also showing the pendency of words, to be examined, at the end of each day.

446. The quantum of work for each set of Examiner and Reader and the Copyists will be as fixed by the Registrar from time to time.

447. When the copyists feel any difficulty in deciphering any manuscripts, the same should after consulting the Superintendent, Press copy, be sent to the lower Court concerned and certified copies obtained.

448. While preparing copies of the plans (Civil and Criminal) in the Press Copy section, the plan charge will be assessed by the Assistant Registrar.

449. The examination of copies shall be made by the reader reading the original or draft while the examiner examining the fair copy which shall be signed by both after the examination is over.

450. The Superintendent, Press copy section and the Assistant Superintendent will both or by turn see that the Press Copy section is locked after all the copyists leave the section each day.

#### SHORTHAND WRITERS' SECTION.

451. The Manager, Shorthand-writers' section will in addition to his duties as confidential stenographer to the Honourable the Chief Justice will supervise and control the work of the section. Application from Courts for shorthand-writers should be sent to him and it will be his duty to arrange for the equal distribution of work among them. The same shorthand-writers will normally work on the Original Side and it will be convenient to send the same shorthand-writers as far as possible to the same Judges. The Manager will also be responsible for arranging to send shorthand-writers to Judges' residences on holidays and out of Court hours, and in doing so, regard should be had to the residence of the shorthand-writer and the residence of the Judge. When all shorthand-writers are engaged in Court and further applications are received, the Manager will arrange to utilize the services of these members in the office who have passed Shorthand Advanced or Higher Grade Examination.

452. Shorthand-writers deputed to Courts and residences of Honourable Judges should submit the transcripts of the Judgments and Orders for the approval of the Honourable Judges without

undue delay. Priority should be given to all urgent Orders in the matter of submission of transcript. They should, as far as possible, be submitted for approval on the same day they are dictated.

453. (a) A Hand Book in the following form will be maintained in the Shorthand-Writers' Section. This Book is intended only for the bundles sent each day from the Shorthand-Writers' Section after circulation by the Administrative Department is over.

Serial number.	Case number.	Name of the Judge for whom to be circulated.	Initial of the circulation peon.	Date of return with the initials of the person receiving.
(1)	(2)	(3)	(4)	(5)

(b) It will be the duty of the circulation peon to go over to the Shorthand-Writers' Section in the evening of each working day to collect and ensure that draft Judgments/orders prepared by the Shorthand-Writers and intended for circulation to the Residence of Judges are promptly circulated. He will also sign the hand-book and see to the proper circulation of such papers to the Judges concerned. When papers are received back from the residences of the Judges, that will also be promptly recorded in the said hand-book.

(c) The Overseer, will issue specific and suitable instructions on the above lines to the circulation peon.

454. The Manager, Shorthand-Writers' Section will send to the various Departments or Sections the Judgments and Orders received in the Section after approval by the Honourable Judges and get the acknowledgments therefor.

455. Every shorthand-writer shall maintain a work statement in the form given below. It will be checked by the Manager daily and submitted to the Deputy Registrar once a week on Saturdays.



SHORTHAND-WRITER'S DIARY.

Name.

Work received.

Transcribed.

(1)	Date.	Evidence.	Judgment.	Evidence.	Judgment.
(2)	Court or residence attended.				
(3)	Duration.	Evidence.	Judgment.	Evidence.	Judgment.
(4)	Case number.				
(5)	Number of shorthand pages.	Evidence.	Judgment.	Evidence.	Judgment.
(6)	Case number.				
(7)	Number of shorthand pages.	Evidence.	Judgment.	Evidence.	Judgment.
(8)	Case number.				
(9)	Number of typed or manuscript pages.	Evidence.	Judgment.	Evidence.	Judgment.
(10)	Case number.				
(11)	Number of typed or manuscript pages.	Evidence.	Judgment.	Evidence.	Judgment.

Work pending.

(12)	Case number.	Evidence.	Judgment.
(13)	Number of shorthand pages.		
(14)	Date of copy application.		
(15)	Case number.	Evidence.	Judgment.
(16)	Number of shorthand pages.		
(17)	Date of judgment.		
(18)	Remarks.		

456. Any Shorthand-Writer who is habitually in arrears will be treated as unfit for his work and will be transferred to less exacting and less remunerative duties. Shorthand-Writers applying for leave of any kind will be required to certify the number of pages awaiting transcription and the date of the oldest case.

457. (a) If during the course of the hearing of a suit or matter any party desires that the evidence taken in Shorthand should be transcribed immediately at his expense and that copy thereof should be furnished to him, he should obtain the orders of the presiding Judge and present an urgent copy application with an extra fee of Rs. 2. The Bench Clerk will make on the application a note of the order of the Judge and return it for being filed in the office.

(b) On deposit in the Accounts Section by the party or his Advocate of the approximate charges fixed by the First Assistant Registrar, in cash, the Manager, Original Side, will forthwith forward the urgent copy application with the endorsement of the order of the Judge to the Manager, Shorthand-Writers' Section who will arrange to have the notes of evidence transcribed very urgently. One original and as many carbon copies as are required shall be prepared and sent to the Original Side; the Shorthand-Writer shall not deliver them direct to the parties. Copying charges at the prescribed rates per folio of 175 words shall be paid in stamps and necessary transcript charges shall be paid in cash, as laid down in rule 13 (5) of Order XVII of the Original Side Rules, 1956. The number of folios at 175 words per folio and the exact charges will be calculated and noted on the original.

(c) The party or his Advocate will then pay the sum necessary to make up the amount so ascertained and receive the copy or copies duly certified. The Shorthand-Writer will, out of the sum deposited as aforesaid, be paid at the rate prescribed per folio and the balance, if any, will be refunded to the party.

(d) The shorthand-writers concerned shall attend to the urgent work of preparing such transcript of Shorthand notes of evidence without detriment to their official duties. After the copies are made ready and delivered to the parties, they shall apply for payment through the First Assistant Registrar, Original Side, to the Registrar, who will obtain the orders of the Honourable the

Chief Justice permitting them to receive such remuneration. While forwarding such an application for payment of remuneration, the Manager, Shorthand-writers' section, shall certify thereon that the urgent transcript work for which remuneration is claimed was done without detriment to the normal work assigned to the shorthand-writer."

458. If an application for a copy of the evidence taken in Shorthand is received in a suit or matter the trial or hearing of which has concluded, the shorthand-writer concerned shall forthwith proceed to transcribe the notes of evidence taken by him and he shall not ordinarily delay the transcription beyond a period of 15 days. If, however, the notes of evidence are so voluminous that the transcription cannot be completed within that period, the First Assistant Registrar, Original Side, may grant such further time as he may consider necessary.

459. The shorthand note of the oral evidence taken in any proceeding on the Original Side should be in the form of questions and answers in the proper sequence.

460. Whenever documents are put to witnesses or referred to by them during the course of their examination, shorthand-writers shall record the exhibit numbers in the shorthand note and reproduce the same correctly in their transcript.

461. (a) When a judgment is only partly delivered at the time when the Court rises for the day, the shorthand-writer must have the transcript ready before the Court sits again next morning, so that the Judge can refer to the earlier part of the judgment while dictating the latter part.

(b) Where however the portion directed happens to be long, the shorthand-writer may obtain the permission of the Honourable Judge for transcribing the last portion alone.

462. (a) Shorthand-writers and Bench clerks or other members who are required to attend at the residence of the Honourable Judges should travel by bus wherever there is bus route and if the distance is not short and not also covered by the bus route, the cheapest conveyance available should be engaged.

(b) A member of the establishment who claims carriage hire for attendance at the residence of any of the Honourable Judges, must produce before the Registrar a receipt for the actual amount paid in the printed form provided for the purpose in the office. This receipt must be clearly filled in, so as to show the date and the hours between which the member attended at the residence in question, and must bear the initials of the Judges or officers in token of its genuineness. In the absence of such a receipt, claims for carriage hire will be disallowed.

**BILL FOR CARRIAGE HIRE PAID FOR GOING TO THE RESIDENCE  
OF THE HONOURABLE MR. JUSTICE.**

Date of journey.	Purpose.	Time spent at Judges residence.	Charges claimed.	Remarks.
(1)	(2)	(3)	(4)	(5)

From

To

Initials of the Judge and date

I hereby certify that the charges claimed do not exceed the cost actually incurred and that the conveyance used was

Passed for payment of.

Signature of claimant.

Registrar.

Designation.

Contents received.

Signature of the claimant.

(c) Any member of the staff who charges more for carriage hire than he has actually spent will be very seriously dealt with.

(d) The bill for carriage hire should be submitted to the Registrar through the head of the department concerned.

(e) The form will be suitably adopted and used when member of the establishment goes to the residence of the Registrar or other officer or to any other office or place as directed.

463. Shorthand-writers should maintain the typewriters in good condition by cleaning and oiling it at regular intervals. They should also maintain the machine card in respect of the machines under their charge upto date. Any defect in the machine noticed should be promptly brought to the notice of the stationery section for necessary further action.

#### BENCH CLERKS' DEPARTMENT.

464. (a) The Bench clerks' department will be under the control of the Manager, Bench Clerks' Department, subject to the general control of the Sub-Assistant Registrar (Judicial), Assistant Registrar and Deputy Registrar.

(b) The Manager will be responsible for the punctual and efficient performance of the work of the department. He will refer to the Sub-Assistant Registrar (Judicial) or Deputy Registrar for orders any question of office practice not clearly provided for by the rules or any departure from the customary routine of the department.

(c) The Manager will arrange for the posting of Bench clerks to the various Courts.

465. When necessary, the services of translators may be utilized under the orders of the Deputy Registrar to examine less important cases such as short appeals or second appeals and short Criminal cases or in urgent cases—Civil or Criminal but translators should not be posted for Court work.

466. Copies of all Full Bench Judgments in cases on the Appellate Side shall be circulated by the Manager to the Honourable Judges not forming the full Bench—seniormost first.

467. A spare copy of every judgment and final order in an appeal from the decision of a single Judge will be submitted to that Judge for information.

468. In cases in which two Judges differ on any point and refer the matter to a third Judge, the judgment of the third Judge should be circulated to the differing Judges for their perusal and information.

#### *Judgment drafting.*

469. (a) As soon as cases disposed of are received, from Courts, by the distribution clerk in the Bench clerks' department, he will before distributing them to the judgment drafters invariably examine the papers with the index of each case and note with his initials on the docket sheet of the English bundle that the papers including Judges' printed papers, autograph judgments, etc., are correct. If any paper or papers be missing he will at once bring the fact to the notice of the Manager.

(b) The Manager will direct steps to be taken for tracing out the missing papers if any and cause them to be traced.

470. Except Criminal papers or papers marked as emergent, work in the Bench clerks' department, should be taken up and disposed of in the order in which it reaches the office and by each drafter in the order in which it reaches him. But the judgments or orders of earlier dates, though received late in the section, should be given preference.

#### *Bench Clerks.*

471. Every Bench clerk shall maintain a work statement in the prescribed form and enter in it, the cases received by him in the order of receipt. The various columns in the register shall be filled up properly and completely at every stage. The statement shall be submitted to the Deputy Registrar through the Manager every Monday. At the time of submission the balance of work remaining with the Bench clerk with reasons for pendency or delay in each case shall be shown separately.

472. Bench clerks on duty in Court must make themselves acquainted with the cases in their charge before hand. They shall verify whether respondents have been served with notices. They must be familiar with the Acts, Rules and the other books in the Court library and be ready to hand over to the Judges books of reference promptly. They are expected to assist the Court in translating documents if so required at the time of the hearing of a case. Normally they should send for an Interpreter or translator only if the document is in a language which they do not know.

473. Bench clerks in charge of Criminal cases are to read the petitions and notices, etc., in the case before circulation and the papers will be given to them by the concerned section for the purpose.

474. (a) Bench clerks in Court should see that material objects in Criminal cases are obtained, kept and are available for inspection by the Court before a case is taken up for hearing, and for this purpose they should send requisition slips to the head of the section concerned sufficiently early to enable their being sent up in time to Court. Any delay in getting the material objects after issue of such slips should be brought at once to the notice of the Sub-Assistant Registrar (Judicial).

(b) As soon as the hearing of a Criminal case is over, the Bench clerk shall return the material objects, if any, received by him to the section from where he received them with a note regarding the hearing of the case being over, and get back the slip issued by him for getting the material objects.

475. Bench clerks will bring to the notice of the Court, petitions or other connected matters posted with the case.

476. All errors and mistakes in translation or printing/typing noticed by the Judges or the Bench clerks during the hearing of cases must be reported at once by the Bench Clerk concerned to the Sub-Assistant Registrar (Judicial) who will inquire into the matter, fix the responsibility for the error or mistake and report to the Registrar through the Deputy Registrar for orders.

477. Bench clerks must see that no unpunched stamps are to be found in records passing through their hands.

478. Bench clerks will in turn (each for a week at a time) stay late and check with the posting clerk the proofs of the daily cause list and see that the lists and the printed papers are duly circulated to the Honourable Judges.

479. Whenever an appeal or petition is posted for dismissal for default or for enlargement of time, a brief note showing the dates on which the various steps in the matter should have been taken by the party concerned and the facts in regard to any allegation, against the office, should be prepared by the section concerned for the information of the Court. The note should not be circulated to the Judges but should be taken to Court by the Bench Clerk and submitted to the Registrar or Deputy Registrar, if present.

480. Bench clerks must make themselves thoroughly acquainted with the reasons for delay in the posting of cases in their charge and must be able to explain all such delays at the time of the hearing of the cases.

481. In cases in which parties intend to make applications to Court personally, the Bench clerks should not allow them to be made in Court unless either they receive instructions from the Sub-Assistant Registrar (Judicial), direct to that effect, or they have otherwise satisfied themselves that all the papers connected with such applications are in order.

482. Whenever an interim stay is ordered the Bench clerk concerned will also put up a red slip in the bundle setting out therein the time at which the orders are passed and send the papers to Bench clerks' department without delay.

483. All orders as to posting passed in Court shall be noted in the Court cause list by the Bench clerk in attendance, who will also draw the special attention of the Manager, Translation and Printing department, to such orders.

484. When the sittings are so arranged that a Bench which sits on the last day of a week is to sit again the following week but for a different class of cases, the Bench clerk in Court at the end of the day should bring the matter to the notice of the Court and ascertain whether the Honourable the Judges wish the balance of the work for the day to be posted the following week before the work fixed for that week.



485. Notes of cases and books of reference cited in the course of argument must be carefully kept by the Bench clerks.

486. Bench clerks shall not remove any book from the Court library without the written permission of the Sub-Assistant Registrar (Appellate Side) or Second Assistant Registrar, Original Side but written requisitions for books from the Librarian or from Bench clerks so deputed will check the books in the library of the Court's Circular Roc. No. 3941/71, Library, dated 29th October 1971.)

487. The Manager, Bench clerks department, will depute a Bench Clerk to be in-charge of each Court. The Bench clerks so deputed will check the books in the library of the Court assigned to them every Saturday and furnish a certificate of having done so to the officer concerned who are in-charge of supervisory work. They will also report to the officers concerned about the defects, if any, noted for taking prompt action. The check reports, by the officers, should be sent to the Registrar every week (*Vide* High Court's Circular P. Dis. No. 217/69, dated 15th June 1969).

488. Two separate registers of the books in each Court room will be maintained. One will be kept by the librarian in the library, and the other will be kept in the concerned Court hall.

489. (a) All the books in the Court library should be kept in almirahs provided with locks and keys. The almirahs should be opened only a few minutes before the Court assembles for the day and only after the Bench clerk who is on duty comes to Court. They should be locked as soon as the Court rises for lunch or for the day. During the lunch interval the Bench clerk on duty will entrust the Court hall to the duffadar or peon in-charge. At the end of the day he will see that the almirahs are locked up and he will hand over the keys for safe custody to the Manager, Bench clerks department, or the Manager, Original Side, as the case may be. The next day the Bench clerk attending the particular Court will take the keys from the Manager. (*Vide* also High Court's Circular Roc. No. 394/71, Library, dated 29th October 1971.)

(b) The Bench clerks will every week check the books in the Court library. They should also check every morning and at the end of the day the books on the Judge's table.

490. Books should not be handed over to the members of the Bar except under the written direction of the Bench Clerk in-charge of the Court who will be solely responsible for such books.

491. All new books will be entered in the lists by the Assistant librarian.

492. Bench Clerks shall see that all books and papers are correctly sent to the Judges' chambers or residences.

493. Bench clerks must note that pleadings and judgments sent for from record room, at the request of practitioners, for reference in cases posted in the list, should be handed over to the Judges, when these cases are quoted during the course of argument, and not to the practitioners.

494. Where an Advocate requires for use in a case papers previously printed in another case, he should file a stamped application for the purpose. If, however, the papers are required during the hearing of a case, and this was not anticipated, the printed papers will be sent for from the records on the Advocate undertaking to file a formal application later.

495. The Bench clerks will be responsible for the custody of the records of cases received by them from the Vernacular Record-keeper. After the case is disposed of in Court, the Bench clerk will send the records in the case to the Bench clerks department for drafting. But the lower Court records put up for reference in the case will be returned to the Vernacular Record-keeper or the Criminal section clerk, as the case may be, by the Bench clerk himself. If any record or enclosure is missing, the Bench clerk will at once report the matter to the Sub-Assistant Registrar, through the Manager, Translation and Printing department.

496. When the Court has allowed an application to receive certain evidence, it will be the duty of the Bench clerk personally to see that the admitted document is marked and placed with the record.

497. Bench clerks must enter in the cause list the hour at which each case begins and ends.

498. When any Civil Miscellaneous Petition posted with an appeal is not moved by the practitioner concerned, the Bench clerk in charge of the case should put it up for the orders of the Bench.

499. Bench clerks will communicate to the Manager, Translation and Printing Department all urgent orders regarding translation and printing/typing passed in Court by means of a separate slip noting therein the numbers of the main case and the nature of the main case and the nature of the order for immediate action being taken by the concerned clerks in the translation and printing department.

500. Whenever the Honourable Judges pass any remarks or scriptures against the Judicial Officers while reversing or upholding the decision of the lower Court they will be entered in the remarks register in the Bench clerks' department and if specifically ordered so by the Honourable Judges, a copy of the judgment shall be sent to Administrative department for further action.

501. The practice of altering or permitting the alteration of any portion of the pleadings or of any paper after the same has been filed into Court or any order, is irregular and contrary to rules, unless the correction is carried out under the express orders of the Judge or the Registrar. In case of any doubt, the Bench clerks concerned should take the orders of the immediate superior gazetted officer.

502. When any judgment is reviewed, the Bench Clerk concerned must bring the fact to the notice of the indexer who will make a note of it, on the Law Reporter's copy of the judgment so that the Judge granting permission may be made aware of it.

#### *Method of quoting Law Reports.*

503. (a) To secure uniformity in the mode of citing the current series of Indian Law Reports in judgments and orders of this Court, Bench clerks will invariably adopt the following form of citation:—  
I.L.R. 10 Mad. 75.

(b) All references made in autograph judgments in any other form must be altered as above in the office copy.

(c) All other reports also must invariably be cited in the manner sanctioned by ordinary usage, but the reference should be given to the report in the Indian Law Report if the case is reported in Indian Law Reports.

504. When a judgment of a Bench is delivered by one Judge and he uses the singular person "I" in his judgment, the fair copy of the judgment must show that the other Judges have agreed. If the Judge delivering the judgment use the plural person "We", it is not necessary that the remarks of the other Judges should be added in the fair copy.

#### *Decree drafting.*

505. Decrees and orders must be drawn up with care. The relief granted must be set out with due precision and accuracy. The forms prescribed by the Code of Civil Procedure must be strictly adhered to with only such variations as may be necessary in the circumstances of the case. The decree must be self-contained and references to the plaint schedule or documents outside the decree must be avoided. It must be clear and free from ambiguity.

506. There are two elementary rules which should be invariably observed in preparing decrees :—

(i) The decree shall always be a direct and explicit order or direction. Such expressions as "The Court doth order and decree that the decree of the lower Court be modified by directing that A do pay B, etc." are not appropriate. The fact that the decree is modified is unimportant, though there is no objection to the recital that the Court doth decree "in modification of the decree of the lower Court" that A do pay B, etc.

(ii) The decree should invariably (with the exception of a purely declaratory decree) be a direction to the person upon whom the duty or obligation is laid, and not to the party who benefits by the decree. Hence such expressions as "doth decree that A do recover from B the lands in B's possession" are objectionable. The proper form is "that B do surrender to A".

507. The rough draft of decrees in intricate or important cases or where there are difficulties, may be shown to Advocates, but cases are not to be detained indefinitely on account of any information required from an Advocate. No case should be detained for more than a week for want of such information. The order should be drafted on such information as is available.

508. In decrees and orders of the High Court, the number of the case in the lower Court and the date of the order or decree appealed from shall invariably be shown.

509. If the sheets containing the names of the parties in the printed/typed copies of the memorandum of appeal are prefixed to the decree, Bench clerks will carefully compare such sheets, carry out the corrections, if any, and initial them.

“ Plaintiff ” and “ Defendant ” (Appellant and Respondent) should be spelt with capitals when the parties to the case itself are referred to. As it is often necessary in a judgment to refer to “plaintiffs” or “defendants” in other cases mentioned, it is desirable that they should be spelt with small letters and the distinction between capital and small letters would then prevent confusion.

510. (a) A party against whom a petition is presented is generally described as the ‘counter-petitioner’. This is only correct when he puts in a petition in answer. He should be called by his name, and his position in the lower Court or in the main case should be stated within brackets.

(b) In Civil Revision Petitions, the opposite parties shall be described as petitioner and respondent.

511. When a Second Appeal is dismissed under Order XLI, Rule 11 of Schedule I of Civil Procedure Code or is dismissed, with or without costs under Section 101 or 102, Civil Procedure Code, the decree to be drawn up should not be to the effect that the decree of the lower Appellate Court is confirmed but should be a formal one dismissing the appeal with or without costs, as the case may be.

512. In drafting orders calling for findings, the time for return of the finding will run from the date of the receipt of the records in the lower Court.

513. In cases where time is given for furnishing security the time will run from the date of the order of the High Court unless otherwise ordered. The lower Court must be asked to report if security has been furnished in all cases where the appellant is asked to furnish security for costs.

514. Section 77 of the Indian Registration Act requires that if a decree is made directing the registration of a document, whose registration has been refused, the document has to be again presented for registration "within thirty days of the date of the decree". Bench Clerks should therefore draw up and otherwise complete such decrees without any delay so that the party concerned may be enabled to obtain a copy of the decree in time for production before the registering officer with the document sought to be registered.

515. Whenever a judgment of this High Court criticises any of the rules in the First Schedule of the Civil Procedure Code or in the Civil Rules of Practice or offers suggestions for revision or amendment of those rules, a copy of the judgment should be sent to the administrative department.

516. Whenever the High Court has ordered proceedings in any lower Court to be stayed pending the disposal of an appeal or revision petition, the final order on the appeal or revision petition shall be communicated to the Court whose proceedings have been stayed.

517. In cases where conditional orders are passed by the High Court and the conditions are to be complied with in the High Court, the Bench Clerk concerned shall, while transmitting the order after examination, issue specific directions for the return of the papers with the draft order back to the Bench Clerks Department. The Bench clerk shall retain the papers with him, watch for the compliance of the condition and if the conditions are complied with, intimate the lower Court concerned and transfer the papers to the respective section. If the conditions are not complied with, such a report shall be sent to the lower Court and the counsel on record notified of the default and the papers will be either lodged under orders of the officer who approved the draft order, or posted for default as the case may be.

518. (a) Bench clerks should be particularly careful in the matter of entering the names of Advocates in decrees and orders as being present at the hearing of a case.

(b) Where an Advocate appears for the Advocate on record the name of the former shall be entered as "for" the latter.

519. When an Advocate appears at the request of the Court in unrepresented jail appeals, revision cases, etc., his name should be entered as *Amicus Curiae* on the E.B. and in the cause list by the Bench clerk, and in the register by the filing clerk. The order and judgments drawn up in these cases should show that the Advocate was heard as *Amicus Curiae*.

520. The memorandum of costs appended to decrees and orders should see that practitioner's fee are calculated under the cases to which the decrees and orders relate. They should see that no item is omitted which ought to be included in the taxation and that none is included which ought to be excluded. Where proportionate costs are allowed, they should calculate such costs on the proper amounts allowed and disallowed. In all cases they should see that Practitioner's fee are calculated under the appropriate rule. Each item of costs and the total should be checked and *initialled* by the Bench Clerks.

521. (a) When a case is remanded, an order and not a decree shall be drawn up. If the Court directs the costs to abide the result, the orders to be drafted shall provide for costs of the High Court Appeal or Revision in the following form:--

"that the costs of the parties do abide by and follow the result and be provided for in the revised decrees of the lower Court."

(b) Where any suit is remanded, a statement of the costs incurred in the High Court is to be appended in order that the same may be charged to the proper parties in the revised decree of the lower Court.

522. The sums paid on account of printing/typed charges at the time of putting in the pleadings in first appeals are to be charged to the losing party in the statement of costs annexed to the Court's decree, when costs are awarded by the Court against the losing party.

523. The value of the stamps used for the attested copies of decrees, produced by appellants, is to be included in the costs in appeals, where the decree is in the appellant's favour.

524 (a) Under Rule 30 of the rules relating to the fees payable to legal practitioners, fees shall not be entered as recoverable in a decree or order except on production of a certificate from the legal practitioner that he has received such fees.

A certificate of receipt of "not less than the regulation fee" is not a sufficient certificate to justify the entry of a fee in a decree or order.

(b) No certificate is to be acted on unless it specifies an actual sum as having been received. Certificates not complying with this requirement will be returned for amendment.

#### *Taxation references.*

525. In all cases which are referred to the Deputy Registrar for fixing Advocate's fees, the section and sub-section of the rules framed by the High Court under the Legal Practitioners' Act, and under which the reference is made shall invariably be quoted by the Bench clerk concerned, in the reference.

526. When a refund is ordered of the excess Court fee paid in cases filed in the High Court, the Bench clerk who issues the certificate for the refund of the excess Court fee will note and initial the fact of the refund in the docket sheet and the memorandum of the English bundle in the case.

#### *Criminal Cases.*

527. (a) The preamble in the draft judgment of the High Court in Criminal appeals shall be as follows :—

"Appeal against the order of the Additional Assistant Sessions Judge of the Court of Session ..... Division in Case No. .... of the Calendar for 19 .."

(b) Whenever the word "Sessions Judge" occurs in the judgment of their Lordships the words "Additional Sessions Judge or Assistant Sessions Judge" may be substituted in appropriate places.



528. Copies of all judgments and final orders in appeals and revision petitions against the decisions of Presidency Magistrates other than the Chief Presidency Magistrate will be communicated to them through the Chief Presidency Magistrate.

529. (a) When the High Court makes an order admitting accused persons to bail, a copy of such order shall be immediately communicated direct to—

- (i) the officer who is to take the security,
- (ii) the Magistrate who disposed of the case or before whom the case is pending, and
- (iii) the officer in charge of the jail in which the accused is confined, another copy being sent out through the proper channel.

(b) A copy of the order dismissing an application for bail pending the disposal of a Criminal Revision Case or an Appeal or other proceedings in the High Court shall be sent only to the prisoner through the Superintendent of the jail in which he is confined and to no other person.

530. Where, in a Criminal Appeal or Revision Petition presented by an accused person undergoing a sentence of imprisonment, the High Court has made an order directing his release on bail and the sentence is subsequently confirmed or modified, the special attention of the Original Court shall be drawn to the fact, when the judgment or order of the High Court is communicated, by a note in the following words printed in red ink and attached to the front page of the judgment or order :—

“ The Appellant/Petitioner was directed to be released on bail by order of the High Court, dated \_\_\_\_\_ of 19 \_\_\_\_\_ on Criminal Miscellaneous Petition No. \_\_\_\_\_ ”

531. Whenever the High Court calls for an explanation of delay in the disposal of Criminal case by a Sub-Magistrate, the District Magistrate (not the Sessions Judge) will be requested to get the explanation of the Sub-Magistrate through the Sub divisional Magistrate, if any, and submit it with his own opinion as to its sufficiency or otherwise.

532. Rules 232 to 240 of the Criminal Rules of Practice and Circular Orders 1958, enumerate the procedure for the despatch of judgments and orders. A copy of every order of the High Court modifying a sentence or order passed by a Subordinate Criminal Court shall be sent direct to the Superintendent or Officer of the jail in which the prisoner is confined in addition to the officers to whom it is sent under those rules.

533. All orders in Referred Trials must be despatched as soon as possible and within not more than 24 hours.

534. *Instructions for Issue of Certificates of Appearance to The Public Prosecutor.*

(i) Certificates should be drawn up on the basis that each certificate represents a separate fee.

(ii) Certificates should be drawn up by the Bench Clerk attending Court, as far as possible and when cases are disposed of. In no case should a certificate due for a month be delayed longer than the second working day of the succeeding month.

(iii) The fact of appearance of the Public Prosecutor, or of an Advocate appearing on behalf of either of them will be noted in the original cause list by the Bench Clerk initialling against the entry in the Cause list; a second initialling will be made with the date to indicate the preparation of a certificate; and the Manager of the Bench Clerks Department when he signs the certificate will affix his initials in the cause list in red ink with date.

(iv) Where an appearance is filed, otherwise than on notice issued by the Court or by an accused person for transfer of a case under Section 526 (6), Criminal Procedure Code, care should be taken to verify whether an entry has been made in the Memorandum of appearance to show that it is filed in accordance with instructions received from the Government, a District Magistrate, a Presidency Magistrate or the Commissioner of Police.

NOTE.—No memo. of appearance is necessary where petitions or appeals are filed by the Law Officers themselves as petitioners or appellants.

(v) No certificate will be issued unless a specific demand is made for it.

(vi) On receipt of a demand by the Public Prosecutor the certificates for a month will be collected, numbered serially in accordance with the list furnished and submitted for counter-signature of the Deputy Registrar as soon as possible after the receipt of such demand. They will be issued immediately when ready.

(vii) If, in any case, it becomes necessary to issue a certificate after the issue of the batch for a month, a clause should be embodied in the certificate to the effect that no previous certificate was issued in respect of it.

(viii) No certificates should be issued in interlocutory applications, e.g., for bail, stay, suspension of orders, etc., when the main petition or appeal is pending.

NOTE.—A petition for stay of a case which is unconnected with the case under appeal or revision and relates to a different matter altogether is not an interlocutory petition in respect of the main case though the stay may be for the period of pendency of the appeal or revision.

(ix) No certificates will be issued in cases that are not finally disposed of. The following are instances:—

(a) Where a case is referred to a Full Bench or a third Judge;

(b) Where additional evidence is called for from a lower Court or directed to be taken in the High Court.

NOTE.—A case reversed and remanded for further enquiry by a lower Court is a final order (disposing of it) in the High Court.

(c) Where a report is called for on the sanity of the accused.

(x) No certificates will be issued in cases posted "to be mentioned" or for "further orders", etc., apart from the certificate issued for the original disposal of the case.

(xi) In the following cases, certificates will be issued as noted against them:—

(a) In cases where there is a single trial or inquiry in the lower Court whatever the number of charges or accused persons or number of petitions filed in the High Court—

(i) when disposed of on the same occasion by a common or separate order in the High Court—One certificate;

(ii) cases in clause (i) when disposed of on different occasions in the High Court by separate orders—As many certificates as there are different dates of disposal.

(b) Number of applications relating to a single case, e.g., for bail and transfer—

(i) when disposed of on the same date though by different orders—One certificate;

(ii) when on different dates—Same as in (xi) (a) (ii).

(c) Where, in a case preferred by several accused, the case of one or more is disposed of on one day and the rest on other days—As many certificates as there are different dates of disposal and separate orders of disposal.

(d) A number of revision petitions arising from a single calendar case but in respect of which several appeals were preferred to the lower Appellate Court including revisions from orders of discharge—Same in (c) supra.

(e) (i) Applications for bail, etc., separately or jointly filed (but not interlocutory) disposed of on the same day by a common or separate order—One certificate.

(ii) Applications as in item 1 supra by the same or different accused persons repeated or preferred by separate applications and disposed of on different dates—As many certificates as there are separate dates of disposal and separate orders.

In all cases of doubt, orders of the Deputy Registrar should be obtained before issue of certificates.

535. Every month a Bench Clerk will be deputed to the Translation and Printing Department and another Bench Clerk to the Stationery Section to check the printed/typed papers and Stationery respectively and their reports will be submitted to the Deputy Registrar for perusal and orders.

### C. ORIGINAL SIDE.

536. (a) The Manager will supervise the work of the establishment on the Original Side including the Office of the Sheriff of Madras. He will pass notes for orders, drafts of letters and returns prepared by all clerks before submission to either the First Assistant Registrar or the Second Assistant Registrar for orders or signature. He will examine the complaints presented, before they are admitted by the Second Assistant Registrar.

(b) The Manager will be held personally responsible for the prompt despatch of all papers marked urgent by the First or Second Assistant Registrar. It is his duty to see that they are delivered to the proper clerk as soon as received and that they are disposed of immediately.

537. All suit Petition and application registers should be checked regularly by the Manager at least once a month and the Manager should see that they are properly maintained and form a complete record of the case. The Manager should also see that disposals are properly entered in the Application Registers and that cases not disposed of in a reasonable time are brought to the notice of the Officers concerned.

538. The Manager will maintain under his supervision and control a note-book in which will be noted from time to time all orders of the Honourable Judges, Master and Officers regulating the procedure and practice in regard to matters coming up for attention in the office. Every clerk who becomes aware of such orders in the course of his duties should take them to the notice of the Manager and enter them in the note book under the direction of the Manager.

539. Urgent orders passed on the Original Side shall be issued as soon as possible in any event on the same day. It will be the duty of the Bench Clerk to intimate to the Manager immediately that an urgent order has been passed.

540. Any application for an order to advance the issue of processes, etc., in any case must be made to the First or Second Assistant Registrar, Original Side who (in the event of granting the application) will send a written order to that effect to the Manager.

541. No stranger shall be allowed into the Original Side Office. Advocates and Advocates' clerks will be permitted only on business and with the permission of the Manager. No clerk shall hold communication with any Advocate or Advocate's clerk. This order does not apply to the Diary Clerk and the Record-keeper in the discharge of their ordinary duties. The Manager will strictly enforce this rule.

*Receiving.*

542. The papers received at the Diary will be immediately stamped with date, and initialled by the Diary clerk, numbered by the numbering machine and then entered in the Diary Register, duplicate numbers being given therein simultaneously. If any alterations are made in the Diary Register, the Second Assistant Registrar's initials will be obtained. The Second Assistant Registrar will initial the Diary Register at the end of each day.

543. In regard to every paper received in the Diary, the Diary Clerk shall insist on the enclosures being noted on the papers by the person presenting it and whenever paper affixed with Court-fee Stamps are presented, the Diary Clerk should insist that the receipt showing the Court-fee paid should accompany the same. He shall also check the enclosures and enter the number of enclosures in the Diary Register.

544. The Diary Clerk must refuse to receive petitions and affidavits not properly docketed.

545. The Diary and Interpreters' Section should note that no paper in any proceeding should be received which is not substantial white foolscap.

546. Court fee stamps affixed to complaints, petitions and other proceedings shall be punched immediately on presentation.

547. Papers received in the diary will be scrutinized by the Manager to ensure that the stamps have been properly punched and defaced and the High Court rubber stamp has been properly affixed. After such scrutiny the Manager shall make an entry in the stamp register in token of everything being in order. The punched heads should be carefully collected and destroyed.

548. The Diary Clerk shall, after entering in the Diary Register the papers received, distribute them (requiring scrutiny) to the concerned clerks who shall scrutinize whether they are in order and send them back to the Diary after making at the lower end corner "In order; may be filed" and initialling the same. The Diary Clerk shall then only put the seal "Filed" and enter the date of filing in the register against each paper.

549. The Record-keeper shall see that all papers bear the seal "Filed" before they are indexed and kept in the respective suit bundles.

550. Any proceeding presented in time but returned for rectification of defects will not be filed when represented out of the time allowed by the suit summons, rules or orders of Court without an order of Court or the Master excusing the delay or extending the time on an application presented for the purpose.

551. When a plaint, petition, or a Judge's or Master's summons presented to the High Court is not signed by the Advocate or Attorney on record, the same should not be filed but must be returned for representation with the signature of the Advocate or Attorney on record. During the absence of practitioners on record from Madras, juniors regularly attached to the office of the practitioner on record may be permitted by the Second Assistant Registrar to sign them.

552. Routine applications such as applications for copies, etc., may be signed by juniors regularly attached to the office of a practitioner who should intimate to the office the names of his juniors who are authorised by him to sign them on his behalf.

553. The Diary Clerk will maintain a register showing the names of the juniors of a practitioner authorised as aforesaid to sign on behalf of the practitioner.

554. A list of all papers returned or on which objections are noted for compliance shall be prepared every evening by the Assistant Diary Clerk and put up on the Notice Board the next morning in the following form :

List of papers returned or on which objections are noted for compliance.

Suit number or Diary number.....Nature of paper.....  
 Name of the Advocate.....

The list shall be signed by the Manager.

555. A party filing a list of documents or other proceedings for which the time for filing is limited by order of Court must, unless otherwise ordered by the First or Second Assistant Registrar, produce an office copy of the order at the time of presenting the document in order that the office may ascertain whether it is in time.

556. Papers received at the Diary should not be allowed to accumulate till the evening but should be distributed then and there so as to enable the clerks concerned to take immediate action thereon. The Distribution Clerk at the Diary should see that, after appropriate entries are made at the Diary the papers reach the concerned Clerks with as little delay as possible thrice on each day at 12 noon, at 2-30 p.m. and at 4-00 p.m. except that in the case of urgent papers, the Diary Distribution Register will be sent to the Clerks concerned immediately.

557. Plaints and petitions admitted shall be entered in a register which shall be open to inspection by Advocates. The register shall contain the following particulars :

Date of presentation, name of Advocate, action taken, serial number.

558. Whenever any plaint or other proceeding is referred to the Court by the Registrar or First or Second Assistant Registrar, the Advocate will be informed, and the plaint or other proceeding will be retained in the record.

559. The Registering Clerk will register all suits and petitions and orders received in applications and execution petitions and in further proceedings therefrom.

560. On receipt by the Manager of the memorandum of appearance and vakalath as provided for in Order V, Rule 9, Original Side Rules, he will, if the vakalath and the memorandum are in order, send the papers to the Diary Clerk, who, after entering them in the Diary Register, will send them to the Registering Clerk. The latter will immediately enter the appearance in the Suits Register



unless the name of some other Advocate or Attorney appears in the Register already for the same party in which case he will return the vakalath and memorandum of appearance and endorse on the vakalath "Registered" and send the papers to the Record-keeper through the Posting Clerk.

561. The complaints and petitions shall be entered in the respective registers without any delay. After that, the Registering clerk shall send the complaint to the Summons Clerk who, after getting the summons issued by the Bench Clerk shall send the summons to the Deputy Sheriff or the Correspondence Clerk as the case may be and the Complaint to the Record-keeper.

562. Decrees and orders after approval by the officers shall be sent by the Senior Decree Clerk to the Registering Clerk who will immediately register and return the same to the Record through the posting section. The Record-keeper will see that all decrees and orders received into the Record have been registered.

563. The petition filed by mortgagor to deposit in Court the amount due on his mortgage under Order XXXVII, Rule 9 of the Original Side Rules shall be entered in the Register of Petitions and given a number before it is posted for orders.

564. A Register will be maintained by the Registering Clerk on the lines of the Suit Register wherein should be entered Original petitions other than testamentary under the following heads:—

Date of filing.	Relief sought.	Orders made with dates and details.
(1)	(2)	(3)

(H. Ct. Form No. 375)

565. In the suits and petitions registers the columns relating to Appeal and Execution and all entries relating to post-decree proceedings should be clearly entered.

566. Register of Company petitions and Company Applications should also be maintained in the form prescribed for the purpose in the Company Court Rules by the Registering and Docketing Clerks respectively.

567. The Interlocutory Applications Register will be maintained by the docketing Clerk.

568. No application other than in Execution should be numbered unless it is free from defects of any sort.

*Summons and Service.*

569. No subpoena should be issued to witnesses resident beyond 300 kilometres even though it is stated in the applications that they are "expected to be in Madras".

570. Letters sending summonses to other Courts for "substituted service" should not be in the ordinary form but should state the manner in which service is required to be made.

571. When the address of the defendant is given as being within Madras and application is subsequently made to transmit the summons to the moffussil for service and it is ordered, the time for appearance will be altered accordingly.

572. The summons clerk will generally observe the following instructions with regard to the time allowed for service of summonses :

1. In the case of summonses in all suits to be served outside the City of Madras but within the State—Three weeks.

2. In the case of summonses for service outside the State but within Indian Union—Six weeks.

3. In the case of summonses for service in Foreign Countries—Three months.

In special cases requiring a different period, instructions of the First Assistant Registrar should be obtained from time to time.

573. In suits against the State instead of the period of fourteen days prescribed by Order IV, Rule 6. for filing a written statement, three months' time from the date of service of summons should be allowed for the necessary communication with the Government through the proper channel and for the issue of instructions to the Government Pleader to appear and file a written statement on behalf of the State.

574. The posting clerk is responsible for the proper posting of all cases of whatever kind and the assistant posting clerk for the examination of all returns of service of notices and processes and

the submission thereof to the Manager. The posting clerk must post cases in which notices have been issued for a fixed day on those days (whether service has been proved or not for the directions of the Court). He must keep a diary in which he should each day enter from the minute books the cases on the days to which they are adjourned or in which notice is returnable. He must prepare and post the general monthly and daily lists of cases mentioned in Order XXX, Rule 4, Original Side Rules, 1956. He must note in the general and monthly lists of causes the adjournment and disposal of cases. He must see to the transfer of cases from the undefended to the defended board when leave is given to defend. He must see to the posting of cases for orders in which no steps were taken for a month from the return of the summons.

575. The posting clerk and the Court clerk should go through the minute books every evening after the Courts have risen, note the directions contained therein relating to posting and records respectively and initial the books in token of their having seen them.

576. The posting clerk and the summons clerk will see whether the Sheriff's office has noted in the return of summonses the time when the Bailiff attempted to serve them on the defendants.

577. Under items 12 of Appendix II, High Court Fees Rules, a separate fee of Rs. 3 shall be payable also on an application for transmission again of an unserved summons, notice or process.

578. The posting clerk will maintain two B diary registers, one for A class and the other for B class suits in the form appended and make the necessary entries in them every evening regarding the cases appearing in the daily lists. He will check the entries every week and see that no cases are delayed for any reason and bring to the notice of the First Assistant Registrar every week, cases which are delayed owing to the default of any party or for any other cause.

Date on which suit appeared in the list.	Adjourned to	Reason for adjournment.	Steps taken by parties if any.
(1)	(2)	(3)	(4)

579. A and B Diary (Old C.M. 47) will be prepared and put up in each suit or O.P. The first two columns "Plaint presented" and "Plaint filed" will be entered up by the registering clerk, the next four columns by the assistant posting clerk and the other columns by the Bench clerks. The details regarding application in suit or O.P. will be entered by the chamber posting and the Bench clerks.

580. In every Execution Petition a 'B' Diary (Old C.M. Form 49) will be maintained by the Assistant to the Execution Clerk.

581. The Posting Clerk will maintain the hearing Book. He will make necessary entries in the posting Register every evening regarding the cases appearing in the daily list. He will check the entries every Saturday and see that posting of cases are not delayed and bring to the notice of the **First Assistant Registrar any cases** which are delayed owing to the default of any party or for any other cause.

582. It shall be the duty of the Posting clerks before posting a case to verify from the records in the case or the minute book or both, the date of hearing and not merely rely and act on the entry in the Hearing Book.

583. Where a suit is instituted in *forma pauperis*, the word 'Pauper' shall be noted in the Cause title in the pleadings against the number of the suit and shall be printed in the cause list above the number of the suit when it is posted for trial.

584. (a) The rough list of cases for the settlement of issues and of cases on the undefended Board should be made ready by the Posting Clerk at least three days previous to their posting and a copy should be handed to the Record-keeper for being given to the concerned Court Clerk to enable him to pick up the cases necessary for posting.

(b) Immediately the rough lists are put up a copy of the same will be sent to the Bench Clerks who will endeavour to ascertain from the practitioners the time that each case in the list is likely to take and send the information to the Posting Clerk.

(c) The Posting Clerk will send daily to the respective Court Clerks by 1 p.m. a copy of the rough list to enable him to collect the pleadings and papers for circulation to the Honourable Judges. **In case the Court Clerks are unable to find the papers in any particular case, they should report the matter to the Manager and the Record-keeper and under directions of the Manager, the Posting Clerk will take the orders of the First Assistant Registrar at the time of the settlement of the list for the removal of the case from the list.**

585. All cases on the Original Side will be placed in the list in the order of date. **Cases coming into the list for the first time will not be placed above those already in the daily list.**

586. The order with regard to cases taking their place in the order of date will not affect (1) Matrimonial cases, (2) Short Causes, (3) Commercial cases, (4) cases specially fixed, (5) undefended suits and reports by the Official Referee in cases referred to him by the Hon'ble the Judge. These cases will be placed in the daily list when they are ready for trial, or where a date has been specially fixed, on that date. When cases are settled out of Court the Advocates for the plaintiffs will give notice of settlement to the First Assistant Registrar, Original Side, and they will be placed in the list forthwith for disposal.

587. (a) With regard to cases to be included in the "Short Cause List" the Master shall, when giving leave to defend, give the usual order for directions and direct that the affidavit of the defendant in support of his application be treated as a written statement. If the defendant intimates that he wishes to raise a defence or defences not disclosed in his affidavit, the Master shall direct that a statement setting out the grounds with full particulars be filed in Court and a copy served upon the plaintiff within seven days from the date of the order.

(b) Suits under Order VII, Original Side Rules, in which leave to defend has been granted and which at the time of granting leave the Master has directed to be heard as 'short causes' shall be placed in a Short Cause List. Such suits shall be posted for hearing before the Judge trying 'A' Class suits on the first Monday of each month or if that day falls on a recognized holiday,

the first working day thereafter. All parties must be ready to proceed with the trial of the suits posted on the days on which they are set down for hearing.

588. As far as possible a suit under Order VII of the Original Side Rules should be posted for passing decree at one and the same time instead of on different occasions against several defendants. Piecemeal posting should be avoided.

589. The Chamber Posting Clerk will note in red ink on the top of the Judge's Summons whether the Party taking out the application has not served any and, if so, which of the parties, whenever notices to any of them has not been taken out. This is necessary to draw the attention of the Judge disposing of those applications, before any orders are made, that all the parties are not before the Court.

590. All Judge's Summons except those for leave to sue, arrest and attachment before judgment and directions to or by the Administrator-General and applications under Rule 90 of Order XXI of the Code of Civil Procedure shall in accordance with Order XIV, Rule 13 of the Original Side Rules, be issued and posted before the Master in the first instance.

591. Work will be posted before the Master as follows :

Monday.—Original Side Work.

Tuesday.—Original Side and Appellate Side Work.

Wednesday.—Original Side and Company Work.

Thursday.—Original Side Work and Insolvency Work.

Friday.—Original Side Work.

Saturday.—Original Side Work.

592. Cases entered in the default list under Order VI, Rule 3 of the Original Side Rules and put up on the Notice Board, will not be posted for dismissal. But, orders of dismissal will be drawn up and signed by the Second Assistant Registrar and a list of cases so dismissed will be put up on the Notice Board on the day of dismissal for the information of the practitioners concerned.

593. A list of all references to the Official Referee made during the week shall be prepared by the Posting Clerk or the Chamber Posting Clerk, as the case may be, at the end of each week and a copy thereof transmitted to the Official Referee for his information through the Manager, Original Side.

*Decree and Orders—Drafting.*

594. (a) The Senior Decree Clerk shall examine the minute books as well as any written judgment which may have been given, before drafting decrees and orders.

(b) He will select the orders passed on any day which from their terms require to be issued promptly and will see that they are taken up first. In case of doubt he will take the orders of the Officer concerned.

595. (a) The Senior Decree Clerk will keep an index of precedents under heads arranged in alphabetical order and enter under each head the numbers of suits in which decrees and orders are made which will be useful as precedents. The drafts of these decrees and orders will be kept by him in their serial order.

(b) He is also authorised to perform the duties relating to the Bench Clerk, Original Side, noted below :

1. Signing and issuing all Judge's Summons, Master's Summons and Registrar's Summons, etc.
2. Signing all copies of orders, judgments and decrees.
3. Issuing urgent applications and copies of surety summonses.
4. Signing summonses and Subpoenas.
5. Signing insertions of taxed costs in Original Decrees and Orders.
6. Signing citation in Testamentary matters.

596. In pursuance of Order XIV Rule 4 of the Original Side Rules, 1956, the following orders need not ordinarily be drawn up. If, however, the Senior Decree Clerk considers that any particular order should be drawn up it will be submitted to the Officers concerned for directions.

- I. Order granting extension of time for filing.
  1. Written Statement.
  2. Affidavit of documents.
  3. Bill of costs.
  4. Sale papers.
  5. Receiver's accounts.
  6. Inventory and accounts.
  7. For amending plaint, etc.
  8. For taking out fresh summons, with  
or without any direction for costs.
  9. For insertion of taxed costs.
  10. For return of commission.
- II.
  1. Leave to execute.
  2. Warrant of arrest.
  3. Warrant of attachment of movables  
and immovables.
  4. Fresh summons.
  5. Fresh summons by substituted service
  6. Change of Attorney.
  7. Appointment of guardian *ad litem*.
  8. Bringing on record legal repre-  
sentatives of the plaintiff and  
defendant.
  9. Payment of money into Court.
  10. Probate to issue to executor by  
implication.
  11. Leave to search and apply for copies.
  12. Review of taxation.
  13. Reserve price reduced.
  14. Leave to bid and set off.
  15. Revocation of vakalath.
  16. Directions for posting of cases  
for final disposal.



III. 1. Leave to sue.

2. Orders directing mere discovery at the first hearing when no issues are settled.
3. Orders giving directions for posting of cases.
4. Orders relating to marking particular cases as "Commercial Causes".
5. All dismissal orders except orders dismissing suits.

597. In copying 'no draft orders' the copyist shall incorporate first the prayers in the application and then the order of Court. The Bench Clerk shall see while certifying the fair copy that the prayer portion has been copied and the Copy Complying Clerk will also verify this before issue.

598. Decrees and orders will be drawn in separate numbered paragraphs with the introductory words, for decrees "It is decreed as follows:" and for orders "It is ordered as follows:". The claims inserted in the suits register and decree should be as concise as possible.

599. In drawing up decrees and orders no reference to a schedule in another document should be made; the schedule should be embodied in the decree or order itself.

600. In drafting compromise decrees the provisions of Order XXIII, Rule 3, and Order XX, Rule 9, of the Civil Procedure Code should be strictly observed. Where a compromise includes matters which do not form part of the subject matter of the suit, the decree, should after reciting that the compromise set out in the schedule refers to not only the subject matter of the suit but also to certain properties extraneous to it, in the operative portion, deal only with the subject matter of the suit which will be clearly and fully described as is done in the plaint schedule or schedules. The compromise itself should be introduced as a schedule to the decree.

601. In all orders and decrees and in all proceedings in cases removed to the High Court from the moffussil Courts for trial and determination under Clause XIII of the Letters Patent the heading should be "Extraordinary Original Civil Jurisdiction" and not "Ordinary Original Civil Jurisdiction".

602. Unless otherwise ordered, "costs of defendants" will mean one set of costs for all defendants.

603. Draft decrees and orders may be inspected by Advocates whenever called upon to do so by memoranda issued to them at the office of the Manager, Original Side and the Senior Decree Clerk shall be present at such inspection and see that the Advocate inspecting signs his name in full on the draft in token of his having inspected it.

604. Cases of decrees prepared but not issued for non-supply of non-judicial stamps by parties within the time limited shall be lodged after taking the directions of the First Assistant Registrar.

605. (a) All orders directing payment out to parties or transfer to the credit of other suits or remittance to other Courts, of any money standing to the credit of any suit in the High Court, shall invariably be drafted; and the draft shall clearly bring out the purpose or reason for which the payment out or transfer or remittance, as the case may be, is directed.

(b) In drafting orders for payment out to a party or parties to the suit, and in other similar important orders, the full cause title, disclosing the names of all parties, should be set out.

(c) In drawing decrees or orders for payment out of moneys periodically or otherwise, the name of the party to whom payment is to be made should be given as also his rank in the cause title.

(d) In all cases where an order or decree directing the payment of any moneys out of Court has to be issued, the Senior Decree Clerk shall, before issuing the order or decree, call for a certificate of funds if one has not been filed, and in case where a certificate has already been filed, send it to the Head Accountant for being endorsed by him as to the actual state of the funds on the date of the order or decree. He should bring to the notice of the Second Assistant Registrar any fact noticed in the said certificate of funds newly filed or endorsement made by the Head

Accountant which may have to be considered before issue of the order or decree. Any delay in filing the certificate will also be brought to the notice of the Second Assistant Registrar through the Manager.

(e) When a Judge's or Master's Summons is taken out for the payment of money out of a fund in Court, the Judge's or Master's Summons, as the case may be should set out the purpose for which payment out is sought. A reference to the reasons set out in the affidavit will not be enough. Bench Clerks should see that this is complied with before they sign and issue them.

606. Where investment of funds is ordered by Court, unless there is a specific direction to the effect that the party or anybody else should move in the matter, a copy of the order should be sent by the Senior Decree Clerk to the Head Accountant as soon as the draft order is approved. The Head Accountant shall intimate to the Original Side office, his receipt of the copy of the order and also what steps have been taken by him regarding the investment of the funds. A register shall also be maintained by the Senior Decree Clerk in which shall be noted the orders directing investment of funds. The registers shall be sent once a month to the Head Accountant who shall return it after noting the action taken in respect of each of the orders entered in the register. If within a month the Register is not returned to the Original Side office, the Senior Decree Clerk shall place the matter for orders before the First Assistant Registrar.

607. In petitions under the Guardians and Wards Act if security is not furnished within the time given by the order or, if any extension has been granted, within that time, the Chamber Posting Clerk should, after obtaining the orders of the officers concerned post the petition in Court. The Senior Decree Clerk should see that the order is communicated to the Chamber Posting Clerk.

608. The security bond filed in these cases should be sent, by the Diary Clerk to the Registering Clerk who, after noting it in the Petition Register, shall send it on to the Chamber Posting Clerk and the fact whether the security bond was filed or not should in each case be brought to the notice of the Second Assistant Registrar. The draft order may be sent to the Second Assistant Registrar who tests the security required to be furnished.

609. In cases in which orders are made—

(i) transferring suits or other proceedings from the file of one lower Court to that of another or of the High Court,

(ii) staying further proceedings in suits or other proceedings on the file of other Courts; and

(iii) Vacating the stay orders mentioned in paragraph (ii) above, the drafting clerks should specify the names of the Courts concerned at the foot of those orders and give at the time of issuing such orders, copies thereof to the despatching clerk for communication to the Courts concerned. At the time of issuing the orders referred to in clause (iii) above, they should make a note in red ink on the plaint in the respective cases of the fact that such an order has been made.

610. In cases in which orders are passed staying further proceedings in suits on the file of the lower Courts until the final disposal of suits on the file of the High Court and there are no subsequent orders vacating the stay orders, the drafting clerks should see that the fact of the final disposal of such suits is communicated to the Courts concerned when the final decrees are issued. Such matters are to be treated as *urgent*.

611. Whenever proceedings in other Courts are stayed by the High Court (Original Side) pending any suit or Original Petition on its file, the Court Clerk or the Chamber Posting Clerk, as the case may be, shall as soon as he receives the stay order and other papers from the Court, make a note in red ink on the back of the plaint or original petition or on some conspicuous part thereof that proceedings in the Court of ..... have been stayed. After the suit or original petition in which the stay was ordered, is finally disposed of, the Court Clerk shall invariably put up the stay order with the plaint or original petition and the other papers which he sends to the Senior Decree Clerk for drafting and issuing the decree or final order.

612. Whenever an order is made, referring a suit or matter to the Official Referee or directing stay of further proceedings in a suit or matter pending before him or extending the time for the filing of his report or otherwise affecting the course of proceedings before him or the form or nature of the report to be filed by him, the material portion or the general purport of the said order shall

immediately it is made and pending transmission of a copy of the order, if drafted, be communicated to the Official Referee by the Bench Clerk in Court or the Chamber Court Clerk, as the case may be. Copies of all orders and decrees giving directions to the Official Referee and copies of all orders and decrees passed on his reports should be communicated to him as soon as the Originals are signed. An extra carbon copy shall be prepared of such orders. The Senior Decree Clerk will be responsible for the observance of this order.

613. Certified copies of orders appointing the Official Trustee of Madras as the guardian of the properties of minors, etc., should be immediately sent to him direct by the Senior Decree Clerk to facilitate taking early steps. An extra carbon copy of the order should be prepared in such cases.

614. In cases where Receivers or Official Liquidators are appointed by Court the order copy should be delivered without any delay whatever, maximum limit being two days.

615. Every order confirming or setting aside sales held by the Official Referee should be promptly communicated to the Official Referee by the senior decree clerk.

616. Whenever an order for confirmation or setting aside sales is made in a suit or matter which has been referred to a Commissioner or an Arbitrator, the material portion or the general purport of the order shall be communicated to the Commissioner or to the Arbitrator, as the case may be, by the Manager, Original Side, by means of a letter, and the Bench Clerk or the Court Clerk or the Chamber Posting Clerk, as the case may be, shall forthwith send to the Manager, the papers containing the orders to enable him to do so.

617. Where an execution sale is finally set aside, a copy of the order shall be sent to the officer in whose office the sale certificate has been registered. A carbon copy shall be prepared of such order for communication to the officer.

618. When the Court passes a decree or order under Section 31 of the Specific Relief Act (47 of 1963) for the cancellation of an instrument registered under the Indian Registration Act XVI of 1908, the Court shall forthwith cause a copy of the decree

or order on plain paper to be forwarded to the Registering Officer in whose office the instrument has been so registered. The Senior Decree Clerk will see that this is carried out.

619. The peon in charge of sealing documents will seal them in the chambers of the Deputy Registrar, Appellate Side. He will show the documents sealed to the Senior Decree Clerk who will see that the sealing is not defective.

#### *Execution.*

620. The Execution Clerk will maintain a register called "Execution Proceedings Book" in which will be entered the number of the Execution Petition, date of application, suit number, nature of the application, date of orders and particulars of disposal as to issue of warrant and the dates of entering of part or full satisfaction. The Execution Clerk shall submit to the First Assistant Registrar once a month a statement of execution applications pending which will show the reason for the pendency in each case.

621. All Execution Petitions shall be vouched and posted before the First Assistant Registrar for orders as far as possible in the order in which they are received from the Diary except those for appointment of Receivers in execution, garnishee orders and proceedings against sureties which shall be posted before the Master. Those marked urgent by the First Assistant Registrar shall be dealt with expeditiously.

622. Every application for execution of a decree or order by arrest of the judgment-debtor shall be brought to the First Assistant Registrar for orders immediately after its presentation.

623. (a) Attachment orders under Order XXI, Rule 52, Civil Procedure Code and orders for attachment of decrees and orders under Order XXI, Rule 53, Civil Procedure Code will, when received from other Courts, be registered by the correspondence clerk in the current register of papers received into and originating in the Original Side office. He will then send them to the execution Clerk or the Head Accountant, as the case may be, for necessary action. The execution clerk, on receipt of the same, will make necessary entries in the register kept for the purpose and will, as soon as possible, vouch the attachment orders and verify the same whether they are in order and send them to the Accounts

Department for entering in the ledger. After such entry being made, the attachment orders will be handed over to the correspondence clerk. He will then put them up for the signature of the Second Assistant Registrar, Original Side, return the original to the Court issuing the attachment order and send the duplicate to the Record-keeper through the Diary Clerk. The Record-keeper after satisfying himself that the orders have been noted by the Head Accountant or the Execution Clerk, as the case may be, will get them indexed and filed in their proper bundles. These must be done expeditiously. If at the time the attachment or Pro-order is served on the Head Accountant there is no money at all to be attached or there is only a smaller sum than what is shown in the warrant of attachment in deposit the fact and detail should be noted by the Head Accountant in the original and duplicate order sent to him and the fact that the attachment was received and returned so endorsed should be noted in the Register.

(b) If what is attached is only a decree or order it will be noted in the ledger page for the suit or proceeding opening one if necessary. The prohibitory orders should be brought to the notice of the Court when any orders are passed regarding execution, payment-out, investment, etc.

624. In all cases of committal for contempt, the Bench clerk attending Court will mark such orders as " Emergent " and return the papers to the office forthwith in a red tape. The Drafting Clerks will draw up the order, and the Execution Clerk will issue the warrant on the same day. If within three days of its issue, the Bailiff fails to execute the warrant he will at once report the matter to the Court; and the Bench Clerk in Court will immediately communicate the same to the Posting Clerk who will post the case for further orders of Court on the fourth day.

625. Applications for sale certificates should be entered as and when received in the Register of Sale Certificates.

626. Entries relating to return and re-representation in the Register of Proclamation of sale should not be made at a stretch when the proclamation is finally settled but then and there.

#### *Taxation.*

627. Vouchers for taxing bills shall be received by the Diary Clerk and forwarded by him to the taxing clerk.

628. The taxed bill of costs should be sent to the Diary Clerk to be filed and sent to the Record-keeper who will get it indexed and kept in the respective bundles.

*Probate and Testamentary Cases.*

629. Notice to the Collector of Madras accompanying the petition for Probate or Letter of Administration should bear the date of admission thereof and should, as far as possible, be signed and despatched on the same day.

*Bench Clerks.*

630. Bench Clerks should study the cases posted in Courts before hand and see that the bundles are complete and that the necessary papers and documents are available.

631. They are responsible for the records in Court. When any matter is disposed of, the Bench Clerks in Court should immediately separate the pleadings from the documents and send the pleadings with the order of Court thereon and the records separately to the Court clerks in the Record and get the initials of the concerned clerk for the receipt of the records in a book kept for the purpose. The Court clerk concerned shall immediately check the pleadings circulated to and returned by the Judge and if any paper has not been received from the Bench Clerk he shall at once report to the Manager.

632. All urgent orders of Court should be sent through a special peon immediately after they are passed, (the papers) being tied up with red tape and the time marked in the bundle to the Manager who shall direct the Senior Decree Clerk to attend to them at once. All papers presented directly to Court shall at once be sent to the Manager who shall send them to the Diary to be filed. The Bench Clerk shall endorse on those papers "Presented in Court" and put his initials and date.

633. In all cases in which there is documentary evidence, all the endorsements should then and there be made on the Exhibits and the Exhibits entered in the Minute Book. The Bench Clerks shall also see that the Court Clerk prepares an Index of the exhibits after they have been marked.



634. Documents ordered to be returned in Court to the parties appearing in person or to the Advocates shall be returned only after the Bench Clerks have obtained the signature of the parties appearing in person or by Advocates, in the case in the application for return.

635. In the Judgment-reserved cases, unless otherwise ordered, it will be the duty of the Bench Clerks to send on the day on which the judgment is reserved, all papers required by the Judge for writing the judgment. They will also send any books of reference required by the Judge for the purpose of the Judgment.

636. The Minute books should be correctly and neatly written up. The Minute Books should contain a full and accurate account of the proceedings, giving the names of the practitioners who appear and for whom they appear, the time when the trial begins, the names and addresses of the witnesses examined and the Exhibits marked. A note should be made by whom the Exhibits are produced and for whom they are marked. In cases in which Counsel appear, the time taken for each case should be noted. A note of all adjournments and objections raised and of case laws cited should also be made.

637. All documents produced should be examined before being marked. If any documents are not duly stamped, that fact should be brought to the notice of the Court.

638. The Bench Clerks shall impound documents wherein deficient stamp duty has been paid and collect the necessary stamp duty and penalty.

639. Bench Clerks should examine the documents filed in suits and proceedings and see that they are not admitted in evidence without the stamp duty and penalty, if any, due on them being collected. Bench Clerks, the Record-keeper and the Court Clerks should note that when the documents produced are not admitted in evidence such of them as are liable to stamp duty and penalty should not be returned but should be impounded under Section 33 of the Stamp Act.

640. In cases where consent orders or decrees are passed a careful note should be made of the order or Decree.

641. On Saturdays and other days when they are not engaged in Court, Bench Clerks should check the charging at the Diary.

642. The presentation of complaints to the Judge in Court should be noted in the Minute Book.

643. Bench Clerks should bring to the notice of the Judge at the time of disposal of pauper suits the question of the payment of Court fees payable to Government so that the Court may pass necessary orders in the matter.

644. In pauper Suits where the plaintiff succeeds, the Bench Clerks attending Courts should bring to the notice of the Judge or Master and obtain orders as to the recovery of the Court fee due to Government.

645. Bench Clerks will have power—

(i) to sign and issue Judge's Summons and Master's Summons; and

(ii) to sign and certify copies prepared for the Original Side by the Stamp Copyist Department.

As regards (ii) the Bench Clerks will see that the copies they sign are carefully made and in cases where copies are carelessly made or contain a number of corrections or are prepared in a slovenly manner, they should get fresh copies prepared by the Copyist Department and bring the matter to the notice of the Deputy Registrar.

646. They shall, before the work of the Court begins, check the pleadings received from the residence of the Judges and the bundles delivered by the Court clerks in Court and sign the book maintained by the Court clerks in token of their having taken charge of the records in the cases in the list. As cases are disposed of they shall at the end of the day accompany the records to the Record room and return the papers, Exhibits, etc. (other than those taken by the shorthand-writers) to the respective Court clerks and obtain their signature in the book maintained for the purpose. They shall make a note in that book as to the papers with the shorthand-writers. Both when taking and handing over charge, Bench clerks and Court clerks must satisfy themselves that the records are complete and they will not be heard to say that they took it for granted that all the papers were in bundles and were in order.

647. Bench clerks who get books from another Court for reference in any case shall return them to the Court from which they were got immediately after the reference is over.

648. Bench clerks will bring to the notice of the Deputy Registrar any cases of inordinate delay by the Librarian in complying with requisitions for books.

649. Where the Bench clerks feel reasonable doubt as to the applicability of the rule or section quoted in an interlocutory application, they should take the orders of the First Assistant Registrar before issuing the application.

650. Bench clerks should see that at the time of issue the **Judge's Summons or Master's Summons is so worded that an intelligent and correct order can be drawn up**; for instance, where an application is made to continue a suit by or against the Official Assignee the number of the petition and the date of adjudication should be stated. Similarly where applications are made "to bring on record the legal representatives of a deceased defendant" it should be ascertained whether the suit is pending and if not, the application should not be to make the legal representatives, parties, but for leave to execute by or against the legal representatives.

651. Bench clerks should note neatly and legibly on the cause lists the result of each case simultaneously noting it in the Minute Book and duly initialling them.

652. The procedure laid down in Order XIV, Rule 12, Original Side Rules, should be strictly followed. Bench Clerks should not make the applications under this rule returnable only on Thursdays as the applications will be posted before the Judge on Chamber days after they are ripe for hearing. If any Advocate desires that his application should be posted before the Judge in the first instance, he may be directed to see the Master or his Bench Clerk. In the case of applications for leave to sue, they shall be posted before the Judge.

653. Bench Clerks should make the necessary endorsements on each Exhibit and also indicate the mark of each Exhibit in the beginning of the agreed bundle made under Order IX, Rule 24, Original Side Rules, and at the head of each individual copy in it.

654. Whenever the Judge or the Master passes an order directing the plaintiff or the defendant to furnish particulars relating to any matter stated in any pleading, the Bench clerks should obtain necessary direction of Court for duly penalizing any default on the part of the party directed to give such particulars.

655. The Bench Clerks attending the Courts should see that as soon as orders are pronounced the connected papers are sent to the Record room forthwith and the Record clerks should check them immediately and send them on to the Drafting Section. Any papers presented in Court in those cases and sent to the Diary Clerk should be filed immediately and handed over to the Record Clerk without any delay whatever.

656. Bench Clerks issuing a Judge's Summons appealing against the Orders of the Master should fix a date for the hearing of the Judge's Summons not less than 14 days from the date on which it was filed so as to enable the parties to obtain copies of the order appealed against.

657. The Chamber Posting clerk should also verify before a Judge's Summons appealing against the Master's order is posted for hearing that the application of both the Appellant and Respondent, if any, for copy of the order appealed against has been complied with and in case either party has not applied for a copy, a note in pencil to that effect will be made in some prominent part of the docket sheet.

658. Exhibits admitted in evidence shall be marked as follows :—

Plaintiff's Exhibits.—P-1, P-2, P-3, etc.

Defendant's Exhibits.—D-1, D-2, D-3, etc.

Court Exhibits.—C-1, C-2, C-3, etc.

Third Party Exhibits.—X-1, X-2, X-3, etc.

#### *Record and Record-keeper.*

659. The Original Side records will be under the immediate supervision of the Second Assistant Registrar subject to the general control of the First Assistant Registrar. He will be responsible for the proper and expeditious working of the Record

**Section.** The Second Assistant Registrar will report in writing to the First Assistant Registrar on any defects he notices in the Record Room.

660. Papers relating to the record will be submitted to the First or Second Assistant Registrar through the Manager, Original Side

661. The Record-keeper will be held responsible for all the Registers maintained in the Record Section. The registers will be checked by the Manager once a month.

662. The Record-keeper is responsible for seeing that all the pleadings are circulated to the residences of the Judges by the respective Court Clerks and that the other papers in those cases are ready for being sent to Courts the next day. He will check them before handing them to the Circulation Peons. He will also see that the papers are sent to Court in time to the Bench clerks to check them. He will see that the Record Room is not kept open beyond such time as is absolutely necessary for finishing the work for the day.

663. Whenever complaints are amended, the Record-keeper will forthwith send them to the Registering Clerk for making the necessary entries in the Suit Register

664. Where a Defendant is granted leave to defend a suit in *forma pauperis*, the Record-keeper will, as soon as the order is received in the records, endorse the order in red ink on the docket of the plaint. This will also be noted in the cause list when the suit is posted for trial by adding the words in brackets "Defendant-pauper" under the number of the suit in the list.

665. No Clerks, other than Clerks in the Record Room will be permitted to enter the Record Room, but in cases of urgency or in cases of vouching, Clerks will be permitted to inspect the records in any case, in the presence of the Record-keeper

666. No paper shall be taken out of any bundle or file of papers, unless and until a printed record slip duly filled in by the Clerk taking the record, is pinned to the index.

667. No paper shall be taken out of the Record room, unless and until it has also been first entered in the Record Issue Register in the form given below. Initials of the Clerk taking out the papers must be obtained in this register.

*Record Issue Register.*

Number of the case or number of the Proceeding.	Nature of paper taken.	Index Number of the paper taken out.	To whom given.	Date of issue.	Date of return.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

668. The responsibility of the clerk signing the record slip will continue as long as the slip remains in the file. Clerks must see that slips are returned to them when the papers are sent back to the Record room.

669. When papers are being returned, the date of return shall be entered by the Assistant Record-keeper in the proper column of the register and he will check the paper returned and, if in order, cancel the slip and hand it back to the clerk. The papers returned to the Record room shall be immediately given to the Attender-in-charge, for the purpose of being put back in their respective bundles or files, and the initials of the attender taken in the register.

670. All documents filed in the office are to be sent to the Record-keeper immediately after they have been filed and shall then be entered by him in index A. All documents which have been obtained from the Record room shall be returned as soon as possible.

671. The Bench clerk will send to the Record, the records of each case as soon as it is disposed of, and the Record-keeper will upon receipt thereof at once send the material papers to the office for preparation of the Order or Decree.

672. Chamber applications shall be sent to the Record and entered in Index A.

673. The Court clerks or the Chamber clerks, as the case may be, will each day, after checking the exhibits filed, send the Bench Clerk's Minute Books (Chambers, Final Disposal, Reference, etc.) and the records required for drafting decrees and orders to the Senior Decree Clerk.

674. The Posting clerk will send to the Court clerks a copy of the daily cause list, noted with the orders passed that day.

675. A register will be maintained—similar to the one maintained for documents sent to moffussil Courts—in which the records that go out of the office will be entered.

676. (a) For all papers sent to the Judges from the Record a circulation register will be maintained by the Court clerks and the Chamber Court clerk with the following columns:—

- (1) the date on which they are sent,
- (2) the name of the Judge to whom papers are sent,
- (3) the nature of the papers sent, and
- (4) the date on which they are received back from the Judge.

(b) The Court clerks and the Chamber Court clerk will be responsible for its correctness and will bring to the notice of the Second Assistant Registrar any case in which the papers have not been received from the Judge within a reasonable time for the purpose of reminding the Judge.

#### *Production of Records before Court.*

677. Where parties apply for the production of records of a case before a Judge for the purpose of making any application therein, the case is not to be placed in the list unless there is a written application (petition or Judge's Summons): but the records are to be produced in Court to enable the party to mention the case.

678. The Official Assignee, Madras, need not be required to obtain sanction on a Master's Summons under Rule 3, Order X of the Rules of the High Court, Madras, Original Side, 1956, to inspect the records of suits, parties to which have become insolvents and their estate vested in him.

679. Records from other Courts which are produced in the High Court should not be retained beyond such time as is absolutely necessary.

*Duties of Court Clerks.*

680. Immediately on receipt of the intimation in writing of the addition of new cases from the Posting clerk, the Court clerks will satisfy themselves that the papers in the cases are complete for circulation. If, however, records are not available or are incomplete in any case, they will immediately report this in writing through the Record-keeper to the Manager. They will circulate the pleadings to the residence of the Judges in the evening. The next day, they will accompany the peons carrying the bundles of papers in the cases to the Courts and deliver the records to the Bench clerks and obtain their signatures for them in a book kept for the purpose.

*Duties of Attenders.*

681. (a) The attenders employed in the record will be in charge of the records of the particular years assigned to them by the Second Assistant Registrar. They will be held responsible for the completeness of the record of the cases in their charge. They should get the papers relating to the cases in their charge indexed by the clerks and keep them in the proper order in the bundles. It will be the particular duty of the attender to see that no paper is taken out of a bundle without a record slip signed by the clerk concerned including clerks in the record room. When any paper is taken out of a bundle, the Attender-in-charge will pin the slip signed by the Clerk to the index sheet. When papers are returned, he should immediately replace them in the proper place and order and hand back the record voucher to the Assistant Record-keeper, for being cancelled and returned to the clerk concerned after making the necessary entries in the Record Issue Register.

(b) Serious notice will be taken of neglect or carelessness in his duties on the part of any attender. The attenders will work under the immediate supervision and orders of the Record-keeper.

(c) One of the attenders named will help the Probate Clerk in picking out papers, etc., whenever required.

INTERPRETERS.

682. The Senior Interpreter will have charge of the Interpreter's rooms, and of the keys of the almirahs and boxes therein in which records are kept and will see that the almirahs and boxes are kept



locked. The rooms will be duly secured when the office is closed and the keys delivered by the peon to the Overseer in a sealed cover. The Senior Interpreter will be held responsible for the safety of all original records as long as they are in his department; and when it is necessary to entrust the original records to the Clerks in the office, he will personally see to the delivery thereof in the morning and the collection thereof in the evening, and that they are secured in the almirahs and boxes and do not remain in the custody of the Clerks.

683. Original records which are sent between the Interpreters and the Record rooms will be enclosed in a locked box.

684. No person shall be allowed to enter the Interpreters' room for any purpose other than the explanation of documents and the verification or affirmation thereof. Applications for the translation of documents must specify the portions which it is desired, should be translated by reference to page and line and if necessary to words at the commencement and end of each portion.

685. The certificate of explanation attached to pleadings shall strictly conform to Form No. 8 in the Original Side Rules with the necessary modifications for documents required to be verified.

686. The address of the parties by whom Court fees are payable to Government will be furnished to the Government Pleader in all Pauper Suits.

687. The age of minor parties should be stated in all proceedings.

688. When the cause title is amended the numbers of the parties should not be altered. A party added should be designated by a new number. Address and description should be added by amendment in the body of the plaint.

689. When the party desires to amend his schedule in accordance with the Order of Court, the amendment should be made in the presence of the Record-keeper and the amended schedule should be re-sworn by the party before the Commissioner (Interpreter).

690. (a) Applications for the amendment of decrees and orders or for review of taxation should, before being posted for orders, be sent to the Senior Decree clerk or the Taxation clerk concerned,

respectively, who will scrutinize the grounds of the application and take the matter to the notice of the First or Second Assistant Registrar as the case may be. The Clerks concerned will deal with these applications promptly so that there may be no delay in posting.

(b) After orders are passed, the drafts of the orders will be prepared by the clerks concerned, except in the case of taxation matters which will be prepared in the Execution section.

691. All Master's Summonses for change of Practitioners shall, before being posted before the Master for orders, be sent by the Chamber Posting clerks to the Senior Diary clerk for scrutiny as to whether the Practitioner already on record is in arrears of any fees due to the High Court. If the reason for the change sought for is obviously the arrears owed by the previous Practitioner, this fact should be noted and brought to the notice of the Master.

#### *Cause Lists.*

692. The printed cause list of several Benches on the Original Side will be delivered to the Cause List Contractors by the Foreman, Government Branch Press, High Court Buildings only on their paying to the Head Accountant the monthly subscription, in advance, before 4 p.m. on the last working day of the previous month.

693. The printed cause lists intended for the use of the Office should as soon as they are struck off be handed over to the peon at the " para ".

#### *Copies of Jtdgments, Decree and Orders on Original Side Appeals.*

694. (a) Copies of judgments, decrees and orders in Original Side appeals received from the Appellate Side will be scrutinized carefully and the results noted by Registering and Posting Clerks in their registers and the fact noted under their initials on the copies themselves before they are sent to and filed in the records: they should also be sent to the Senior Decree clerk for perusal. These Clerks should not detain the papers unnecessarily. The Record-keeper will satisfy himself before they are filed in the records, that they have been seen by the Registering, Posting and Senior Decree Clerks.

(b) In case, the Order or Decree in question is such that the Execution, Taxation or any other clerks, should also note it, the Manager will send it to the Clerk concerned before it is sent into the record through the Diary.

695. When notices of appeal, decrees and orders of remand or dismissal are received from the Appellate Side, the said notices, orders and decrees should be immediately filed and sent for entry in the Suit Register, and the entry will be initialled by the Manager. In cases of remand, the Manager should also initial the Posting Clerk's Register and see that in cases where the matter is referred to the Commissioner/Official Referee, the Commissioner/Official Referee is informed and if necessary, the papers are sent to him. In the case of notices of appeal, the Manager should initial the Appeal Register in order to check and prevent delay in sending material papers to the Appellate Side.

696. The Correspondence clerk will maintain a register of letters received from the Advocates in the prescribed form (High Court No. 686).

697. The Correspondence clerk should enter all the papers received in the Original Side and originating from the Original Side Office (including those received on the Appellate Side and sent to the Original Side which should be given separate Original Side numbers) in the Register of papers received in and originating from the Original Side Office. The disposal column in the Register should be filled up by the concerned clerks immediately after disposal.

#### *Receivers' Accounts.*

698. All decrees and orders relating to the appointment or discharge of Receivers, Guardians, Committees and Official Liquidators, or containing any directions to them, shall be sent after approval to the Receivers' Accounts Clerk for being entered in the Register of Receivers' Accounts. No such Decree or Order shall be filed in the bundle by the Record-keeper unless it bears the initials of the Receivers' Accounts Clerk as having been entered.

699. The Receiver's Accounts Clerk will maintain the Register of Receiver's Accounts in the form given below and enter therein all appointments of Receivers, Guardians, Committees and Official

Liquidators. He will also maintain a Dairy noting therein the particular dates on which the accounts fall due as well as the dates fixed by the Second Assistant Registrar, Original Side, for passing them. Reminders will be issued under the orders of the Manager, Original Side, to such of the parties who either fail to file or get their accounts passed on the due dates. The Register will be submitted to the Second Assistant Registrar, Original Side, fortnightly or monthly as he may direct.

Serial number and date.	From whom received.	Subject.	Clerk to whom given.	Date and manner of disposal.
(1)	(2)	(3)	(4)	(5)

The column regarding "date and manner of disposal" will be filled up by the concerned clerks (H.C. Form No. 835).

700. In cases where the rights under a security bond are transferred to a party the security bond will be handed over with a separate deed assigning the bond in favour of the party.

701. The Official Referee can call for any paper from the Original Side Office for his reference.

702. When payment of Commission in respect of any sale is received by the Official Referee, he will purchase Court fee stamps with the amount and send them, after due cancellation, to the Assistant Registrar, Original Side through the Head Accountant who shall check the stamps, make an endorsement on the counterfoil of the cheque relating to the Commission to the effect that stamps have been purchased for the amount and obtain the Registrar's initials.

703. A Register showing the amounts of the Commission due in respect of the Sales held by the Official Referee, the dates of the orders for their payment and the dates of the deposit of the stamps will be maintained in the office of the Original Side by the record staff and it will be sent to the Official Referee and the First Assistant Registrar once every month for being checked. The several columns should be filled in as required in the Register.

## INSOLVENCY OFFICE.

704. (a) The Manager (in the category of Bench Clerks) will supervise and control the work of the Section and is responsible for the work being performed efficiently.

(b) The Insolvency Petition, Application and other Registers should be checked regularly by the Manager at least once a month. He should see that disposals are properly entered in the Application Registers and that cases not disposed of in a reasonable time are brought to the notice of the Officers concerned.

705. The Diary Clerk will adopt and follow the instructions given to the Diary Clerk on the Original Side.

706. Insolvency Petitions admitted will be entered in the Insolvency Petition Number Register.

707. Members in charge of registers should see that all the columns in the registers in their charge are duly and properly filled up.

708. (a) Insolvency Petition Register should have its pages serially numbered in print. Insertion of fly leaves should be avoided and when the page is exhausted the entries should be carried over to the next available blank page.

(b) This Register should be properly maintained and form a complete record of the case. Gist of orders in applications together with the numbers of the application should be entered in the register.

709. At the beginning of each year all the applications pending at the end of the previous year should be carried forward to a new register. As soon as an application is disposed of, the date of disposal should be entered in the application register.

710. The register of return of documents should be kept in the form of Civil Register No. 24 and the exact pendency of applications should appear from the register.

711. The posting Clerk and the record clerk should go through the minute book every day after the Courts have risen, note the directions contained therein relating to posting and records respectively and initial the books in token of their having seen them.

712. (a) The posting clerk will be guided by the instructions given to the posting clerk on the Original Side, and adopt them suitably. He will maintain the Hearing Book properly and will be responsible for the proper posting of all cases and applications.

(b) He will note in pencil at the bottom of the reverse of the docket sheet of applications whether the party taking out an application has not served any, and if so, which of the parties, whenever notices to any of them have been taken out. He will also note whether an affidavit of service, counter-affidavit or reply affidavit, or any other paper has been filed whenever the Court has directed the filing of such paper. This is necessary to draw the attention of the Court disposing of these applications to such matters before any orders are made.

713. Unless otherwise directed, Insolvency work will be posted before the Judge on Mondays, before the Master on Thursdays and before the First Assistant Registrar on Wednesdays after lunch (P. Dis. No. 715/61).

714. The Judge's list for Mondays will be settled on the preceding Friday at 11-30 a.m. by the First Assistant Registrar. The Posting clerk will put up a notice of such settling of the list on the previous day for information to the Practitioners and the Official Assignee.

715. The Clerk in charge of the Default Register should give to the Posting clerk, from time to time, a list of cases in which default has been made and the Posting Clerk should see that all cases of default are posted, from time to time, for orders of Court.

716. (a) To avoid errors in the monthly statement of work done by the Master, it is necessary that the Posting clerk should maintain a separate register for all applications, petitions, etc., posted before the Master in the following form:—

Number of application.	Date of filing.	First posting.	Adjournment if any.	Date of disposal.
(1)	(2)	(3)	(4)	(5)

(b) The Register will be sent to the Master every month and the entries in the Register will be brought up to date before submission to the Master.

717. The Posting Clerk will maintain only one Application Register entering all Judge's Summonses and Master's Summonses giving one series of numbers for all applications. For purposes of preparing the statement the applications before the Judge and Master will bear distinguishing marks in the Application Register.

718. The Posting clerk should see that the list of pending Insolvency matters and the list of cases pending Public Examination are brought up to date during the Christmas and Summer Vacations.

719. The Posting clerk will be responsible for the circulation of papers to the Judge and shall also check all the papers received back from the Judge after circulation and after orders are made.

720. The drafting clerk will follow the instructions given to the drafting clerks on the Original Side in drawing up decrees and orders.

721. No application for payment of unclaimed dividend deposited with the Registrar shall be issued without obtaining an endorsement from the Office of the Official Assignee as to the actual state of funds.

722. (a) The drafting clerk will vouch all execution petitions, Master Summonses, and Judge's Summonses.

(b) He will also, while vouching applications see that the names of the applicants and respondents are mentioned in the cause title and return them if they are not so mentioned.

(c) When defective applications are returned for rectification, a time should be fixed for compliance considering the nature of the defects. If the application is not represented within the time fixed, it should be rejected. In any event the time fixed for representation should on no account exceed the time within which the proceeding had to be filed under the rules or an order of Court.

723. (a) In all cases where the Official Assignee applies for Warrants to be issued under Section 36 of the Presidency Towns Insolvency Act, the Office of the Official Assignee shall be required to furnish all particulars about the witness to be arrested namely;

Father's name, Caste, Age, Residence (Name of the street and number of the house in which the witness resides) and occupation of the witness before applying for the issue of the Warrants. If the above particulars are not furnished by the Official Assignee's Office along with the application for the issue of Warrants, the Warrants should not be issued and the application shall be posted again before the Master for orders.

(b) If the Official Assignee does not apply for the issue of Warrants within a period of four weeks from the date of the order, the application for the issue of Warrants shall be automatically lodged or cancelled.

724. Execution Petitions where no steps have been taken by the decree-holder may be posted before the Master for dismissal under Rule 41 of Order XXXIX of the Original Side Rules.

725. Applications should be indexed and papers therein sub-indexed as early as possible and their indexing should not wait until they are finally disposed of. The number of the application and the date of filing should be stated in the index. The proper order of indexing will be—

1. Petition and vakalath.
  2. Master's summons for adjudication.
  3. Affidavit in support of No. (2),
- and so on chronologically. The sub-index numbers should be stated below the general index number as follows:—

9/1, 9-2, etc.

726. (a) Left top corner of the docket is the normal place for general index number and no other serial number, e.g., numbers of the applications for copies or for return of documents should be marked there. They may be noted below the cause title to avoid confusion in picking up the papers referred to in the general index of records.

(b) Petitions memoranda should also be indexed. No paper should be circulated without being indexed.

727. The Copy Complying clerk will follow the instructions relating to the grant of copies on the Original Side.



728. (a) The Record clerk will generally follow the instructions given to the Record-keeper of the Original Side and the attender will work under his directions.

(b) The Record clerk will maintain a Record Receipt and a Record Issue Register.

(c) A separate Register need not be kept for records sent to the Official Assignee. The entries relating to such records should be made in the Record Issue Register.

(d) The Record Clerk should see that all papers bear the seal "Filed" before they are indexed and kept in the respective bundles.

729. Records from other Courts which are produced in the High Court should not be retained here beyond such time as is absolutely necessary.

730. Parties failing to take documents ordered to be returned to them within a month from the date of the order should file a fresh application for return.

731. The Official Assignee, Madras, shall not be required to obtain sanction on a Master's Summons for inspection of records.

732. Orders of attachment received from other Courts shall be registered by the Record clerk in the current register of papers received into and originating from the Insolvency Office. He will then send them to the Drafting clerk or the Accounts Department, as the case may be, for necessary entries being made in their registers and returned to him with a note under their initials that they have been noted. The Record clerk will then take steps to return the Original to the Court issuing the attachment order and get the duplicate indexed and filed in the proper bundles. This must be done expeditiously. If at the time when the attachment or pro-order is served on the Head Accountant there is a smaller sum in deposit than what is shown in the warrant of attachment, the fact should be noted by the Head Accountant in the original and duplicate order sent to him and the fact that the attachment was received and returned so endorsed should be noted in the Register. The Prohibitory orders should be brought to the notice of the Court when any orders are passed regarding execution, payment out, investment, etc.

733. A Petition by a creditor should contain the verification at the end as in a plaint together with the affidavit of verification.

734. Section 36 of the Presidency Towns Insolvency Act cannot be invoked in a case wherein the liability is the result of certain transactions which the Official Assignee had in the course of the Administration of the insolvent's estate with third parties subsequent to the adjudication. The operation of the section should be restricted to the discovery of the properties of the insolvent.

735. Advertisements made by the Official Assignee in the Government Gazette regarding notice to declare dividends should be separated and filed in the Insolvency office so as to enable the office to verify advertisements before posting proportion accounts before Court for dividends being declared.

736. If the debtor states in his petition for adjudication that he is a "Pauper" as defined by Order I, Rule 4 (7) of the Insolvency Rules, the Office should merely on the strength of the statement in the petition that he is a pauper have his petition admitted and filed according to the Rules.

737. Every Petition by a Debtor should contain an averment as to whether the debtor has or has not filed any petition in Insolvency previously in this Court or in any other Court and if the debtor is a Government servant he must inform his Official superiors of his intention to file his petition in insolvency and should state in the petition that he had done so.

738. Master's Summons under Section 36 of the Presidency Towns Insolvency Act taken out for directions to debtors outside Madras and for amounts below Rs. 10 need not be issued. As regards debtors within the City of Madras, Master's Summons under Section 36 may be issued even in cases below Rs. 10.

#### SHERIFF'S SECTION.

739. The Sheriff's section will be directly under the control of the Deputy Sheriff (a member of the High Court establishment) subject to the overall control of the Manager, Original Side. His duties mainly are :

(a) to arrange for the proper distribution of Processes, warrant, etc., to all the Bailiffs for execution.

(b) to assist the Sheriff of Madras in convening public meetings or entertainments as and when required by the Sheriff of Madras.

(c) to attend to the sale of movable and immovable properties attached, under the necessary orders.

(d) to attend to general routine work of the section such as signing, return of Processes, etc., by the Bailiffs, Certificates, Notices, etc.

(e) to deposit moneys, collected by way of sale of attached properties, to the Accounts Department and be responsible for all the movable properties attached, and

(f) to supervise the work of the clerk and Bailiffs and to see that the registers under his charge are maintained properly.

740. The Clerk of the Sheriff's Section will be responsible for the registering of letters, G.Os., Insolvency notices etc., and for the despatch of all correspondences in the section including return of Processes and for maintenance of the following registers viz. :

1. Register of summonses,
2. Register of Processes issued in Insolvency for execution,
3. Inventory Register for attached movables,
4. Register of fees,
5. Register of warrant of attachment,
6. Register of warrant for sale and
7. Personal Register.

741. The Bailiffs in the section will be responsible for the proper and speedy execution of the Processes entrusted to them. They will endorse, on the returns, the manner of service, etc., which should be duly signed with date. Attached goods realized in execution, by the Bailiffs will be kept in the High Court's property room until such time orders for necessary disposal are obtained. The Bailiffs will hand over all moneys, realized in execution to the Deputy Sheriff immediately on receipt. The Deputy Sheriff will also forthwith cause deposit of the same to the Accounts Department for proper custody and for bringing into account. The Bailiffs will maintain the Process Register in High Court Form No. 771. They will also submit a weekly statement showing the pendency of Processes at the beginning, received and disposed of for the week and the pendency at the end of the week which will be placed before the First Assistant Registrar, Original Side for perusal.

## PHOTOSTAT SECTION

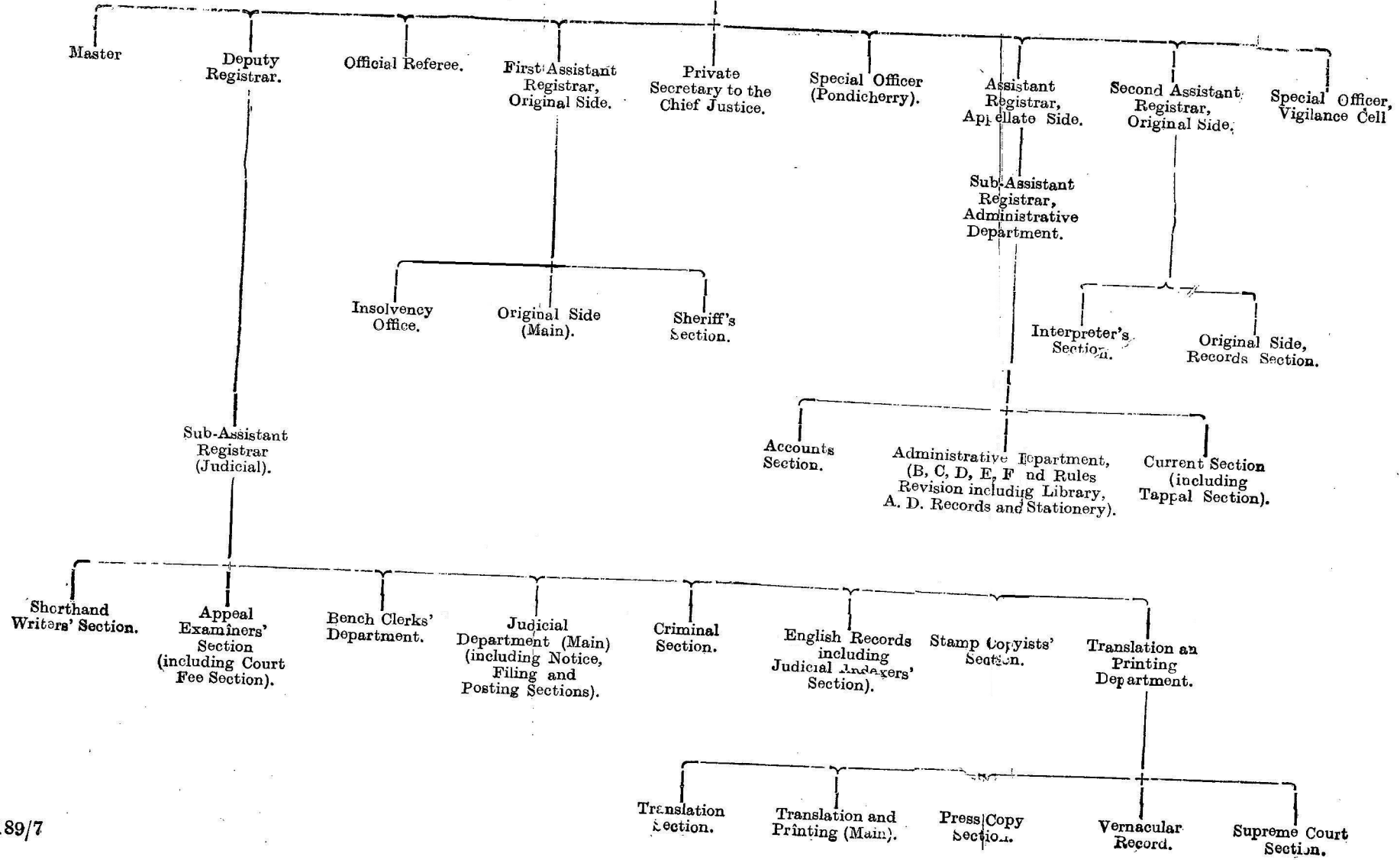
742. The (Chief) Photostat Operator who should be well conversant with operating on the machine, will be responsible for the proper functioning of the section. He will be assisted in his work by the Assistant Photostat Operator.

743. The duties of the Photostat Operator include besides operating on the machine, the maintenance of the following registers, viz., Stock book, Daily statement of work, Machine maintenance register, Register of work done and charges collected. He should register all cases received from other section for purpose of taking copies on the Photostat, make necessary entries in the relevant registers, give estimates to all plans to be copied, return the originals to the respective sections after the Photostat copies are taken. He will attend to all correspondence relating to Photostat work.

744. The Assistant Photostat Operator will discharge the functions of the Photostat Operator in the absence or during the leave period of the latter. It is the duty of the Assistant Photostat Operator to see that any defects or repairs to the machine noticed are immediately brought to the notice of the Photostat Operator and the Manager, Original Side and that necessary steps are taken to rectify the defects/repairs immediately. The machine maintenance Register therefor should be duly maintained. The Assistant Photostat Operator will assist in the preparation of chemical solutions, feeding of the originals on the subject board of the machine, washing, trimming, sorting and arranging the photostat prints and in the upkeep of the machine.

**ANNEXURE-I.**

**REGISTRAR**



ANNEXURE II.  
THE REGISTRAR.

The Registrar has overall control over the entire administrative and judicial work (including the Original Side) of the High Court.

He deals with all administrative correspondence with the Government, Subordinate Courts, etc., in regard to Judicial Officers, Staff, Rules, Legislative Bills, Establishment and continuance of Courts and Staff, Finance, Statistics, Forms and Library. He is the appointing authority for the High Court establishment up to the grade of Special Clerks/Translators. He is vested with powers to re-appoint or promote members to the category above that of Special Clerks/Translators. He controls the expenditure of the High Court and signs all Cheques, Establishment Pay Bills, etc. He attends to the distribution of briefs in Referred Trials etc., and passes the receipts of the Advocates for their fees in that behalf. He is in charge of the entire High Court Buildings and attends to correspondence relating to allotment of chambers and garages.

All the Officers of the High Court exercise their respective powers subject to the general control of the Registrar and they are expected to assist the Registrar in the day-to-day administration of the various functions in the High Court.

## MASTER.

He has to pass decrees and dispose of applications under Order VII of Original Side Rules, in cases where leave to defend is not granted. He has to pass orders for confirmation of sale. All applications relating to the matters referred to in Order XIV, Rule 10 of Original Side Rules will be disposed of by the Master. He has to deal with all Chamber Applications posted before him in the first instance and to issue appropriate directions, before they are posted in the Chamber list. He has to take evidence and record his findings in liquidation proceedings, etc., and in cases referred to him by the Court. He has to deal with all Execution Petitions. He has to admit suits filed under Order XIII of the Original Side Rules. He holds public examination of insolvents, besides the First Assistant Registrar and decides applications for adjudication of insolvents on petitions by debtors. He disposes of all Interlocutory Applications and Garnishee summonses and summonses under sections 33 and 36 of the Presidency Towns Insolvency Act. He passes orders in all matters set out under Order XVIII of the Insolvency Rules.

The following matters will be posted before the Master : --

- (i) Court Fee references in all categories of cases.
- (ii) Master's Summonses in Suits and Original Side Appeals.
- (iii) Default in payment of batta for service of notice, etc., in various categories of cases.
- (iv) Passing orders on batta filed in 'Stay' and 'Injunction Orders'.

On the Administrative side, the following subjects are attended to by him :—

(i) Applications for Temporary Advance, Part-final withdrawal from General Provident Fund.

(ii) Conveyance and House Building Advances.

(iii) Audit Reports relating to Official Receiver and Official Liquidator.

(iv) Transfer of members of Madras Judicial Ministerial Service (below the rank of Sarishtadars), Record clerks and Last Grade Service personnel.

(v) Continuance of temporary staff in Subordinate Civil and Criminal Courts.

(vi) Renting of Private buildings by Subordinate Courts.

(vii) Sanction of Permanent Advance to Subordinate Courts.

(viii) Library supervision and maintenance in regard to the working of the staff, binding of books, reports, etc., pasting of slips, etc.

All the above will be subject to the Registrar's general control.

(ix) Periodical inspection and check of English Records, Vernacular Records, Bench Clerks' Department (in regard to drafting and revising work) and Notice Section for prompt despatch of work.

(x) He will also have supervision over all the sections on the Original Side.

(xi) Such other matters that may be entrusted to him by the Registrar under orders of the Honourable Chief Justice.



## DEPUTY REGISTRAR.

The Deputy Registrar has direct control over the Judicial Department, Bench Clerks' Department, Translation and Printing Department on the Appellate Side. All notes to Honourable Judges on the Judicial Side are approved by him. He approves the note made by the Appeal Examiner regarding the return of papers to Advocates for rectification of defects. He admits First Appeals, Original Side Appeals and Letters Patent Appeals (leave granted cases), Civil Miscellaneous Appeals (except cases of remand) and Civil Miscellaneous Second Appeals and directs posting before Court such of those he considers necessary. He also issues directions relating to the posting of cases, the preparation of the daily cause list, the warning (rough) list, adjournment of cases from the warning list, etc. He supervises the work of the Stamp Copyist and Press Copyist establishments. He is in charge of the matters relating to the Last Grade Service establishment, i.e., appointment, promotion, leave, retirement, disciplinary matters, etc. The seal of the High Court used for sealing the orders, etc., will be in the custody of the Deputy Registrar and he will see to it that the same is properly used. He also deals with certain administrative matters in regard to the upkeep of the buildings, approving notes and drafts on periodical returns, General Provident Fund withdrawal applications, confirmatory leave proceedings of officers, supply of clothing to inferior establishment of the High Court, notes of inspection of lower Courts, etc. He will also attend to such other matters as may from time to time be entrusted to him by the Registrar under orders of the Honourable the Chief Justice.

## OFFICIAL REFEREE.

He will scrutinize various registers maintained in the Accounts Department, viz., Daily Cash Balance Register, Contingent Register, Service Registers, etc. He will conduct execution sales. He will check salary statements of Accounts Department. Attestation of Service Registers by members of the staff will be done in his presence. He will approve draft judgments and decrees in modified and allowed cases (Appeals, Second Appeals, Civil Miscellaneous Appeals, etc.). Issue of judgments and advance orders in Referred Trials, Criminal Appeals (in allowed cases) approval of Bail Orders. Issue of warrants under section 367, Criminal Procedure Code. Issue of notices in contempt applications and *Habeas Corpus* petitions. Examination of judgments submitted by the Judicial Indexer. Issue of refund certificates under the Court Fees Act and Taxation References for fixing the fee payable to Advocate in an appeal or a petition. He will also attend to any other matter that may be entrusted to him from time to time by the Registrar under orders of the Honourable the Chief Justice.

ADDITIONAL ASSISTANT REGISTRAR AND SPECIAL  
OFFICER, PONDICHERRY SECTION.

He has direct supervision over the Pondicherry Section. In addition to all Judicial matters connected with Union Territory of Pondicherry, the following work will be attended to by him :—

1. Approving orders in Writ Petitions, Writ Appeals, Civil Revision Petitions.

2. Approving of urgent and other orders in all Miscellaneous Petitions in Writ Petitions and Writ Appeals.

3. Approval of notes on Periodical Statistical returns of Principal District and Sessions Judge, Pondicherry.

4. Correspondence with Principal District and Sessions Judge, Pondicherry and the Government of Pondicherry in respect of administrative matters.

5. Such other work as may be assigned to him by the Registrar under orders of the Honourable the Chief Justice.

## FIRST ASSISTANT REGISTRAR, ORIGINAL SIDE.

The First Assistant Registrar has general control of the Original Side establishment. Admission of Original Petitions for Probate, Letters of Administration and Succession Certificates and Petitions under the Guardian and Wards Act, Indian Divorce Act, Companies Act, Arbitration Act, Patents and Designs Act and other Special Acts and directing the issue of notices and citations. Approval of drafts in regard to Letters of Administration, Probate, Succession Certificates, Caveat notices and of the draft decrees and orders passed by the Court, notes in default matters in respect of Inventory and Account, cancellation of Security Bonds and attending to general correspondence and those relating to testamentary matters. Examining and vouching amendments to Plaints, Petitions and Applications ordered by the Court or the Master. Passing orders on Execution Petitions except those relating to the appointment of Receivers, Garnishee proceedings and applications against sureties under section 145, Criminal Procedure Code. Settling proclamations of sale and issue of directions to the Deputy Sheriff regarding the conduct of sales in the case of attached properties. Attending to all contempt Applications including posting before Court and carrying out directions of the Court thereon.

Settling daily cause lists, signing certificates of part and non-satisfaction of decrees, passing orders on application for return of documents in dispose of cases. Admitting Insolvency Petitions. Approval of all orders and warrants in insolvency

matters, public examination of insolvents (in addition to the Master), passing orders in Execution Petitions and applications for transmission of decrees with prescribed certificates and other documents. Such other work as may be assigned to him from time to time by the Registrar under orders of the Honourable the Chief Justice.

DUTIES OF THE PRIVATE SECRETARY TO THE  
HONOURABLE THE CHIEF JUSTICE.

1. Critical review of all statements, calendars, reviews from all the Subordinate Courts both Civil and Criminal.

2. Critical review of the working of all sections in the High Court and their pendency statements.

3. The maintenance of the Court Hall and Chambers of the Honourable the Chief Justice and the Conference Hall.

4. Going round the High Court buildings once a week and reporting any material defect.

5. Ensuring the presence of the Police in their posts of duty throughout.

6. Fixing of interviews with and the engagements of the Honourable the Chief Justice.

7. Such other work as may be assigned by the Honourable the Chief Justice from time to time.

## ASSISTANT REGISTRAR, APPELLATE SIDE.

The Assistant Registrar deals with routine correspondence relating to Periodical returns, Official Receiver's accounts, Establishment of Courts, etc., and approves the drafts in routine matters. Judgment/Orders in all dismissed appeals, petitions, etc., are approved by him except the Orders in Civil Revision Petitions. All letters are opened in his presence by the Tapal clerks and distributed to the various sections or departments. Such other work as may be assigned to him by the Registrar from time to time by orders of the Honourable the Chief Justice.

SECOND ASSISTANT REGISTRAR,  
ORIGINAL SIDE.

1. Passing of Accounts of the Receivers, Guardians, Official Liquidators, etc.
2. Testing securities and sureties in cases where security has been ordered to be furnished to the satisfaction of the Registrar and Honourable the Chief Justice and approving the Bonds.
3. Checking of interest accounts of suit moneys maintained by the Accounts section.
4. Passing orders on suits and matters posted for default and on affidavits by the agents in suits on behalf of the Principal.
5. Admission of complaints.
6. Approving draft orders/decrees of the Master passed in cases on the Original Side and in cases dismissed for default.
7. Signing of sale certificates.
8. Issue of orders for fresh summonses in Original Suits and of warrants of arrest and attachment.
9. Closing of the Diary Daily Receipts Register.
10. Periodical inspection of the Original Side Records and the Record room.
11. Attending to all Election Petitions and correspondence relating thereto.



12. He will also have a check over the work of the Overseer and his subordinates, i.e., in regard to their attendance and duties and the maintenance of cleanliness in the High Court compound including the several new blocks of buildings, the garden, etc.

13. Superintendence of the Copyist Department with reference to arrears in that section.

14. Such other work as may be assigned to him by the Registrar under orders of the Honourable the Chief Justice.

SUB-ASSISTANT REGISTRAR, ADMINISTRATIVE  
DEPARTMENT.

The whole Administrative Branch will work under the supervision of the Sub-Assistant Registrar (Administrative Department) who will be responsible for the punctual disposal of the work except in respect of the accounts. Signing of fair copies of all correspondence except the letters to Government. Issuing checkslips to lower Courts in periodical returns, summonses for service in foreign territories such as Singapore, etc. Issuing reminders to all except to the Government, papers specially referred to him by the Registrar, Deputy Registrar or Assistant Registrar. Recording of all papers to be closed or lodged. He will have direct supervision over the following sections, viz., Accounts department, section dealing with posting of Officers in the cadre of District Judges, Sub-Judges, etc., Services section, Budget section, Section dealing with postings and transfers of Magistrates, Rules and Rulings, Library, Stationery and Administrative Records.

Checking of Personal and Periodical Registers of the members of the Administrative Branch and their fortnightly statements of pendency. Such other work as may be assigned to him by the Registrar from time to time.

He is also authorized to use fascimile signature stamp in all routine matters (intended for communication to a large number of Courts or officers) and for endorsements on enclosures to be returned. He will however see that all such affixtures are made only in his presence and that the fascimile stamp is not taken out of his possession.

SUB-ASSISTANT REGISTRAR,  
APPELLATE SIDE.

He is having overall supervision over almost the entire Appellate Side wing, viz., Judicial (Main), Translation and Printing Department, Bench Clerks' Department, Stamp Copy and Press Copy, English Records and Vernacular Records.

Issuing of notices and calling for records in all cases on the Appellate Side. Signing fair copies of all letters issued from the Appellate Side except those addressed to Government, Signing fair copies of all Judgments, Decrees and Orders issued from the Appellate Side (except orders in Referred Trials) in respect of Office copies approved by either the Official Referee or the Assistant Registrars.

Such other work as may be assigned to him from time to time by the Registrar.

He is authorised to sign all routine notices issued from the sections under his charge. He is also authorised to use fascimile signature stamp in the following cases :—

- (a) Notices.
- (b) Intimation to Subordinate Courts as to admission of Appeals.
- (c) Calling for records.
- (d) Endorsements on enclosures to be returned.

He will see that the fascimile stamp is not allowed to go out of his possession and that the affixure is done only in his presence.

ANNEXURE III.  
QUESTIONNAIRE.

GENERAL.

(Common to all sections in the Administrative Department.)

1. *Personal Registers* —

- (a) Are they written up-to-date correctly and neatly ?

Are the abstract of subjects in column (4) of the register entered in an intelligible manner ?

- (b) Are the dates and nature of disposals noted against each number as soon as disposed of ?

- (c) Is there unnecessary delay in disposing of the correspondence with reference to columns (3), (7) and (8) ?

- (d) Are delays noticeable in papers, if any, pending for more than six months accounted for ?

- (e) Are reminders issued systematically ? Were reminders received replied promptly with reference to columns (9) and (11) respectively ?

- (f) Have the papers of the previous year remaining undisposed of on 31st December been carried forward to the Current year's register on 1st January and entered at the beginning of the first volume of the Registers ? Whether the Sub-Assistant Registrar (Administrative Department) has checked the new register to see whether any outstanding currents have been omitted to be entered in the new register ?

- (g) Are the registers being checked periodically and effectively by the Superintendent and the Sub-Assistant Registrar ?
- (h) Is a run-on-file maintained and are rectification of defects watched ?

2. *Periodical Register*—

(For B, C, D and E Sections.)

- (a) Are the periodical returns advance statements to the High Court duly entered at the beginning/close of each period, showing the offices from which they are due ?
- (b) Are reminders issued for the returns due ?
- (c) Are check slips issued for getting the mistakes, if any rectified ?
- (d) Are the returns dealt with without delay ?

3. *State of Disposals*—

- (a) Have all the papers disposed of been duly stitched with docket sheets, wherever necessary, indexed and sent to the Record without delay and acknowledged by the Record-keeper ?
- (b) Have back and forward numbers of precedents bearing on the same subject been entered in the docket sheets to facilitate easy reference ?
- (c) Are indices prepared for the disposals and kept in each seat neatly and separately for each of the series and years ?
- (d) Does each clerk send an arrear list to the officer once a fortnight ?

4. *Call Book*—

- (a) Is it properly maintained? Have any currents been improperly closed by taking them to the call book?
- (b) Is action taken promptly on references noted in the call book?

5. *Stock files and circular files*—

Are they maintained for each section?

6. Is a file of copies of Government Orders kept chronologically and up-to-date?
7. Is a register of precedents kept subject war?
8. Has necessary action been taken with reference to all the material defects pointed out at the last inspection? If not, what is the explanation?

(NOTE.—The above questions will apply to all sections in the Administrative Department.)

**B SECTION.**

9. Are the following registers maintained up-to-date?

- (i) Confidential Register.
- (ii) Communal Roster.

10. *Probation Register*—

- (a) Are the language tests passed by District Munsifs entered in the Register immediately on receipt of intimation to that effect?
- (b) Does the Register show that periods of officiating service are being noted regularly?

- (c) Is this Register examined every month and action initiated well in advance in all cases due, for declaration of the completion of probation ?
- (d) Are declarations of completion of probation issued promptly ?
11. Is the Register of substantive appointments maintained ?
12. *Pension and Gratuity*—  
Is a list of persons due to retire in the coming year maintained ?
13. *Suspension*—  
Are steps taken to conclude expeditiously the disciplinary proceedings against persons under suspension ?
14. *Register of assumption and relinquishment of charge*—  
(a) Are reports of assumption and delivery of charge noted promptly ?  
(b) In cases in which report has not been received, has action been taken to call for it ?
15. Are statements of property and relations obtained annually and kept ready for reference ?
16. *Notification Register*—  
Are notifications of appointment, leave, etc., promptly and consecutively entered and is the register kept up-to-date ?

17. *Register showing subjects marked for meeting of the Judges—*

Is this well maintained and are the entries up-to-date ?

18. *Register of casual leave of District Judges and other officers—*

Are entries made regularly and promptly ?

19. *Circulation Register—*

(a) Is it properly maintained ?

(b) Are steps taken to get back the files and books, if any from the Judges whenever they are held up in their residences ?

20. *Disposals numbering Register—*

Are disposals numbered properly and promptly on the dates of closing or recording of the files ?

21. *List of Gazetted Officers (Judicial)—*

(a) Is this maintained correctly up-to-date and compiled biennially/annually and sent to press for printing ?

(b) When was the last list compiled ?

22. *Personal files—*

(i) Are personal files for all Judicial officers maintained properly and up-to-date ?

(ii) Are adverse remarks, if any, communicated to the officer concerned ?

(iii) Whether there is any delay in submission of the reports to the Honourable the Judges.



### C SECTION.

23. *Register of allotment of approved candidates for appointments in the City offices—*

Is it kept up-to-date ?

24. *Communal Roster—*

Is it maintained ?

25. *Whether Office Notes on Service Appeals are submitted to Judges within six weeks.*

26. *Advances—*

Are the applications for the grant of all advances attended to promptly in the order of receipt ?

27. *Is the Register for sale of Books and Publications kept up-to-date ?*

### D SECTION.

28. *Register of sanctioned scale of establishment—*

(a) Is this Register maintained properly ?

(b) Are the entries relating to additions and reductions noted promptly ?

29. *Is the Permanent Advance Register maintained by the compilation clerk ?*

30. *Control of expenditure—*

(a) Is the Register of expenditure and liabilities maintained accurately in the proper form ?

(b) Have the required heads of expenditure and appropriation therefor been entered ?

- (c) Have the progressive totals been made under all the detailed heads every month?
- (d) Is the progress of expenditure proportionate to the appropriation?
- (e) Has action been taken in time to obtain additional appropriation or to propose surrender wherever necessary?
- (f) Is reconciliation effected regularly, every month?
31. (a) Are steps taken promptly in regard to continuance of temporary Courts and staff?
- Is the Register therefor maintained properly?
- (b) Whether proposals received for sanction of new Courts attended to promptly?
32. (a) Whether proposals relating to major works attended to promptly?
- (b) Whether progress of the works is reviewed periodically?
- (c) Whether special repairs and improvements to the buildings in the High Court compound are carried out promptly?
33. *Are the annual consolidated statement of receipts and charges of Process Service and Copyists establishments regularly checked every year and orders obtained thereon?*

34. *Are separate Inventory Registers maintained in respect of—*

- (a) Office furniture such as tables, chairs, wooden and steel almirahs, iron safes, and clocks.
- (b) Bicycles.
- (c) Have all supplies obtained or purchases, since the date of last inspection, been entered in the relevant registers?
- (d) Is physical verification of the articles of furniture made periodically?
- (e) Is a Register of furniture sent to the residences of Honourable Judges maintained?

35. *Is the furniture kept in proper repair?*

36. *Are unserviceable articles condemned and written off under proper sanction?*

How are such articles disposed of?

37. *Register of allotment of Law Chambers—*

Are applications for allotment dealt with promptly in the order of receipt?

38. *Register of rents in respect of private buildings taken on lease for accommodating Courts—*

- (a) Is this maintained up-to-date?
- (b) Does the Register show any arrears of rent or lease amount due for a long period?

39. *Register of electrical fittings and fixtures—*

- (a) Is this properly maintained?
- (b) Are the entries up-to-date?
- (c) Are the existence of the fixtures periodically checked and by whom?

40. Are the High Court buildings and compound (including garden) inspected periodically and prompt steps taken for improvements wherever necessary?

[Note the condition of the trees planted in the compound as part of the Tree Planting (Vanamahotsava) Programme.]

41. *Circulation van—*

Are the Registers prescribed under the Motor Vehicles Act, Madras Road Traffic Code and Rules as are applicable to the van maintained and are they checked periodically?

42. *Fire Extinguishers—*

Are the fire fighting appliances kept in good order?

43. Is the Flag in good condition?

Are the old flags destroyed as enjoined by the Rules?

44. *Portrait Gallery—*

- (a) Is the portrait gallery neat?
- (b) Are the name boards of Judges neat and up-to-date?

45. *Register/File of notifications relating to territorial jurisdiction of Civil Courts—*

Is this maintained properly and checked periodically and revised whenever there are changes?

46. Is the continuance of temporary Courts and staff sanctioned from time to time watched periodically with reference to the entries in the call book and action taken whenever necessary?

### E SECTION.

47. *Are the following Registers maintained—*

- (1) Confidential Personal Register.
- (2) Communal Roster.
- (3) Probation Register.
- (4) Register of substantive appointments.
- (5) Pension and Gratuity.
- (6) Register of assumption and relinquishment of charge.
- (7) Notification Register.
- (8) Personal Files.

NOTE—These registers may be checked with reference to the question No. 1 to 16.

48. Are statements of property and relations of Magistrates (Judicial) obtained periodically, and kept ready for reference?
49. *Register/File of notifications relating to territorial jurisdiction of Criminal Courts—*

Is this maintained properly, checked periodically and revised whenever there are changes?

50. (a) Is the continuance of temporary Courts and staff sanctioned from time to time watched periodically, with reference to the entries in the call book and action taken whenever necessary?
- (b) Are proposals for new Courts attended to promptly?
51. (a) Is the Register for indent of clothing (livery) to Last Grade Government servants maintained?
- (b) Is the distribution of livery attended to promptly?
- (c) Is the Dhoby Register maintained properly?
52. *List of Magistrates (Judicial)*—
- (a) Is a list of Additional First Class Magistrates and Sub-Magistrates prepared from time to time and revised biennially/annually and sent to press for printing?
- (b) When was the last of such list compiled?
53. Are the Notes of Inspection of Subordinate Criminal Courts submitted to Judges within three weeks?

#### F. SECTION.

54. Is the Register of recognized clerks of legal practitioners properly maintained and revised annually?
55. Are the Notes of Inspection of Subordinate Civil Courts submitted to Judges within three weeks.

56. *Maintenance of—*

- (a) Amicus Curiae and Referred Trial Panel for Criminal Cases.
- (b) Amicus Curiae Panel for Civil Cases.
- (c) Advocates Panel for Official Assignee and Administrator-General and Official Trustee.

Are these Panels compiled periodically?

57. *Rules Revision—*

Personal Register and Arrears statement.

These may be checked with reference to the queries Nos. 1 and 3 (d).

## 58. General remarks on the working of the section.

### QUESTIONNAIRE.

1. *Accounts Department—*

Is the Daily Cash Balance Register kept up-to-date?

- (a) Are the amounts collected regularly remitted into Bank receipts duly obtained and filed in order?
- (b) Whether the cash balance has been verified by an officer of the High Court once in a month as provided in the Standing Order?
- (c) Whether the daily cash balance tallies with the accounts?

(d) What is the cash balance on hand?  
While verifying the cash the following shall be verified :—

- (i) Cash.
- (ii) Cheques.
- (iii) Vouchers available.
- (iv) Securities.

2. (a) Is the Translation and Printing Day Book properly maintained?

(b) Are the amounts collected regularly remitted into Bank; receipts duly obtained and filed in order ?

3. Is the Rent Day Book properly maintained?

(a) Are the amounts collected regularly remitted to the Bank, receipts duly obtained and filed in order?

(b) Is the Rent Ledger kept up-to-date for reference of the amounts due from each occupant of Chambers?

(c) Is the application for refund of rent attended to promptly?

4. Is the Criminal Day Book properly maintained ?

(a) Are the amounts collected regularly remitted into Bank, receipts duly obtained and filed in order ?

(b) Is the Jewel Register well kept and the entries made promptly and duly signed by the officer ?

5. (a) Is the Contingent Register kept up-to date ?

(b) Are the Contingent Vouchers duly filed and cancelled ?



- (c) Whether money orders sent properly entered and acknowledgment watched ?
- (d) Whether money orders received properly accounted for ?

6. *Salaries*—

- (a) Is the Salary Day Book (5) maintained properly ?
- (b) Is the office copy of the Pay Bills bound and kept neatly ?
- (c) Is the salary acquittance monthly statement prepared every month and initials of the officers duly obtained ?
- (d) Are the Service Register Rolls of the staff maintained upto-date with due attestation by the officer ?
- (e) Are the signatures of the staff obtained in column 8 of the Service Registers once a year ?
- (f) Are the property statements maintained for the staff of the High Court and checked periodically ?
- (g) Is the order book maintained properly ?
- (h) Are the leave accounts of the members of the staff maintained up-to-date with necessary entries carried out in the body of the Service Registers/Rolls after return of the members from leave ?
- (i) Is the Casual Leave Register maintained properly ?
- (j) Is action taken for late attendance by members of staff ?
- (k) Is every application for Pension and Death-cum-Retirement Gratuity treated as urgent (Cases of delay of over three months should be explained) ?

7. (1) Whether Travelling Allowance Bills are submitted for signature every month ?

(2) Whether Travelling Allowances Advance is accounted for without delay as soon as the journey is completed ?

8. *Civil Courts Deposits—*

(a) Are the receipts for the amounts received from the parties or advocates issued promptly and without delay ?

(b) Are the miscellaneous A.S. Ledgers and the Day Book kept up-to-date ?

(c) Is the balance in C.C.A.S. Accounts at the end of the month tally with the Reserve Bank of India statement and the statement of Pay and Accounts Officer ?

(d) Are the receipt and repayment registers and A.S. Ledgers properly maintained ?

9. *Register of sale proceeds of Civil and Criminal Rules of Practice and other Publications—*

Are the Registers showing amounts received towards saleable publications of the High Court and remittance to Bank properly maintained and is the reconciliation made with the Stationery Section as to the number of copies sold ?

10. Is the miscellaneous A. S. account closed every month and initials of the officer obtained therefor ?

11. (a) Is the Translation and Printing Refund Day Book maintained up-to-date ?

- (b) Have the Bills for Translation and Printing Refund been prepared and sent to Translation and Printing Dept, for scrutiny without delay ?
  - (c) Are there delays in disbursing the sum due to the Advocates in respect of the Translation and Printing refunds ?
  - (d) Is the Translation and Printing Refund Acquittance Register maintained up-to-date ?
  - (e) Have the undisbursed sums being remitted to the Bank without unreasonable delay ?
12. *Miscellaneous items—*
- (a) Are the Day Books for other items No. 11 maintained properly ?
  - (b) Are the vouchers for receipts and payments kept in order ?

#### CIVIL COURT DEPOSITS.

##### 13. *Original Side—*

- (1) Is the miscellaneous Original Side Day Book kept up-to-date ?
- (2) Is C. C. O. S. account closed every month and tallied with the statement of Reserve Bank of India and that of Pay and Accounts Officer ?
- (3) Are the receipts and repayment registers and Original Side Ledgers properly maintained ?
- (4) Are the vouchers for receipt and payment kept in order ?

14. Are the day book registers, Miscellaneous Original Side maintained properly and the accounts closed every month and initials of the officer taken ?
15. *Suitors accounts*—
- (1) Are the certificates of funds in Suitors account obtained and furnished without delay ?
  - (2) Are the applications for cheques attended to promptly in order of receipts and cheques issued without delay after orders are passed ?
  - (3) Are the investments made without delay before four weeks ?
16. (a) Is the O.R. Day Book kept up-to-date ?
- (b) Are the conveyance charges credited to Government properly ?
17. *Sheriff Accounts*—
- Are the registers properly maintained ?
18. *Probation* —
- Is declaration of completion of probation of the members of the staff taken up promptly ?
19. *Confirmation*—
- Are members of the establishment confirmed in substantive vacancies without delay and is it watched ?
20. *Establishment List*—
- (a) Is the establishment list maintained correctly up-to-date and compiled biennially/annually and sent to the Press for printing ?
  - (b) When was the list last compiled ?

21. *Personal Files* —

- (i) Are personal files for all members of the staff maintained properly and up-to-date and is the register of personal files maintained ?
- (ii) Are default sheets of members of the Last Grade Service maintained properly and up-to-date ?

22. (i) Are incremental arrears drawn without delay ?

(ii) Are supplemental bills prepared and payments made without delay ?

23. *Disciplinary Matters*—

Are steps taken to conclude disciplinary proceedings against members under suspension ?

24. *Is the register of substantive appointments maintained ?*

25. *Advances*—

- (1) Are the festival advance register maintained properly ?
- (2) Are the General Provident Fund advance register maintained properly ?
- (3) Is action taken on the application for advance promptly ?

26. Are the following registers maintained properly ?

- (i) Cumulative Time Deposit Registers.
- (ii) Handloom Credit Sales Registers.
- (iii) Salary Saving Scheme Registers.

27. *Pension and Gratuity*—

- (a) Is the list of persons due to retire in the coming year maintained ?

- (b) Are pension papers of retiring members taken up promptly in accordance with the recent Government Orders and is there any delay in the preparation of such pension papers ?
28. Does the Head Accountant check the Personal Registers and other registers of the staff periodically ?
29. Does the Head Accountant check the Personal Register and put up such papers which are not attended to for over a month for orders of the officer concerned with the explanations for the delay ?

#### LIBRARY.

1. Is the Library Catalogue up-to-date ?
2. Is there any omission of entries of books in the catalogue ?
3. Are the books arranged according to the catalogue ?
4. (a) Are there any books in the catalogue not found in the library ?  
(b) Have the books been physically verified during Summer vacations ?  
(c) Have the missing books been traced ?
5. Are any of the volumes in a damaged condition and beyond repair ?
6. Are there any books which are damaged, but can be mended ?
7. (a) Are all the volumes properly bound and are there any to be bound now ?

(b) Are the Law Reports, Acts and Publications uniformly bound as far as possible and well preserved ?

(c) Whether omission of parts in periodicals brought to the notice of the Publisher promptly ?

8. Are the Personal Registers maintained properly ?

9. *Book Issue Register* —

Is the register in the following from properly maintained ?

(1) Serial number.	(2) Name of the applicant.	(3) Reference for which required.	(4) Description of the book.	(5) Date of issue.	(6) Date of return.	(7) Remarks.
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10 (a) Is the Register of Books circulated to the Honourable Judges properly maintained ?

(b) Are steps taken to see that books circulated to the residences of the Honourable Judges are returned back to the Library ?

(c) Are allotment of books to the newly appointed Honourable Judges attended to promptly ?

(d) Are steps taken promptly to get back the books allotted from the residences of the retired Honourable Judges, then and there?

11. (a) Are the Registers of Bills for Books purchased for

(i) High Court ;

(ii) Civil Courts; and

(iii) Criminal Courts maintained properly in the form given below, so as to watch the expenditure and avoid double payment ?

(1)	Current number.				
(2)	From whom.				
(3)	Number and date of bill.				
(4)	Name of the book and Orders of Government, if any sanctioning such purchase.				
(5)	Amount of the bill.				
(6)	Initials of receiving clerk and date of token number and date.				

(b) Are the bills passed without much delay ?

12. Are the following registers maintained properly—

(1) Registers showing distribution of books (Bookwise).

(2) Register showing distribution of books (Sectionwise).



- (3) Register showing books sent for binding.
- (4) Register showing despatch of books to lower Courts :
13. *Are separate files maintained—*
- (1) for all judicial notifications and orders issued by Government under all acts and published in the Gazette.
  - (2) for all Legislative Bills with statements of objects and reasons.
14. (a) Have the latest amendments to the Acts, Regulations, Rules, Codes, etc., been carried out and kept up-to-date?
- (b) Are the latest amendments carried out in the books kept in Court Halls promptly ?
15. Is the Library kept neat and books preserved carefully by the use of naphthalene balls periodically ?

#### STATIONERY DEPARTMENT.

1. Are the Stationery Stock Register/ Stock Registers for forms maintained properly ? Are they checked every quarter by the officers as required in the Standing Orders ?
2. (a) Is the balance of stock of the previous year carried over and correctly entered in the register for the succeeding year and are such entries checked by the Sub-Assistant Registrar, Administrative Department ?
- (b) Is red entry made in the Stock Register as and when stock is replenished ?

3. (a) Are the articles of stationery neatly arranged and preserved properly ?
- (b) Are articles of stationery issued in accordance with rules and with due regard to economy ?
4. Does the issue of stationery articles conform to the scales prescribed ?
5. Are the Periodical Registers maintained properly ?
6. Are the Personal Registers maintained properly ?
7. Are the periodical indents consolidated and sent to Press according to the cycle of indents ?
8. Is the sale publications register submitted to the Assistant Registrar every month for check and verification ?
9. Has the waste paper accumulation disposed of in accordance with the Government Orders issued from time to time and sale proceeds credited to Government ?
10. Are local purchase register maintained properly and entered in the stock register ?
11. Are the bills passed within reasonable time ?
12. Are requisitions from typists as to the defects in the machine attended to promptly ?
13. Is the 'Avery' machine maintained in good condition ?

## ADMINISTRATIVE RECORDS.

### 1. *Disposals receipt registers—*

- (a) Are separate registers maintained for 'P', 'K', 'R' and 'D' series and are the entries therein up-to date ?
- (b) Are the disposals and index slips received in the record within the time prescribed in the Standing Orders ?
- (c) Does the Record-keeper submit every month to the Assistant Registrar a list showing the disposals pending receipt in the record for over six months ?

### 2. *Record issue register—*

- (a) Is the register properly maintained and are the instructions in the Standing Orders duly observed ?
- (b) Are disposals/records issued only on prescribed slips with reference to the number of the current for which the same are required, given ?
- (c) Are the issue of Gazettes and other periodicals also noted in the record issue register ?
- (d) Are the Gazette parts bound periodically and kept neatly ?

- 3. Is the annual index prepared and sent to the Press without delay and got ready within six months after the close of the Calendar year ?

4. Is a register for missing records in the following\* form maintained and proper steps taken to trace them ?

(1) Serial number.	(2) Date.	(3) Description of the record.	(4) Index or disposal number of record.	(5) Dates when missed.	(6) Date when traced.	(7) Remarks.
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5. Is the destruction work up-to-date ?  
Are there any records ripe for destruction, not destroyed ?
6. Are the record room and racks kept clean and tidy ?
7. Is the general condition of the records and their arrangement satisfactory ?
8. Whether the copies of Government Orders received in A. D. records arranged and kept neatly ?

### QUESTIONNAIRE FOR INSPECTION OF THE CURRENT SECTION.

1. Register showing daily disposal of urgent cases (H.C. Form No. 602)—
- (i) Is this register maintained by the Superintendent and if so, is it well kept ?

(ii) (a) Are all volumes serially numbered, if more than one volume is used in a year?

(b) Are all urgent cases received each day entered on the same date and the serial number carried over to the case bundle?

(c) Is any delay noticed in fair copying and despatch of orders and in the return of records?

NOTE.—For cases other than slip cases, the duration should not exceed ten days.

(d) Are records in cases remanded called for and despatched without delay?

2. *Register of ordinary cases (H.C. Form No. 779)*—

(a) Is this register well kept? Are all volumes serially numbered, and kept well arranged?

(b) Are all cases duly entered on the date of receipt and the serial number noted on the bundle?

(c) Is there any delay or discrimination in typing, examining, despatch of orders and return of records?

(d) Is there any undue delay in consigning the papers to the record after despatch?

(This question to be answered with reference to Circular P. Dis. No. 364/69, dated 1st September 1969 on the subject.)

3. *Register showing distribution of work to typists (H.C. Form No. 780)*—

- (a) Does this register show that the distribution of work among the typists is fair and even ?
- (b) Are the units correctly assessed and noted in the register ? (At least about six cases distributed to a few typists should be selected at random and checked as to the correctness of the assessment.)

4. *Fair copy and despatch register (H.C. Form No. 751)*—

- (a) Is this register properly kept and the relevant columns filled in then and there ?
- (b) Are there any cases of undue delay in copying, examining and despatch ? (Check a few cases to see whether the date of despatch corresponds with the entry in the register.)

5. *Vernacular records—Printed papers—Calling Book (H.C. Form No. 658)*—

- (a) Are these registers maintained and are the entries up-to-date ?
- (b) Are the records/printed papers requisitioned from the Vernacular Records/Criminal Section/Translation and Printing Department, daily immediately after the despatch of orders ?
- (c) Is there any undue delay in compliance with the requisitions ?
- (d) Are they given to the despatcher properly after receipt and despatched without delay ?

(e) Are there any delays in consigning the papers (EB) to the English Record after despatch of the orders, etc., and records, to the lower Court? Are the instructions in the Circular P. Dis. No. 364/69, dated 1st September 1969 followed?

(f) Is acknowledgment of the receiving clerk in E. R. obtained promptly?

6. *Despatch Register and Postage Stamp Account Register (H.C. Form No. 150)*—

(a) Is this register neatly written in particular, the column number and description of labels affixed?

(b) Are there any overwritings or corrections?

(c) Is a daily total struck of all service postage labels spent during the day?

(d) Are the modes of despatch—ordinary post or registered post, etc., properly indicated?

(e) Is the date entered at the beginning of every day and does the serial number start afresh on each day?

7. *Stamp Indent Register (H.C. Form No. 151)*—

(a) Are the indents made periodically and with due regard to the requirements?

(b) Are the service stamps kept under lock and key in the personal custody of the Superintendent?

(c) Is a separate handbook kept for the stamps issued to the despatching clerk? Are stamps given to him properly acknowledged?

(d) Are unused service stamps returned daily to the Superintendent by the despatching clerk and acknowledged by the Superintendent?

(e) Is physical verification of stamps on hand done once in a month by the officers? (Here note the date of last physical verification.)

8. *Register of delivery of local tapals*—

Are the letters promptly delivered and properly acknowledged with dates of delivery by the concerned persons to whom they are addressed?

9. *Distribution Register (Administrative side tapals) (H.C. Form No. 579)*—

Are all the currents received each day entered on the same day, sent to the concerned sections the same evening and acknowledgment obtained from the respective section heads or assistants, the next day?

10. *Distribution Register (Judicial side tapals) (H.C. Form No. 58)*—

Are all the letters received entered the same day, distributed to the concerned clerks the same evening (or next morning) and their acknowledgments obtained properly?

11. *Is the G.O. Tapal Register maintained properly?*

12. *Is the Periodical Book (regarding Library books) (H.C. Form No. 579 Distribution Register) maintained properly, distribution done without delay and acknowledgments duly obtained regularly in column 6?*



13. Is the register in Tapal Section showing the receipt of vouchers and railway receipts maintained properly?
14. *Register of Railway Receipts (H.C. Form No. 777)*—  
Are the vouchers properly kept for records and articles despatched by railway parcel/and for the charges incurred in this respect?
15. (a) Is the Register of Despatch for letters and articles sent by registered Post/Insured Post, maintained properly ?  
(b) Are the return of acknowledgments for the articles sent by Registered Post/Insured Post watched and the vouchers preserved properly ?
16. *Register of confidential tapals (H.C. Form No. 778)*—  
Is it maintained properly and are the entries up-to-date ?
17. *Register of Forms and Stationery (C.F. No. 165)*—  
(a) Are the receipts of items of stationery entered ?  
(b) Are the stationery articles neatly arranged and are the issues made under the supervision of the Superintendent and with due regard to economy ?  
(c) Is the stock periodically verified by the officers? When was such last verification done ?
18. *Typewriters and Duplicators*—  
(a) Are the typewriters and duplicators in good working condition ?

- (b) Are the relevant rules in the Stationery Manual regarding the maintenance of the typewriters and duplicators observed and are the instructions issued by Government from time to time being strictly followed ?
- (c) Are machine cards kept in the prescribed form by all the typists and are the entries therein up-to-date ?
- (d) Are there any instances of breakage on account of typists' inadvertence ?

19. *Typists—*

- (a) Is the distribution of work adequate, fair and even ?
- (b) Is the daily outturn of work checked by the Superintendent every day ?
- (c) What is the average outturn per typist per day ?
- (d) Is the outturn increased periodically or whenever there is rush of work ?

20. *Examiners and Readers—*

- (a) Is there fair and even distribution of work ?
- (b) Is the daily out-turn of work adequate ?
- (c) What is the percentage of outturn for the past three months ?

(d) Do the Examiners and Readers keep their work up-to-date and are special, ordinary and urgent cases and files properly distinguished and do they give preference to special and urgent cases at the time of examination? Are the copies examined properly and initialled by them?

21. *Carbon Copies* —

- (a) Is the register of carbon copies of Judgments, decrees or orders well kept and are proper acknowledgments obtained from the Advocates or their clerks?
- (b) Do the number of copies applied for in the application tally with the number of copies delivered?
- (c) Are the stamps affixed in the application duly accounted for in the S. R. Register and are the stamp centres punched?
- (d) Have all the carbon copies of such orders not taken delivery of by the concerned Advocate(s) been duly notified on the Notice Board once a month and are steps taken for recovery of the charges therefor and are such copies carefully kept? (A test check should be made to see whether undelivered copies are in the bundle.)

22. *State of work*—

What is the average duration for an ordinary case in—

- (a) Fair copying :
- (b) Examining :
- (c) Despatch :

(d) Requisitioning records :

(e) In consigning the bundle to E. R. after despatch (The average for a quarter may be prepared).

23. Does the Superintendent submit to the Registrar daily and fortnightly statement of all non-urgent judicial orders showing cases over two weeks old and with suggestions as to the ways and means to tackle the arrears and bring down the pendency?

24. *Missing records register*—

Is a missing records register maintained? Does it show that diligent steps are taken in the tracing of missing papers? Is it submitted to the officers periodically for check? When was such last check done?

25. *Miscellaneous*—

(a) Is a running note file maintained?

(b) Is an office order book kept?

(c) Is a list of furniture maintained and a monthly verification statement sent to the A.D.?

(d) Are the instructions in Standing Orders relating to the Current Section followed in the administration of the section?

(e) Is a circular file maintained and if so, is it up-to-date?

(f) Is a Movement Register maintained?

(g) Is the accommodation and strength of staff adequate?

(h) Is the supervision of the Superintendent effective?

26. *General Remarks—***QUESTIONNAIRE FOR THE INSPECTION OF THE  
JUDICIAL DEPARTMENT.***A. Chief Posting Clerk—*

- (1) Whether all the 4 parts in each Posting Book correctly maintained? (Part I cases in which judgments are reserved; Part II cases which have been referred to a Full Bench; Part III cases which have been partly heard and either a finding or a report have been called for and Part IV pending cases not heard—No case should be shown pending in more than one of the above 4 parts).

- (2) Whether all the Posting Books have been compared and corrected after they have been re-written by the filing clerks during the last (X'mas or summer vacation?

(Excepting the C.M.Ps. Book for all the other Posting books the same forms i.e., 'Appeal' forms are used. Each book should show the category of the cases, i.e., O.S.As., L.P.As., W.As., S.As., C.M.As. and C.M.S.As., etc., at the top of every page and also the year of those cases shown pending in the page. No abbreviations such as 'Do' or '.,' should be used and in each case the columns should be filled up in full. All the relevant entries relating to a particular case should be made by the concerned clerks only on and above the line.)

- (3) Whether disposal of the cases have been marked correctly and up to-date?

(Marking of disposal includes removal of cross entries (C.M.Ps.) in the last column when those C.M.Ps., were finally disposed of. For instance, if stay has been made absolute or the L.Rs., have been recorded the numbers of those C.M.Ps. should be removed. Particularly in the case of L.R., petitions, as notice in the main case should be taken to the L.Rs., the previous ready entry in the column 'Date of service of Notice' should be removed and the relevant entry "Notice to L.Rs. of C..... C.L, dated....." should be made. If a case has to be taken over to from one part to another, the

number of the case in the previous part should be removed. If a case is otherwise ready except for the bringing on record of the L.Rs., of a deceased appellant or petitioner and if those L.Rs., are recorded as appellants or petitioners, that case will be ready case for hearing on the date of order of the L.R. Petitions and the Chief Posting Clerk should take immediate steps to bring that case in list for hearing, if it is an old one).

- (4) Whether the directions of Court to post cases on a particular date or week or month are entered in the posting book and whether such cases were noted in the Hearing Book of concerned clerk ?

*and*

Whether such cases are posted for hearing according to directions ?

- (5) Whether all the statements (a) Monthly statements of Institutions and disposals of cases ; (b) Monthly statements of year-wise pendency of cases ; (c) Weekly statements of institutions and disposals of cases ; and (d) Weekly statements showing the disposals by the Hon'ble Judges are prepared regularly in the proper forms ?
- (6) Whether the daily cause-lists are maintained in order and stitched and bound at the end of every month ?
- (7) Whether the sitting lists of the Hon'ble Judges are maintained in order and stitched and bound at the end of every year ?

(8) Whether Full Bench cases such as Referred Cases and Matrimonial Causes are included in the Sittings figures submitted to the Honourable the Chief Justice every week, without delay and such Benches are constituted as per directions of the Honourable the Chief Justice ?

(9) Whether orders of the Honourable the Chief Justice obtained to constitute Special Benches for cases as those referred to a Division Bench, S.C.Ps., etc. ?

If so, have they been posted without delay ?

If not, how many cases are pending ? and why ?

(10) Whether the Daily Additions Book (Fresh cases that are to be included in the Fair List) is maintained properly and whether due preference is given in adding old cases ?

*and -*

Whether this Book is submitted to the Deputy Registrar daily while obtaining orders on the letters for adjournments by the Advocates ?

(11) Whether intimation regarding the availability of lower Court records in the cases to be added in Fair List from the Vernacular Records Section received daily ? If so, whether necessary instructions are given to Vernacular Records Section to call for records in cases in which records are not readily available and whether those cases are added in the Fair List immediately after receipt of records ?



- (12) Whether cases ordered to be restored to file by this Court and cases remanded for fresh disposal by the Supreme Court of India are restored in the respective Posting Book in the proper place with the relevant entries that are to be made?
- (13) Whether P. D. cases and Q.R. cases posted early in preference to other cases?

*B. Cause Lists Preparation Clerk—*

- (1) Whether *complete* Weekly Rough list is *prepared and* printed and published on every first working day of the week?

This includes (i) Full Bench List, (ii) Single Judge cases, S. As., C R. Ps. C.M. Ps., etc., (iii) Special Order cases and date fixed cases, (iv) P. D. cases, (v) Q. R. cases, (vi) Bench cases such as First Appeals, O.S.As., L.P.As., W.As. T.Cs., etc., (vii) Special Benches List and (viii) Writs.

- (2) Whether complete Daily Rough list is prepared and sent to press every day without delay?
- (3) Whether Special Order cases, i. e., date fixed, week fixed or month fixed cases are brought in the Rough list as and when due?
- (4) Whether the cases, in which 'Findings' from the lower Court were called for, are brought in the Rough list for the concerned Honourable Judge, soon after the case is notified as ready by the concerned filing section?

- (5) Whether, clean copies of the daily cause-lists are checked with the file books before giving the strike order?
- (6) Whether the press book is maintained properly and whether the approval of the foreman of the press obtained as to the receipt by the press of all the strike orders?
- (7) Whether ready entries are noted in the Posting books promptly as and when the intimation is received from T. and P. Department?

*3. Bench Posting Clerk—*

- (1) Whether all the Special Benches Rough lists are included in the weekly Rough list?
- (2) Whether default cases (Bench cases) are posted before Court without delay?
- (3) Whether appeals under clause 15 of the Letters Patent against Orders in applications are expedited and posted early at the top of the list?
- (4) Whether contempt applications are posted on the specified date of hearing?
- (5) Whether hearing book is maintained correctly and the cases are posted on the adjourned date?
- (6) Whether petitions to excuse the delay in seeking to set aside abatement and to set aside the abatement caused by the death of a party in Bench cases are posted before Court without delay?

*D. Writ and Admission Posting Clerk—*

- (1) Whether Hearing Books are maintained correctly and the cases posted on the adjourned dates?
- (2) Whether Ordinary Writs (Not Motion Cases) for admission are posted before Court on all the days of the week without accumulating them?
- (3) Whether there is delay in the posting of cases?
- (4) Whether appearances for the respondents are verified and the lists corrected (C. M. Ps. list) before giving strike orders?

*E. Master and Deputy Registrar Posting Clerk—*

- (1) Whether Hearing Book is maintained correctly and the C. M. Ps. posted on the adjourned dates?
- (2) Whether matters for the Rough list from the Notice Section received without delay and the Rough list is called for from the press in time?
- (3) Whether monthly statements of disposals prepared and submitted?

*F. Printed Papers Clerk.—*

- (1) Whether the papers (J.J's P.P.) are kept neatly in order?
- (2) Whether the papers are collected from the filing sections and T. and P. Department as and when new cases are added in the Rough lists?

## NOTICE SECTION.

### A. *Superintendent-Notice Section—*

- (1) Whether daily statements of the work done by each issue clerk is submitted?
- (2) Whether cases are distributed daily for issuing notice and whether short notice cases and old cases are distributed among all the issue clerks and expedited?
- (3) Whether (i) Intimations, regarding fresh batta for unserved respondents that are to be put up on the Court Notice Board and (ii) Batta returns, are checked daily?
- (4) Whether fresh battas and tappals received daily and distributed to the concerned Portfolio clerks?
- (5) Whether precedent file is maintained properly?
- (6) Whether batta refund orders of unused battas are obtained every month and such orders are entered in the Stamp Registers?
- (7) Whether an Interim Order Register is maintained properly and is submitted through the Posting clerk on the first week of every month to the Sub-Assistant Registrar?

### P. *Port-Folio Clerks—*

- (1) Whether the Preparation Registers are maintained properly?
- (2) Whether short notice cases are distributed to Issue clerks immediately on receipt of batta?

- (3) Whether all the default cases posted before the Deputy Registrar or the Master without delay and whether the Rough lists are prepared carefully and sent to Press in time?
- (4) Whether the default cases directed to be posted before Court, transferred to Posting Section without delay?
- (5) Whether on receipt of intimation of the death of an Advocate, a list of cases in which he entered appearance has been prepared and memo. to the parties has been issued?
- (6) Whether orders of the Assistant Registrar dispensing with notice to the respondents who remained ex-parte or absent in the lower Court, obtained without delay?
- (7) Whether notice of intimation, with the reason for the non-service on the respondent and the amount of fresh batta is displayed in the Notice Board promptly?
- (8) Whether cases that are awaiting orders in another petition (Await Civil Miscellaneous Petition cases) verified and checked periodically? If that Civil Miscellaneous Petition has been filed whether the Civil Miscellaneous Petition Portfolio Clerk expedites it at every stage?
- (9) Whether in Writs, Orders are obtained to issue Fresh *Rule Nisi* without delay and the papers sent to B. C. Department immediately?

*C. Issue Clerks—*

- (1) Whether notices in the short notice cases issued immediately on receipt?

- (2) Whether battas are returned with all the requisitions to be complied with to avoid another return and delay?
- (3) Whether appearance for the respondent verified before issuing notice?

### FILING SECTION.

*(Common to Appeal Filing, Second Appeal Filing and Miscellaneous Filing Sections.)*

1. Are all the File books and registers properly maintained with all the columns properly filled in and well kept?
2. Is there any delay in registering in the respective File books, the cases received from the Receiving Section and in circulating them to the Judge in the administrative charge of the district?
3. Are cases directed to be posted before Court under Order XLI, Rule 11, Civil Procedure Code, transferred to Posting Section and posted before Court without delay?
4. Are notices put up on the notice board promptly for the information of the practitioners regarding orders passed in circulation and are the dates of putting up on the notice board and the orders passed in circulation noted in the concerned File books?
5. Is the 'in' numbering of all papers in the E.B. properly done before circulation?

6. Are there any delays in calling for records and is the date of calling for records properly noted in the respective File books and the E. Bs. transferred to notice Section without delay?

(NOTE.—Records will be called for in 'P. D.' cases only at the time of hearing.)

7. Whether cases that are to be posted before Bench, 'P. D.' or 'N.P. D.' and Pondicherry cases are properly noted in the concerned File books and Posting books?
8. Is the procedure prescribed by S. O. 213 followed regarding circulation of cases to Honourable Judge proceeding on leave?
9. Is the procedure prescribed by S. O. 214 followed with regard to Second Appeals filed together with an application for leave to appeal *informa pauperis* and are such appeals promptly circulated to the Judge in administrative charge of the District as required therein?
10. Are vakalats and appearances received examined and registered without delay and pencil entry made of vakalats returned for rectification of defects (vide S. O. 217)?
11. Are the amendments properly carried out in the E. B., F.B., and the printed papers without delay and are duly certified by the Sub-Assistant Registrar? (S. O. 220).

12. Are the cases in which Findings or Reports have been called for, carefully and promptly watched and necessary action taken and the provisions of S.O. No. 224 carefully followed? (a separate unauthorised register is maintained for this.) Are such cases entered in this register and the relevant columns duly filled in?
13. Are intimation of the receipt of Finding or Report put up on the notice board and entries as to the receipt of finding made in the relevant Posting books and one paper in such cases transferred to Posting Section without delay? (S.O. No. 224).
14. Is the E. R. informed of the filing of appeals under Clause 15 of the Letters Patent or Civil Miscellaneous Petitions for review of Judgments of the High Court, petitions for leave to appeal to Supreme Court, by the Filing Sections? (S O. No. 226).
15. Are all cases after service of notice duly notified on the notice board as required under rule 2 of Order IX of the Appellate Side Rules by the respective Filing Sections?
16. Are the typed papers filed by the appellant and respondent within the time allowed and are they in accordance with rules 3 (i) or 3 (vii) and rule 4 of Order IX of the Appellate Side Rules and are relevant entries made in the Posting Book in the respective column and endorsements as to proof of service made thereon?



17. Are C. D. Applications promptly complied with without any delay and the reasons for pending old applications properly explained ?
18. Are correspondence promptly attended to ?
19. Are directions regarding cases directed to be expedited, promptly and distinctly noted in the filing and posting registers and expedited at all stages ?
20. Are the Filing clerks prompt in delivering English bundles to the Vernacular Record Clerk the moment a case is posted, and is an endorsement made on each bundle as to its correctness ?
21. Are disposals noted weekly in the respective File books and in the concerned Disposal registers by the Filing clerks with reference to Cause List ?
22. Are cross references of all Interlocutory applications filed made in the concerned Posting books in the remarks column and of main cases in the Civil Miscellaneous Petition and Writ Miscellaneous Petition Posting books ? (Miscellaneous Filing Section - S.O. No. 218.)
23. Are notices in Original Side Appeal attended to without delay ? (Appeal Filing).
24. Are "Cases Referred" expedited at all stages ? (Appeal Filing.)
25. Is batta called for without delay in "Cases Referred" to ? (Appeal Filing.)

26. Are Letters Patent Appeals and Writ Appeals transferred to Posting Section for posting them for admission without delay ? (Appeal Filing.)
27. Is there any delay in print cases, in entering Pleadings and Translation and Printing applications in the concerned registers in the Translation and Printing Department and sending them for Reference in Vernacular Records ? (Appeal Filing).
28. Are records in "Cases Referred" cases promptly despatched after disposal ? (Appeal Filing.)
29. Is the Weekly Statement as to the pendency of cases at various stages and the daily Statement as to the pendency and compliance of C D. applications promptly submitted by the Filing sections to the Sub-Assistant Registrar and scrutinised by him ?
30. Are records neatly arranged, bundled and kept in the racks ?
31. Is the supervision of the Head of the Department effective ?

**SUPERINTENDENT (HEAD-CLERK), JUDICIAL  
DEPARTMENT.**

1. Are disposals of cases marked by the Chief Posting Clerk in the Posting books are counter-checked every week ?
2. Are the half-yearly and annual statements submitted to the Government are prepared properly with the assistance of the Chief Posting Clerk ?
3. Are precedent files and circulars files maintained properly ?

4. Are dates of service and dates on which cases given ready entered in the Posting books with the assistance of the Superintendent Notice Section, without delay?
5. Whether quarterly returns cases are marked in the Posting- books and the returns submitted without delay?
6. Whether the Chief Filing Clerk in each section directed to examine the case bundles in his section with reference to the concerned Posting books during the summer vacation?

### QUESTIONNAIRE FOR INSPECTION OF ENGLISH RECORD.

1. Whether requisition for papers from English Record state the purpose for which they are intended for and whether such requisitions are made by means of printed records slips duly filled up as per standing Order (320 old) and if such slips are placed in the proper place in the bundle?
2. Whether entries are made in the register of papers which go out of English Record and come back after reference to Court and other sections?
3. Whether the Indexing and receipt registers are kept up to date?
4. Whether the English Record-keeper acts upon intimation given by the filing clerks for not sending the records in view of the pending review petitions or Letters Patent Appeals, etc., for which the records are required for use of Court as per Standing Order 322.

5. Whether certified copies of orders filed by the parties at the time of admission are retained if the records therein are not printed as per Standing Order 323.
6. Is the Original Side Taxing Clerk goes to the English Record for including bill of costs and if proper facilities are given to him for doing his work as per Standing Order No. 324.
7. Whether Original Side records are sent to Original Side whenever they are called for Court references (Vide S.O. No. 326).
8. Whether the register of pending copy applications is kept up-to-date and originals put up without any delay and the C. D. number promptly noted in the Index sheet stitched in the E.B. ?
9. Whether the destruction work is attended to properly in accordance with the rules and the registers are maintained up-to-date ?
10. Whether the attenders promptly put up the originals in pending copy application and promptly restore them to the bundle on its receipt ?
11. Whether the attenders attend to turn duty by rotation for opening and closing record room ?
12. Whether dusting is being done of the record room every day and of the papers once in a fortnight at least ?
13. Whether the stationery indents are put up properly and accounted for and broken furnitures and rails replaced whenever necessary ?

14. Whether the records received are bundled up then and there and placed in order in the racks without keeping them on the floor thereby causing inconvenience to easy movement?
15. Whether the inspection of records by the practitioners is being done by them by sitting on the long tables placed and provided for that purpose and if the E.R K. or any of his assistants keep a watch over them while the inspection is in progress?
16. Whether the time of starting of inspection of records by the advocates, the closing of it, the intimation of collecting additional stamps if the search continues after a specified time are effectively noted in the search application?
17. Whether there is any delay in answering the correspondence pertaining to the section and if the register intended for the purpose is maintained properly?
18. Whether proper precautions are taken of the papers from being eaten away or destroyed by white ants, and destroyed by fire?
19. Whether the supervision of the English Record-keeper over his assistants and attenders are effective?
20. Whether a register is maintained for the missing papers or for bundles which are incomplete and if prompt action is taken to set at them?

**QUESTIONNAIRE FOR INSPECTION OF THE APPEAL EXAMINERS' SECTION.**

1. Are all papers presented to the Receiving Clerk properly sealed, registered and punched promptly ?
2. Are the entries in the Daily Register of Court-fees realised (High Court Form No. 140) and the Register of unstamped documents (High Court Form No. 143) correctly made in the various columns and whether the total of Court-fee realised struck promptly ?
3. Are the entries made in the registers checked, periodically by the Chief Appeal Examiner ?
4. Are the date seal maintained in good condition ?
5. Are the papers to be examined by Appeal Examiners entrusted to the Distribution Clerk daily and are the receipts from the Receiving Clerk entered in the Distribution Register (High Court Form No. 619) every day and distributed ?
6. Are 'section papers' received by the Receiving Clerk duly transmitted to the concerned sections on the same day under proper entries ?
7. Are urgent cases distributed to the Appeal Examiners for expeditious examination and whether re-presented cases are delivered to Appeal Examiners without delay ?
8. Whether the initials of the concerned Appeal Examiner are obtained against each case allotted to him ?

9. Is the daily statement of work of Appeal Examiners being submitted regularly for the scrutiny of the officers ?
10. Whether the returns made by the Appeal Examiners are exhaustive and not piecemeal ?
11. Whether the papers to be returned to Advocates and parties are notified in the notice board daily in High Court Form No. 144 ?
12. Are the signatures of Advocates or their clerks and parties duly obtained in the register when papers are returned to them ?
13. Are the cases passed by the Appeal Examiners sent for docketing without delay ?
14. What is the oldest case pending in the Docketing Section having regard to the date of passing by the Appeal Examiner ?
15. Are docketed cases numbered and sent to the respective filing clerks without delay ?
16. Are the numbers of cases entered in the respective registers (Distribution Register and the S. R. Book) against the respective S. Rs. ?
17. Is the monthly register of Court-fees realised (High Court Form No. 145) properly maintained and submitted to the officer periodically ?
18. Whether the check-slips issued by Court Fee Examiners duly entered and action taken thereon promptly regarding Court-fee collected, etc., and lodged after obtaining orders of the officer concerned ?

19. Whether the certificates in respect of contingent bills forwarded by the law officers (Government Pleader, Public Prosecutor, etc.) granted without delay?
20. Are entries maintained of cases referred to the Master or Judge and the results noted?
21. Are the circular files and Judgment files up-to-date and in good condition?
22. Are all reference books in good condition and is the library properly maintained?
23. Is the supervision of the Chief Appeal Examiner effective?

### CRIMINAL SECTION.

#### QUESTIONNAIRE FOR INSPECTION.

##### *Presentation of petitions (from jail and by advocates).*

1. Are the petitions received from jail and presented by the Advocates checked without delay? (Verify few cases at random with reference to the date of receipt of jail petitions, date of filing with date of passing).
2. Are there any unnecessary returns of the petitions and are all the defects pointed out in a single return?
3. *Filing*—  
Are the petitions docketed, numbered and filed without any delay in the respective registers by the filing clerk and given to the Head Clerk for circulation to the Honourable Judges (in charge of the district in the case of petitions received from jail), for posting before Court for admission in the case of petitions presented by Advocates?



4. Are all the petitions so given to the Head Clerk promptly circulated and posted, as the case may be, without any delay? (Verify as a test-check a few cases—(Jail petitions and represented cases))
5. Are the records promptly called for soon after it is filed in all the Criminal Appeals (Jail Appeals and Single Judge cases) preferred against the conviction and sentences passed by the Presidency Magistrates? (Verify few cases of this type)
6. Are all the registers maintained properly with all the columns duly filled in?
7. Are the district-war registers maintained properly? (Test-check few cases with the Appeal Filing Register.)
8. Are cases sent to Copyist Department for taking copies of grounds for purpose of issue of notice without any delay and their return carefully watched and immediate action taken after its receipt?
9. Have the records been called for and notices issued without any delay in all the admitted cases and reminders and fresh notices properly issued?

*Appeal Clerk —*

10. Are reminders promptly issued in cases where records have not been received and fresh notices promptly issued in cases where service has not been effected and in cases where, inspite of issue of two or three notices, the parties still remain unserved? Are such cases promptly taken note of and posted before Court for orders? (Verify few cases under section 417.)

11. Are the preparation registers, viz., Referred Trial and Criminal Appeal maintained properly with all the requisite particulars noted against the relevant column ?
12. Is there any delay in the preparation of cases at any stage soon after the receipt of records ? (Verify a few cases at random.)
13. Are cases given ready promptly soon after the papers are made ready ?
14. Are bail reports promptly called for ?
15. Has the Referred Trial preparation register been regularly sent for scrutiny of the officer ?
16. Are cases in which accused are in jail and cases in which the accused are in jail on short sentences, prominently noted in the preparation register and carefully watched at the various stages ?
17. Are the number of copies printed or typed according to rules ?

*Material Objects—*

18. Are the material object registers (both valuable and non-valuable) properly maintained with all relevant columns properly filled in ?
19. Is there any delay in checking the material objects (non-valuables) after receipt and are they promptly submitted to the Sub-Assistant Registrar (Appellate Side) and his initials obtained ?
20. Are the material objects neatly and carefully preserved ?

21. Whether the material objects that are returnable promptly returned to the concerned Court after the disposal of the cases, without any delay ?
22. Are orders as to disposal promptly obtained without any delay and is the nature of the disposal of the material objects properly noted in the Material Objects Register ?

*Revision Seat—*

23. Are receipt of records and issue of fresh notices properly watched and reminders and fresh notices sent promptly ?
24. Is the preparation register for Criminal Revision Cases properly maintained and are the relevant columns properly filled up ?
25. Have the records been checked properly and entered in the preparation register ?
26. Are cases taken up *suo motu* and reference cases promptly watched and posted expeditiously ?
27. Are cases in which the accused are in jail and cases in which the accused are in jail and on short sentences and cases for enhancement of sentence carefully watched at various stages ?
28. Are bail reports promptly called for ?
29. Have the records been despatched promptly to the lower Courts after the disposal of the Criminal Appeals or Criminal Revision Cases ? (Verify with reference to the preparation register.)

30. Are the disposals properly marked in the file books and in all the preparation registers? (Check a few dates with the help of the cause lists).

31. Are the calendars and judgments circulated to the Honourable Judges promptly?

32. Are proceedings promptly issued, noted in the Register and reply watched and the reply put up before the Honourable Judge after its receipt and recorded?

*Head Clerk—*

33. Is the posting book maintained properly with all the relevant columns properly filled up and the connected cases properly noted in the posting book?

34. Is top priority given in posting cases in the list to:

(i) all the cases in which the accused are in jail on short sentences, cases in which the accused are in jail, cases taken up *suo motu* and reference cases and date fixed cases.

(ii) all cases wherein the proceedings in the lower Court have been stayed by the High Court.

35. Are the disposals properly noted in the Posting Book day to day and have all the special directions and adjournments and cases that are part-heard promptly noted in the Posting Book?

36. Are the circulation register, and the adjournment register properly maintained and are the cases promptly posted to the adjourned dates? (Verify few cases at random with the help of the Cause list with specific reference to cases that are directed to be posted under Section 421, Criminal Procedure Code.)
37. Is a register for long pending cases maintained properly and action taken promptly?
38. Is the Head Clerk exercising effective supervision over the section? Are the periodical statements to the officers promptly submitted by him?

### TRANSLATION AND PRINTING DEPARTMENT (MAIN) QUESTIONNAIRE.

#### *Translators' Branch—*

1. Is the distribution book of translation work pertaining to the various classes of cases properly maintained by the Superintendent and on better paper?
2. Is the work distributed to the translators fairly and evenly, having regard to urgent and ordinary cases?
3. Does the Superintendent of translators obtain information from the various sections in charge of preparation of cases as to what cases should be dealt with first?
4. Are the work statements of the translators properly kept and do the translators return the work translated to the distribution clerks without delay?

5. Are the translations retained by the translators for more than a week for revision purposes?
6. Are the translators turning out their standard out-turn of work and is it being checked and by whom?
7. Are the translations of the various translators checked by the Superintendent of translators and reports duly submitted about their work?
8. Is the weekly statement of translators' work submitted to the Registrar regularly?

*Translation and Printing (General)—*

9. Are the file books of the various branches (Appeals, Second Appeals, Miscellaneous cases and Criminal) properly and neatly maintained?
10. Are notices to point out portions issued without delay?
11. Does the Manager submit to the Deputy Registrar every week statements showing pendency of T and P applications (a) with the billing clerk and (b) with the referencer?
12. How many appellants' applications and how many respondent's applications are pending?
13. Are the estimates of Translations and Printing charges made fairly and accurately in the billing?
14. Are the payments intimated by the Accounts Department entered without delay in the file books and the preparation work taken up promptly in cases paid?

15. Are cases in which time for pointing out or payment has expired, checked and eliminated regularly and further steps taken without delay for the preparation of the rest of the record?
16. Any note-book maintained for noting all time expired cases?
17. Are all amendments of bills covered by proper sanctions and are they noted in the file books?
18. Does the Manager initial both in the file books and in the bill books such amendments?
19. Are the directions of the Court and/or of the officers to expedite cases noted in the file books and carried out?
20. Are old cases, urgent cases and cases directed to be expedited attended to promptly?
21. Are the file books checked by the Head Clerk once a month?
- 22 (a) Are the records prepared piecemeal  

(or)

 (b) Is the preparation carried on in a scientific manner with a view to get as many ready cases as possible?
- 23 (a) Are there any defective cases?  
 If so, why?  
 (b) Why are they defective?  
 (c) Is there any register maintained for defective cases and progress watched periodically?

24. Does the Manager submit to the Registrar once a week a statement showing the amount of work delivered during the week to the Printers?
25. Are cases received after completion of preparation of records dealt with promptly and are cases which are completely ready intimated promptly to Posting Section?
26. Are the papers returned without delay to the Vernacular records after preparation of the cases is over?
27. Are the preparation charges worked out and apportioned promptly between the appellant and the respondent on receipt of printed records from the Press?
28. Are the paper books arranged and stocked properly and kept in proper custody in the record room?
29. Are chalans prepared without delay for the purchase of paper books?
30. Are the charges incurred by Government in cases in which Government is a party entered in the accounts kept for the purpose?
31. Are the registers of sale of paper books properly maintained and are written acknowledgments taken for papers sold to parties and are copies sent for circulation and to current section noted in the registers without delay?
32. Does the printed papers sales clerk maintain a book showing the printed papers received from the Press in each class of criminal cases, the numbers being entered in the serial order ?



33. When the Public Prosecutor applies for printed papers in a criminal case, does the paper books sales clerk supply the Public Prosecutor all the paper books and obtain the initials of the clerk of the Public Prosecutor ?
34. Are steps taken periodically to dispose of charge copies in disposed of cases and the remaining copies which have not been called for from the Current Section ?
35. Are the registers of sale of forms and the stock book properly maintained ?
36. Are the disposals entered without delay in the sales registers and accounts adjusted promptly in disposed of cases ?
37. Is the register of arrears maintained properly ?
38. Are prompt steps taken to recover arrears in disposed of cases ?
39. Is the list of arrears due by Advocate prepared regularly every month and action taken under Rule 84 of the Appellate Side Rules?
40. Are the Refund Orders prepared soon after the disposal of the cases ?
41. Are there any cases involving heavy refund of charges and if so, the reasons for the same ?
42. Are the translation and preparation charges taxed and entered without delay in decrees and orders received from the B.C. Department ?

43. Is proper estimate submitted for sanction of the Deputy Registrar before office books are given to the Office Binder ?
44. Are the materials purchased by the Binder in accordance with the estimate shown to the Manager before they are used ?
45. Is the Head Clerk co-ordinating the work of the section satisfactorily and checking the cause list daily for ensuring that the directions of the Court are noted and prompt action taken therefor ?
46. General remarks .. .. .

### QUESTIONNAIRE FOR THE INSPECTION OF THE PRESS COPYIST SECTION.

1. *Are the following registers properly maintained :—*
- (1) Work Distribution Register (High Court Form No. 642) for each of the following category of cases :—
- (a) Referred Trial cases.
  - (b) Criminal Appeals.
  - (c) Supreme Court Appeals.
  - (d) Miscellaneous cases.
  - (e) Second Appeals.
  - (f) Appeal cases (Pleadings).
  - (g) Appeal cases (Documents).
- (2) Work Statement Register of the Copyists (High Court Form Nos. 175 and 190-F).
- (3) Work Statement Register of the Examiners (High Court Form No. 175).

2. Has there been serious delay—
- (a) In distributing work to the Copyists ?
  - (b) In the preparation of copies by the Copyists ?
  - (c) In comparing copies ?
3. How many cases more than two years old in each category are pending copying ?
  4. Are reminders sent promptly to the lower Courts in respect of requisitions for clean copies of illegible documents ?
  5. Is the present strength adequate for the work ?
  6. Is the work being distributed evenly ?
  7. Does the Superintendent exercise effective supervision over the Copyists and Examiners ?

**QUESTIONNAIRE FOR INSPECTION OF SUPREME COURT SECTION.**

1. Are the file books maintained properly and checked by Superintendent and Manager, T. and P. periodically ?
2. Has there been serious delay in filing and making case ready for posting ?
3. Are reminders sent to Notice Section and English Record Section ?
4. Are the disposals noted daily and posted in the File Book ?

5. Are all the leave granted cases watched for and received from Current Section ?
6. Are the bundles properly checked on receipt as to papers and further steps to be taken ?
7. Are all correspondences attended to promptly ?
8. Are the copy applications complied with and sent to C.D. promptly ?
9. Are entries of Civil Appeals made in the Register of Civil Appeals immediately on receipt ?
10. Are the lower Court records called for and reminders sent promptly on receipt of Civil Appeals ?
11. Are efforts taken to serve notice of petition of appeal at the earliest possible time ?
12. Are the certificate of service under Order XV, Rule 11 of S.C. Rules, 1966 sent to Supreme Court immediately after service ?
13. (a) Where preparation of records is done in the High Court under special directions of the Supreme Court are the preparation of the records in all stages proceeded with promptly ?
  - (b) Has there been any serious delay—
    - (i) in Editing ?
    - (ii) in getting the transcript record typed ?
  - (c) Is the 6 months time-limit strictly adhered to for sending Transcript Record ?

- (d) In how many cases extension has been requested ?
  - (e) Where such extension of time on proper reasons and whether such requests could have been avoided ?
  - (f) Are the Transcript records thoroughly checked before submitting to Deputy Registrar for authentication ?
  - (g) Are the charges for transcript records prepared soon after despatch of transcript records ?
  - (h) Are the fortnightly statements submitted regularly and accurately ?
14. Are the records in disposed of cases returned to other sections or lower Court, as the case may be, without undue delay ?
15. Is the supervision of the Superintendent effective ?

### QUESTIONNAIRE FOR THE INSPECTION OF THE VERNACULAR RECORDS.

#### *I. Record Register—*

##### *1 Receipt of Records—*

- (a) Are the papers and records received promptly by Assistant Vernacular Record-keeper and entered in the Record Register (High Court Form No. 684) ?
- (b) Are entries in columns (1) to (3) made by the Correspondence Clerk and Assistant Vernacular Record-keeper ?
- (c) Are the records received in finding cases entered in red ink as required in S.O. No. 421 by the Assistant Vernacular Record-keeper ?

2. *Checking of Records*—

(a) Is the checking of records carried out without delay and columns (4) and (5) of Record Register filled in ?

How many cases were pending check for more than two days ?

(b) Are drafts put up promptly for records discovered as wanting in the bundle after checking with index ?

(c) Are entries in columns (9), (10) and (11) in the Record Register duly filled in ?

(d) Are requisitions from lower Courts attended to promptly ?

3. *Referencing of Records*—

(a) Are columns (6), (7) and (8) of the Record Register duly filled in as to when records are issued ?

(b) Is there any noticeable delay in the referencing of the E.Bs. and T. and P applications ?

(c) Are records sent to T. and P. duly accounted for by record slips and the slips pinned to the indices of the records ? Examine a few case bundles.

(d) Are entries of High Court Appeal marked in blue or red pencil as required under S.O. 422 on the paper (Record) referenced ? Examine a few case bundles.

(e) Are daily and weekly statements of the reference clerk submitted to the Manager, T. and P. and Deputy Registrar regularly ?

*Receipt of Records returned—*

- (a) Are the records returned to section restored in the proper case bundle? Is there any delay of more than two days in restoration of the returned records after receipt?
- (b) Is the date of receipt of return of record entered in the Record Register?

5. *Despatch of Records—*

- (a) Are the records called for from the Current Section complied with without delay?
- (b) Are records checked before despatch and the instructions in S.O. No. 435 observed? Is cross-reference made in the Record/ Register when records are retained in Vernacular Record for reference in connected case?
- (c) Is the Vernacular Record-keeper taking steps annually for checking the disposed of cases during the previous years to ensure that all records in disposed of cases has been despatched to Subordinate Courts and mistakes rectified?

II. *Other Registers—*

- 3. (a) Is the Register of Requisition received from lower Courts maintained properly?
- (b) Are reminders issued promptly when records have not been received back on the due dates?

7. (a) Is the register of further papers called for are maintained properly ?  
(b) Are reminders in such cases issued promptly ?
8. (a) Is the Copy Complying register maintained properly ?  
(b) Is compliance of original records promptly done ?
9. Is the register of missing records maintained properly and steps taken to trace the missing records ?
10. Is the Safe Custody Register maintained properly and the records verified periodically ?
11. Is the Register of Search Application maintained and fees collected correctly ? (check a few cases.)

### III. Personnel of Vernacular Records—

#### 12. Vernacular Record-keeper—

- (a) Does the Vernacular Record-keeper exercise effective supervision over the other clerks ?
- (b) Does the Vernacular Record-keeper periodically check the work of clerks and the registers maintained at least once in a month ?

#### 13. Assistant Vernacular Record-keeper—

- (a) Is the Assistant Vernacular Record-keeper checking the work of the correspondence clerk ?

#### 14. Chief Court Clerk and Assistant Court Clerks—

- (a) Are the following registers and books properly maintained ?
  - (i) Distribution Register.
  - (ii) B. C. Posting Book.



(iii) Addition Book.

(iv) Clearance Book.

(b) Are the cases in the 'Warning list' certified correct? How many were pending?

(c) Do the Court-Clerks check records and keep ready 20 Appeals or 30 Second Appeals as enjoined by S. O. No. 431?

(d) Is prompt action taken in cases where records are incomplete? (i.e.), Is intimation given to Posting Section and the wanting records called for?

(e) Is the daily statement of case examined by Court clerks maintained and submitted to Manager, T. and P. Department—Is the out-turn adequate? (500 enclosures are to be checked by each)

(f) Are the records in the adjourned cases and single Judge cases brought back to the Vernacular Record every Saturday from B. C. Department and noted in the clearance book?

(g) Are the following racks for records in the Vernacular Record kept neatly?

(1) General Rack.

(2) Court Rack.

(3) Despatch Rack.

15. *Referencer*—

(a) Is the outturn per day adequate?

(b) Is prompt action taken in cases of non-receipt of records?

16. *Despatch Clerk and Checking Clerks—*

- (a) Is action taken for tracing the missing records in a case bundle and given for despatch promptly ?
- (b) Is the outturn adequate ?

17. *C. D. Compliance Clerk—*

- (a) Are originals put up for C. D. compliance without delay ?
- (b) Is the case number noted prominently on the original ?
- (c) Is action initiated with reference to uncomplied C. D. applications for want of originals with the lower Courts ?
- (d) Are the originals, restored immediately in the case bundles after receipt from the C. D. ?
- (e) Are the originals returned from T. and P. restored similarly ?
- (f) Are the office copies of notices issued in the case, filed properly ? Are reminders issued in cases in which records are not received ?

**GENERAL.**

IV. 18. Are existing facilities available adequate for safe preservation of the records and the convenience of the clerks ?

V. 19. What are the General Remarks on the working of the section as a whole ?

**QUESTIONNAIRE FOR THE INSPECTION OF THE  
SHORTHAND WRITERS' SECTION.**

1. Are the registers (High Court Form No 548) maintained regularly and properly by each Shorthand Writer ?
2. Are the Judgments and Orders being transcribed and submitted for approval without delay ?
3. Are the copy applications for transcription of oral evidence being attended to without delay ?
4. Is the evidence copy application register (High Court Form No. 656) properly maintained ?
5. Is the register of calls at the residences of the Honourable Judges maintained ?
6. Are the Court calls in the section being properly distributed ?
7. Are machines and machine cards in respect of each machine, maintained properly ?
8. Are the papers intended for the various sections delivered promptly and acknowledgments obtained ?
9. Are the library books allotted to the Section kept properly ?
10. Is the supervision of the Manager effective ?
11. *General Remarks.*

## BENCH CLERKS' DEPARTMENT.

### QUESTIONNAIRE FOR INSPECTION.

#### *Drafters Distribution—*

1. Is the Drafter's Distribution Register maintained properly ?
2. Does the clerk note the result of the cases in the daily cause list as and when he receives the bundles from the Court ?
3. Does the clerk check the bundles to see whether all the papers have been put up in the bundles ?
4. Whether the serial number of the case assigned by the Manager, is noted (in addition to the case number) ?
5. Whether the cases received are distributed without unreasonable delay ?
6. Is there fair distribution of work to the drafters ?
7. Are the interim orders bundle given to the batta clerk before distributing to the Drafters so as to enable him to check whether batta is paid in the cases before despatch of the orders ?
8. Whether the initials of the Drafters obtained for their having received the cases distributed to them ?
9. Is the register of cases received from the Shorthand Writers' Report maintained properly ?
10. Whether the Shorthand Writer's Section is reminded of the cases not received for more than one week ?
11. What is the total number of cases pending distribution to Drafters on the date of inspection ?

*Batta Clerk—Register of Interim Orders—*

12. Whether all the interim orders passed and writs admitted in a day are noted without omission ?
13. Whether the orders, in the cases in which batta is paid are issued promptly on the same day ?
14. Are there any instances of cases in which orders have been issued even if batta has not been paid ?
15. Whether the nature of order is noted in column 2 ?
16. Whether the clerk notes the action he has taken in respect of cases in which batta has not been paid in the remarks column ?
17. Whether the clerk keeps the batta not paid cases for more than a week ?
18. Whether the clerk receives the typed orders from the Current Section, get them signed and sealed and give them for despatch (in batta paid cases) after closing the entries in the Batta Register ?
19. Whether the clerk takes prompt action in putting up covering letters, verifying if Writ and Rule Nisi have been signed and sealed, putting up the necessary copies of petitions and affidavits and sending them for despatch ?
20. Are fresh orders being obtained for issue of Writ and Rule Nisi if the original order is not issued within the time for proper reasons ?

*Drafter's Diary—*

21. Whether the cases given to the drafters are entered in this register daily and tallies with the entries in the Drafter's Distribution Register ?
22. Whether due preference is given to the urgent cases (slip cases) while drafting ?
23. Whether initials of the Bench Clerk and Distribution Clerk are obtained in respect of the cases returned to him after drafting ?
24. Whether the register is checked daily by the Manager and their progress of work watched ?
25. Is there any undue delay in drafting ?
26. What is the total number of cases pending with the drafters on the date of inspection and the reasons for their pendency ?
 

for more	for more
than 2	than
days.	10 days.

*(Manager's) Register of Urgent Cases—*  
*High Court Form No. 609—*

27. Whether the numbers of urgent cases noted in this register tally with the entries in the Drafter's Distribution Register ?
28. Are the serial numbers given to the cases received as and when received ?
29. Whether the Manager verifies that urgent slips are put up in urgent cases and time-limit cases and give instructions to the Drafters Distribution Clerk, in this behalf ?
30. Whether the Manager verifies whether all the urgent cases are issued on the same day itself ?

31. Are there urgent cases not issued on the same day without proper reasons? (except in batta not paid cases).

*Bench Clerks Distribution Registers—  
High Court Form No. 612—*

32. Whether the entries in the columns correspond to the entries in columns (8), (12) and (14) of the General Register of cases?
33. Is there fair distribution of work daily to the Bench Clerks?
34. Are the cases returned for rectifying defects by the officers to the Bench clerks concerned noted against their original entry? (in ordinary cases.)
35. Whether the initials of the Bench clerks obtained for the cases distributed to them daily?

*Ledger Clerk—General Register of cases—  
High Court Form No. 124—*

36. Whether columns (1) to (4) are filled in daily by the clerk in respect of cases disposed of and received daily?
37. Whether in column (5) the date of receipt of the order or judgment is (shorthand orders) filled up?
38. Whether entries are made in the ledger before distributing the cases to the Bench clerks?
39. Whether all the other columns are filled up before sending the cases to the current Section after approval by the officers?

40. Whether ordinary and urgent cases despatch books are maintained properly and whether the clerk verifies as to the receipt of all the cases sent to the Current Section ?
41. Is the hand book for the decrees or orders sent to T. and P. Department for taxation maintained? and whether their return watched ?
42. Is the monthly statement of cases pending for more than three weeks (from the date of order) submitted promptly ?
43. Whether the orders passed in Court are sent to the Bench clerks Department promptly by the Bench Clerks with red slips in all urgent cases to be issued on the same day with the time of delivery columns filled up together with all papers ?
44. Whether the Bench clerks maintain their calendar diary properly ?
45. Whether the Court attending Bench clerks distribute the bundles to the respective sections to which the cases ordered relate and verify whether the initials of the clerks are obtained in his hand book ?
46. Whether the columns in the Bench clerks diary are filled in properly ?
47. Are there cases pending with the Bench clerks for more than three weeks from the date of order and if so, whether the reason for its pendency is explained satisfactorily in the weekly statement ?
48. Whether the refund certificates are prepared on the date of the drafting of the decree by the Bench clerk ?



49. Whether the issue of refund certificate is noted on the Court-fee stamps and also after the end of the valuation of the grounds in the E.B. of the concerned case ?
50. Whether the Bench clerks check and verify and put up all the papers in the bundle before sending to the officers ?
51. Whether the initials of the B. C. Distribution clerk is obtained for the cases returned to him after checking ?
52. Whether the Court Hall Library books and furnitures checked by the B.Cs. weekly ? (Verify the hand books maintained.)

*Register of the Certificates—High Court  
Form No. 616—*

53. Whether the Fee Certificates received are entered properly and distributed to the Bench clerks promptly ?
54. Whether the acknowledgment of the B.C. obtained for the receipt of the F.C. ?
55. Whether F.Cs returned are noted in the last column giving the reason therefor ?
56. Whether the carbon copy applications are received and entered (with the time of receipt) and put up in the respective bundles promptly ?
57. Is there any instance of not complying with the carbon copy application and if so, the reason therefor ?

*Register of cases submitted to the officers —  
High Court Form No. 615—*

58. Whether the cases dealt with by the officers concerned are noted conspicuously ?
59. Whether there is any delay in sending the cases to the officer concerned after the return of the cases by the B.Cs. ?
60. Whether the return of the cases from the officers noted properly and if any defects pointed out and returned to the B.C. concerned such entry noted in the margin and retransmission noted (in ordinary cases) ?

*Correspondence—*

61. Whether letters received are promptly entered in the register ?
62. Whether the connected papers for the letters are put up and distributed to the B.C. concerned promptly ?
63. Whether he attends to the letters promptly in cases not to be given to B.Cs.
64. Whether he checks and puts up Public Prosecutor Certificate, Madras and also for State Briefs promptly ?
65. Whether the issue of B.C. proceedings in Sessions cases is done promptly ?
66. Whether the furniture list is checked by them every month and report sent ?
67. Whether the despatch of Court-fee Refund Certificate (after approval by the officer) is attended to promptly ?
68. Is the file of Office Circular maintained properly ?

69. Whether the Supreme Court Orders are communicated promptly ?
70. Are insertion of costs in O.S.A. decrees attended to without delay and whether the register maintained properly ?
71. Are adequate steps taken for the supply of forms used in the B.C. Department ?
72. Whether the indent made for stationery articles is sufficient and the articles utilised properly ?

*Remarks Books —*

73. Whether the remarks book for Civil and Criminal cases maintained properly ?
74. Whether the books are circulated periodically to the Honourable the Judges ?

*General —*

75. Whether the defects pointed out during last inspection rectified ?

*General Remarks —*

**QUESTIONNAIRE FOR THE INSPECTION OF THE  
ORIGINAL SIDE OFFICE.**

1. (a) Are complaints and petitions properly stamped and are the stamps centrally punched ?
- (b) Are they presented to the concerned officer (plaint to the Second Assistant Registrar and petitions to the First Assistant Registrar) and filed or returned for rectification promptly ?
- (c) Is the Manager checking generally the registers maintained in the Original Side at least once a month ?
  
2. *Probate* —
  - (a) Testamentary Suit Register.
  - (b) Testamentary Original Petition Register.
  - (c) Stamp Duty Register—
    - (i) Are the above registers (a)(b) and (c) properly maintained ?
    - (ii) Are the entries made then and there and do they form a complete record of the case ?
    - (iii) Are appeal and execution proceedings properly entered therein ?
    - (iv) Are the registers checked once a month at least by the Manager ?
  - (d) Default Register—
    - (i) Is the register properly maintained ?
    - (ii) Is action taken regularly and without delay ?

(e) Alphabetical Registers—

(f) Will Book—

(i) Are the above two registers (e) and (f) maintained regularly?

(g) Securities Testing Register—

(i) Are the orders entered there and is action taken promptly in case of default?

### 3. Execution—

(a) Execution Petition Register—

(i) Is the register properly maintained?

(b) Register of Sale Certificate—

(i) Is the register properly maintained?

(ii) Is there any delay in preparing Sale Certificates after confirmation of sale?

(c) Proclamation Register—

(d) Transmission Register—

(e) Register in which stay orders are entered—

(i) Are the above registers (c, d and e) properly maintained?

(f) Taxation Register—

(i) Is the register maintained properly and are entries made there and there?

(g) Minutes Book—

(i) Is it properly written?

4. *Election*—

## (a) Election Petition Register—

- (i) Are the entries made then and there and do they form a complete record?
- (ii) Is the register checked by the Manager at least once a month?

. *Posting Section*—

## (a) Suit Posting Register—

- (i) Is the register properly maintained?
- (ii) Are the directions given in the register properly followed and is the register made up-to-date?
  - ii) Is the Posting Clerk taking proper and timely steps to see that cases do not get stuck up in the preparation stage?
- (iii)a. Whether cases in which written statements are not filed posted promptly before the Court in the undefended list of cases?
  - b. Whether the provisions of Order XVII, Rule 13 Original Side Rules in respect of matrimonial Suits strictly followed?
- (iv) Is the default list prepared exhaustively?
- (v) Is the Posting Register re-written every year and are all the pending cases checked with reference to bundles?
- (vi) Does the Manager check this register regularly and see that ready cases are brought in the monthly list?

## (b) Summons Finding Book—

- (i) Is action taken without delay in putting up summons for orders as to sufficiency ?

## (c) 'B' Diary—

- (i) Is the 'B' Diary as contemplated under S. O. No. 579 maintained and whether entries are made in it properly ?

## (d) Disposal Register—

- (i) Are the entries made as and when cases are disposed of ?

## (e) Hearing Book—

- (i) Is the book properly maintained and whether the cases are posted according to it ?

## 6. Registering—

## (a) Suit Registers—

- (i) Are the directions given in the register properly followed and is the Register up-to-date ?
- (ii) Are appeal, execution and other past decrees proceedings properly entered therein ?

## (b) Original Petitions Register.

## (c) Original Matrimonial Suit Register.

## (d) Company Petitions Register.

- (i) Are the Registers (b, c and d) properly maintained ?
- (ii) Are the entries made then and there and do they form a complete record of the case ?
- (iii) Are appeal and execution proceedings properly entered therein ?

- (e) Register of Decrees of other Courts received for execution—
  - (f) Independent Application Register.
  - (g) Independent Vakalat Register.
  - (h) Appearance Register (under Company Court Rules, 1959).
- Are these registers Maintained properly?

7. *Diary*—

- (a) *Diary Register*—
  - (i) Is the register maintained properly?
  - (b) Are the Court-fee stamps punched immediately on presentation and the punched heads properly collected and destroyed ?
  - (c) Is the Manager checking the register daily ?
  - (d) Are the—
    - (i) O.P. Presentation Register,
    - (ii) O.S. Presentation Register,
    - (iii) C.P. Presentation Register and
    - (iv) O.M.S. Presentation Register maintained properly, kept for the reference of the Advocates and are they up-to-date ?
  - (e) Are—
    - (i) O.P. Admission Register,
    - (ii) C.P. Admission Register,
    - (iii) C.S. Admission Register and
    - (iv) O. M. S. Admission Register properly maintained, kept for reference of the Advocates and are they up-to-date?



- (f) Is the Return Book maintained properly and initials obtained from Advocates or their registered Clerks as soon as the papers are returned at the places provided ?
- (g) Are the Distribution Registers maintained properly and are the papers delivered to by the respective sections the same day and their acknowledgment obtained ?

8. *Docketing Clerk*—

- (a) Are the Application Registers for Suits, Original Matrimonial Suits, Original Petitions properly maintained?
- (b) Is the Company Application Register properly maintained?
- (c) Are English affidavits Register, Vernacular affidavits Register and Appellate Side Affidavits Register properly and separately maintained?
- (d) Is the Stamp Collection Register for explanation of affidavits in vernacular properly maintained?
- (e) Is the Translation Register maintained properly?
- (f) Are the Ordinary Application Register and Company Application Register re-written at the beginning of each year so that pending applications of the previous years are carried over to the current year?

9. *Drafting Section*—

- (a) Are Decrees and Orders drafted, approved and issued without delay?

- (b) Register showing issues framed—
- (i) Is the Register properly maintained?
  - (ii) Are issues being typed and put up for approval without delay?
- (c) Is the Register directing investment of Funds, maintained correctly and are the directions contained in S.O. 606 followed?
- (d) Are the directions contained in S.Os. 609 to 616 followed properly? Is it being watched whether the moneys deposited are invested as per direction by the Accounts Department?
- (e) Is the work statement of the Decree Drafting of the High Court, Original Side, properly maintained and submitted to the First Assistant Registrar regularly?
- (f) Are the Weekly Statement Registers of Drafters maintained properly?
- (g) Is the M.O. Book properly maintained?

10. *Correspondence Clerk*—

- (a) Is the R.O.C. Register properly maintained and are tapals entered and distributed to the concerned Clerks on the date of receipt and their (clerk's) initials obtained in the Tapal Register and replies sent without delay? Does the Manager check this register regularly?

- (b) Is the Despatch Register showing the correspondence issued daily through the Current Section maintained properly?
- (c) Are the letters to Advocates and Officers in the High Court Building delivered through the O.S. peon and is any book maintained for the said purpose?
- (d) Are letters received from Advocates noted in the above book every day handed over to the concerned clerks immediately?
- (e) Is the Security Register properly maintained and are steps taken promptly to post for default the matters in which steps have not been taken within the time fixed?
- (f) Is the Court Deposit Register maintained properly?

11. *Application Checking Clerks—*

- (a) Is the Application (receiving) Register properly maintained and are entries made as and when papers are disposed of to enable the tracing of the Application?
- (b) Is the Ordinary Application Numbering Register and Company Application Numbering Register maintained separately?

12. *Tench Clerks—*

- (a) Are the Minutes Book properly maintained?
- (b) Are the Library Books in the Original Side Courts checked every Saturday? When was the last checking done and report submitted?

13. *Typists*—

- (a) Are the typewriters in good order ?
- (b) Are machine cards maintained separately and are they up-to-date ?
- (c) Is there any avoidable delay in the preparation of fair copies ?

## ORIGINAL SIDE RECORDS.

14. *Record-keepers*—

- (a) Are the following registers properly maintained ?
  - (i) Register of records sent to other Courts and Offices.
  - (ii) Register of Records received from other Courts and Offices.
  - (iii) Register of Original Side Appeals including Supreme Court Appeals.
  - (iv) Title Deeds Register.
  - (v) Register of papers sent to Vernacular Records.
  - (vi) Subpoena Register.
  - (vii) Suit documents Register.
  - (viii) Company Documents Register.
  - (ix) Register for noting cases vouched by the Clerks.
  - (x) Register for Suits transferred to this Court.
  - (xi) Register for numbering Minutes Books.
  - (xii) Stationery Indent Book.
  - (xiii) Record Receiving Register.
  - (xiv) Record Issue Register.
  - (xv) Register of Documents sent for translation.

(b) Is the Record-keeper taking steps to see that the Record Section is kept clean ?

(c) Are the records sent to other Courts or Sections for production of reference watched and got back as soon as the concerned Courts or Sections have done with them ?

15. *Chamber Posting*—

(a) Is the Chamber Posting Clerk maintaining properly the Chamber issue Register ?

(b) Is the said Clerk maintaining registers as described under the Companies (Court) Rules, 1959 and are they being checked periodically by the Manager?

(c) Is the Hearing Book maintained properly and whether cases are posted according to it ?

(d) Are the disposals noted properly in the Application Registers ?

16. *Master Posting*—

(a) Is the Master Issue Register maintained properly ?

(b) Is the Hearing Book maintained properly and whether cases are posted according to it ?

(c) Is the Master's Bench Clerk maintaining the Minutes Book properly ?

(d) Are the disposals noted properly in the Application Register ?

17. *Copy Complying Section*—

- (a) Is the Copy Complying Register maintained properly and are entries made without any delay?
- (b) Is there any avoidable delay in complying with copy applications?
- (c) Are copy applications for which folio charges are not paid within the prescribed period, regularly struck off?

18. *Court Clerk*—

- (a) Is the Circulation Register maintained properly by the Court Clerk under Standing Order No. 676?
- (b) Is the Return of Document Register maintained properly?
  - (i) Are applications for return of documents dealt with without delay?
  - (ii) Is the Exhibit Register made up-to-date?

19. *Receivers' Accounts Clerk*—

- (a) Is the Register of Receivers accounts maintained properly?
- (b) Is action taken promptly in respect of cases where there is failure or delay in filing and passing the Receiver's accounts?
- (c) Is a diary as prescribed under Standing Order No. 699 maintained?

20. *Record Destruction Work*—

- (a) Are the following registers maintained properly?
  - (i) Destruction Register.
  - (ii) Hand book for noting the exhibits due for publication.

- (b) How far has current destruction work progressed?
- (c) During what intervals are the registers checked by the Manager?

### INSOLVENCY OFFICE.

#### 1. *Posting*—

- (a) Is the application Register properly maintained and kept up-to-date?
- (b) Is it re-written at the beginning of each year, so that pending applications of the previous years are carried over to the current year?
- (c) Are the Register of Pending Cases and Cases for Destruction maintained?
- (d) Are entries made immediately the cases are disposed of and are they up-to-date?
- (e) Is the Default Register properly maintained and are cases posted for default accordingly?
- (f) Are cases posted for default from time to time when creditors are not served and when insolvents fail to file schedule and application for discharge?
- (g) Are insolvency matters posted before the Judge, the Master and the First Assistant Registrar according to the dates noted in the Hearing Book?
- (h) Are regular matters posted for Public Examination and held?

- (i) Are the following Registers maintained properly by the Posting Clerk?
- (1) Application Register.
  - (2) Application Register (Master's Summons).
  - (3) Statistical Statement Register.
  - (4) Default Register.
  - (5) Pending Cases Register.
  - (6) Destruction Registers (Two Registers).
  - (7) Register showing cases in which Administration was closed.
  - (8) Hearing Book.
  - (9) Disposal Register.

2. *Drafting*—

- (a) Are the following registers maintained properly and are they up-to-date?
- (i) Court work Statement Register.
  - (ii) Master's work Statment Register.
  - (iii) E.P. Register.
  - (iv) Minutes Book of Insolvency Court, Master's Court and First Assistant Registrar's Court.
- (b) Are the orders passed by the Judge and Master, drafted and issued without delay?
- (c) Are warrants directed to be issued by the Court, the Master or the First Assistant Registrar, issued as soon as applications for issue of the same are filed by the concerned parties?



3. *Record and Copy Complying* --

- (a) Are the following registers properly maintained by the Record Clerk ?
- (i) Record Issue Register.
  - (ii) Current Register.
  - (iii) Petition Register.
  - (iv) Register for Return of Documents.
  - (v) Appeal Register.
  - (vi) Copy Application Register.
- (b) Are the records sent to other Courts or Sections for production of reference watched and got back as soon as the concerned Courts or Sections have done with them ?
- (c) Is there any avoidable delay in complying with copy applications ?
- (d) Are copy application for which folio charges are not paid within the prescribed period regularly struck off ?

4. *Diary* --

- (a) Is the Diary Register properly maintained and are the stamps regularly checked by the Manager ?
- (b) Is the alphabetical list of insolvents kept up-to-date ?
- (c) Is any register maintained for registration of names of Advocates' clerks ?

5. *Registering and Indexing*—

- (a) Is the Insolvency Petition Register properly maintained ?
- (b) Does the Insolvency Petition Register contain reference to the number of Interlocutory Applications and nature of the orders passed on such applications ?
- (c) Is the indexing of papers done without delay and does the indexing clerk while indexing, mark also the parts under which the papers are classified for purposes of future destruction ?
- (d) Is the Receiving Register maintained properly ?

6. *Record Destruction*—

- (a) How does the Record Destruction clerk maintain the register of petitions ripe for destruction ?
- (b) How far has current destruction work progressed ?
- (c) During what intervals are the registers checked by the Manager ?

7. *General*—

- (a) Does the Manager check the registers maintained in the department regularly once in a month ?
- (b) Are the Running files properly maintained and submitted to the officers concerned ?

## QUESTIONNAIRE OF SHERIFF'S OFFICE

### 1. *Attachment Register (Movable and Immovable)*—

- (a) Is this register maintained properly ?
- (b) Are the warrants executed before the date specified therein ?
- (c) Does the list of attached movable properties tally with that of the Inventory Register ?
- (d) Are there necessary arrangements for keeping the attached goods ?
- (e) Are there any properties still lying idle in the garage the concerned counsel not taking any steps for bringing them to sale ?
- (f) If so, what steps are taken to dispose them ?
- (g) Is any check made periodically at the garage to ensure safety of the articles stored therein ?
- (h) Are there any properties ordered to be released and still not taken delivery of ?
- (i) If so, what are the steps taken with regard to them ?

### 2. *Summons Register*—

- (a) Is this register maintained properly ?
- (b) Is there any instance where the process are not returned within the due dates ?

- (c) If so, what steps are taken to rectify them?
- (d) When the processes are received, are they distributed immediately for service to the bailiffs?
- (e) If not, state the reason for the delay so caused?
- (f) Are the entries in this register tally with those of the entries in the books received in the office from various sections?

### 3. *Court Fee Stamp Register*—

- (a) Is this register maintained properly?
- (b) Are the stamps due for the process collected?
- (c) If there is deficit, what steps are taken in such cases to collect the deficit Court-fee?
- (d) Are the Court-fee stamps entered then and there?
- (e) Are the processes duly despatched after Court-fee stamps in the affidavit of service paid?

### 4. *Inventory Register*—

- (a) Is this register maintained properly?
- (b) Are all the attached movable properties entered as soon as they are brought to the garage?
- (c) Is there any periodical check in the garage tallying them with the Inventory Register?

- (d) Are the articles serially numbered as in the Inventory Register to make the check easier?
- (e) Is there any step taken to safeguard valuable and costly articles?
- (f) Are such articles separated from other articles?

5. *Insolvency Register*—

- (a) Is this register maintained properly?
- (b) Are the Insolvency Petitions entered in time after due payment of Court fee stamps required for them?
- (c) If not, what is the action taken on them?
- (d) If enough care taken to see that sufficient time is given for their service?
- (e) Has it been duly returned after proper service? Is there any Court-fee stamps levied for the affidavit of service?
- (f) What steps are taken when the due stamps are not paid for them?
- (g) Is there any delay in such service?

6. *Government Order Register*—

- (a) Is this Register maintained properly?
- (b) Is there any Government Order pending for a long time without action?
- (c) If so, what is the reason for such delay?

- (d) Is the nature of disposal of every Government Order recorded?
- (e) Are all Government Orders checked, verified and filed?

7. *Process Delivery Register*—

- (a) Is this register maintained properly?
- (b) Whether all the processes duly received from the bailiffs after service are delivered to the concerned sections immediately?
- (c) Whether enough care is taken to see that all processes returned are duly endorsed and verified?
- (d) Whether acknowledgment of the clerk on record is taken for all the papers returned from here?

8. *Insolvency Affidavit Register*—

- (a) Is this register maintained properly?
- (b) Are all the affidavits returned to the Insolvency Section only after they are duly stamped?
- (c) Whether sufficient care is taken, so that there is no delay in filing the affidavit of services?
- (d) Whether each affidavit is checked, signed and verified before it is delivered?
- (e) Whether periodical check is made as to the pendency of the retained affidavits? Are they kept serially?

9. *Despatch Register*—

- (a) Is this register maintained properly?

- (b) Whether all the papers are despatched in due time without any delay?
- (c) Does each entry contain the nature of despatch?
- (d) Is care taken to paste the postal receipt for every registered cover?

10. *Warrant of Sale Register*—

- (a) Is this register maintained properly?
- (b) Whether the sale warrants are returned before due date after taking prompt action in them?
- (c) Are the sale reports issued for each sale without delay?
- (d) Whether enough care is taken to see that sale price is paid in time, and certificate to the purchases issued and sent to Court?
- (e) Whether the necessary bills containing the details of the expenses for sale are sent?
- (f) Is there any delay in paying the balance of sale price to the Account Section?
- (g) Is there any delay in issuing the certificate of attachment and refund of deposit made for the attachment to the parties concerned?

11. *Bailiff Process Register*—

- (a) Are these registers maintained properly?
- (b) Are they duly checked, periodically?
- (c) Whether there is any process returned, not in due time, by the bailiffs?

- (d) What is the action taken in that case ?
- (e) What is the average number of processes for each bailiff for a year ?
- (f) What is the average for the last three months ?
- (g) Whether there is an increase in the average number of process in this year ?
- (h) Whether the arrest warrants are executed satisfactorily by the bailiffs ?

### GENERAL.

- I. Whether the stationery articles are properly checked, verified and the balance of each month properly scrutinised before a new indent is asked for ?
- II. Whether all the Gazettes are kept serially, neatly tied up and protected safely ?
- III. Are the furnitures checked periodically and its report furnished every month ?
- IV. Whether the old records, East India Company's records are arranged systematically and kept safely ?
- V. Whether all communications to be delivered to Sheriff of Madras are done without any delay ?
- VI. Whether periodical meetings have been arranged with the Sheriff of Madras as and when the necessity arises ?



VII. Whether a separate file is maintained regarding the Sheriff's condolence meetings convened by the Sheriff on behalf of the citizen ?

VIII. Whether a separate file is maintained regarding the transfer of charges by the Sheriffs—both incoming and outgoing ?

## QUESTIONNAIRE FOR INSPECTION OF INTERPRETERS' SECTION.

### A. ORIGINAL SIDE.

#### I. Register of pleadings, affidavits, etc.—

(a) Are the following registers regularly kept ?

(i) English Affidavit Register.

(ii) Stamp Collection Register for explanation of affidavits in Vernacular.

(iii) Pauper Suits Book.

(b) Is the monthly return of stamp collection for explanation of affidavits in Vernacular sent to the O.S. regularly ?

(c) Are the pauper memos. calling for the fees due for translation and explanation promptly complied with?

#### II. Translation Register—

(a) Are the stamps called for promptly ?

(b) Is the translation work disposed of without undue delay ?

## B. APPELLATE SIDE.

I. *Appellate Side Affidavit Register*—

Is this register properly kept ?

## C. MISCELLANEOUS.

I. *Register of weekly work statement*—

Is this register properly maintained and regularly submitted ?

II. *Despa'ch Register (Inter-Sectional)*—

Is it regularly maintained?

**QUESTIONNAIRE FOR THE SPECIAL OFFICER'S  
(PONDICHERY) SECTION.**

## A. GENERAL.

1. Is physical verification of articles of furniture made periodically and a monthly verification sent to the A.D. ?
2. Is a movement register maintained ?
3. Is the supervision by the Superintendent effective ?
4. Is the list of Gazetted Officers (Judicial) of the Union Territory, Pondicherry maintained correctly, up to date ?
5. Are the Notes of Inspection of Subordinate Civil Courts reviewed and submitted to the Honourable Judges within three weeks ?
6. Is the Library regarding French Books up to date ? (Are the books entered in the Catalogue) ?

7. *Are separate files maintained--*
- (a) for all judicial notifications and orders issued by Government of Pondicherry under all Acts and published in the Gazette de l'Etat de Pondicherry ?
  - (b) for all Legislative Bill with statements of objects and reasons ?
8. Are the latest amendments to the Acts, Regulations, Rules, Codes, etc., been carried out and the books up to date ?
9. Are daily statements of the work done by each Clerk maintained ?
10. Are stock and circular files maintained and if so, properly kept and are they up to date ?
11. Are the weekly statements of assessment of the work of the temporary hands—(*Vide* Circular P. Dis. No. 337 of 1971), submitted regularly ?
12. Are the defects pointed out during last inspection rectified ? If not, what is the explanation ?
13. *Stationery—*
- (a) Are the indents made with due regard to economy ?
  - (b) Are the issues made under proper sanction ?
14. Is a register of precedents kept subject-wise ?

## B. SPECIAL INTERPRETER.

1. Is the translation work done without delay ?
2. Is the checking of all the registers maintained in the section done periodically ?
3. Is the running note file maintained and submitted in accordance with the instructions given in P. Dis. No. 355 of 1970 ?

NOTE.—The questionnaire intended for the B.C. and referred to *infra* may also be adopted for the Special Interpreter who is also attending to the A.E. and B.C. work in respect of cases arising from the Union Territory of Pondicherry.

## C. BENCH CLERK.

(a) *Appeal Examiner's Work*—

- (1) Is the daily statement of work as A. E. being submitted regularly for the scrutiny of the Officer ?
- (2) Are the returns made proper, exhaustive and not piecemeal ?
- (3) Are there any delays over one week in examining cases ?
- (4) Are the cases passed by the Appeal Examiner sent for docketing without delay to A.F. Section ?

(b) *B. C. Work*—

- (1) Is the Bench Clerk's diary written up and the columns thereon are filled in promptly, properly and is it up to date ?

- (2) Are the drafts checked without delay?
- (3) Are there any orders pending examination for more than one week? If so, what are the reasons for such pendency? Are the explanations convincing and proper?
- (4) Are refund certificates prepared on the date of drafting of the decree by the Bench Clerk?
- (5) Whether the issue of refund certificate is noted on the Court Fee stamps and also after the end of valuation of the grounds in the E.B. of the concerned case?
- (6) Whether the Bench Clerk checks, verifies and puts up all the papers in the bundle before sending to the Officer?
- (7) Whether initials of the Bench Clerk and Distribution Clerk are obtained for the cases being entrusted with the Bench Clerk and returned to the Distribution Clerk after checking?
- (8) *Minutes Book* —  
Are the entries made every day and signed by the Bench Clerk and checked by the Officer daily?

## D. ASSISTANT.

1. *Personal Register*—

- (a) Are the papers received promptly entered in the *Personal Register*?
- (b) Is it written up to date correctly and neatly?

Are the abstract of subjects in column 4 of the register entered in an intelligible manner?

- (c) Are the dates and nature of disposals noted against each number as soon as disposed of?
- (d) Is there unnecessary delay in disposing of the correspondence with reference to columns 3, 7 and 8?
- (e) Are delays noticeable in papers if any, pending for more than six months, accounted for?
- (f) Are reminders issued systematically? Are reminders received replied promptly with reference to columns 9 and 11 respectively?
- (g) Have the papers of the previous years remaining undisposed of on 31st December been carried forward to current year's register on 1st January and entered at the beginning of the first volume of the Register? Are they checked to see whether any outstanding currents have been omitted to be entered in the new register?

- (h) Is the register being checked periodically and effectively ?
- (i) Is a run-on-file maintained and rectification of defects watched ?

2. *State of Disposals*—

- (a) Have all the papers disposed of been duly stitched with docket sheets, wherever necessary, indexed and sent to the record without delay and acknowledged by the Record Keeper ?
- (b) Have back and forward numbers of precedents bearing on the same subject been entered in the docket sheets to facilitate easy reference ?
- (c) Are indices prepared for the disposals and kept neatly and separately for each of the series and years ?
- (d) Does the Assistant send an arrears list to the Officer once a fortnight/month ?

3. *Call Book*—

- (a) Is it properly maintained ? Have any currents been improperly closed by taking them to the call book ?
- (b) Is action taken promptly on references noted in the call book ?

4. *S. R. Register*—

(Duplicate register maintained for the convenience of the Section)—

Is the register maintained properly with all columns properly filled in and well kept ?

5. *Register for the Sessions Judgments*—

(a) Are the Sessions Judgments received from Pondicherry entered in the register soon after the receipt and circulated to the Honourable Judges without delay ?

(b) Are remarks, if any, made by the Honourable Judges communicated to the concerned Officers without undue delay ?

## E. TYPIST.

1. Is the typewriter in good working condition ?
2. Are the relevant rules in the Stationery Manual regarding the maintenance of the typewriter observed and are the instructions issued by Government, from time to time, being followed strictly ?
3. Is the machine card kept in the prescribed form by the Typist of the Section and are the entries therein up to date ?



4. Is there any instance of breakage on account of Typist's inadvertence ?
5. Is the daily outturn of work checked and if so by whom ?
6. What is the average outturn of the Typist per day ?
7. Is the outturn increased periodically or whenever there is rush of work ?
8. Is there any instance of loss of original documents, orders, etc. ?

ANNEXURE IV.

APPELLATE SIDE.

(JUDICIAL AND TRANSLATION AND PRINTING.)

High Court Form No. 1 and 1-A.	Notice to Respondents.
High Court Form No. 10.	Notice in Civil Miscellaneous Petition.
High Court Form No. 11.	Notice in Supreme Court Petition.
High Court Form No. 12.	Notice to the Respondents as to the admission of appeal in the Supreme Court.
High Court Form No. 12-A.	Notice to guardian of the minor.
High Court Form No. 13.	Notice of hearing in Case Referred.
High Court Form No. 13-A.	Notice of hearing in Tax Cases.
High Court Form No. 14.	Notice to Respondents.
High Court Form No. 17.	Notice of admission of Civil Revision Petition.
High Court Form No. 17-A.	Notice of admission of Second Appeal.
High Court Form No. 19-A.	Covering letter to Subordinate Court for service of process to the Respondents.
High Court Form No. 19-B.	Reminder form for service of Notice.
High Court Form No. 22-A.	Memorandum for bringing on record fresh advocate.
High Court Form No. 23-A.	List of cases posted for orders.

High Court Form No. 23-B.	List of cases notice to Respondents.
High Court Form No. 31.	Notice of hearing in Criminal Miscellaneous Petition.
High Court Form No. 32.	Referred Cases.
High Court Form No. 33.	Notice to Public Prosecutor in Criminal Revision Cases.
High Court Form No. 34.	Notice to Public Prosecutor.
High Court Form No. 35.	Notice to Public Prosecutor in Criminal Appeal.
High Court Form No. 35-A.	Notice in Criminal Appeal and Referred Cases (Criminal Section).
High Court Form No. 35-B.	Notice in Criminal Appeal/Referred Trial.
High Court Form No. 36.	Notice in Criminal Appeal (against Criminal Petition)
High Court Form No. 36-A.	Letter intimating date of hearing in appeal against acquittal.
High Court Form No. 40.	Memorandum calling for records in Criminal Cases.
High Court Form No. 40-A.	Memorandum calling for records in Criminal Revision Case.
High Court Form No. 48.	Memorandum work statement on the Appellate Side.
High Court Form No. 51.	Posting Book. Judgment reserved cases (January-June).
High Court Form No. 51-A.	Posting Book. Judgment reserved cases (July-December).

High Court Form No. 52.	Posting book. Cases Referred to Full Bench (January-June).
High Court Form No. 52-A.	Cases Referred to Full Bench (July- December).
High Court Form No. 53.	Part-heard cases (January-June).
High Court Form No. 53-A.	Part-heard cases (July-December).
High Court Form No. 54.	Posting Book (Criminal Appeals) (January- June).
High Court Form No. 54-A.	Posting Book (Criminal Appeals) (July- December).
High Court Form No. 54-B.	List of cases not heard (Criminal Miscellane- ous Petition) (January-June).
High Court Form No. 54-C.	List of cases not heard (Criminal Miscella- neous Petition) (July-December).
High Court Form No. 58.	Register of letters received.
High Court Form No. 62.	Docket sheet in Referred Trial.
High Court Form No. 64-A.	Docket sheet in Criminal Appeal.
High Court Form No. 64-B.	Appeal against acquittal.
High Court Form No. 66.	Docket sheet in Criminal Revision Case.
High Court Form No. 68.	Docket sheet in Criminal Miscellaneous Petition.
High Court Form No. 69.	State Brief in Criminal Case.
High Court Form No. 69-A.	Amicus Curiae appointment intimation.

High Court Form No. 71.	Criminal Appeal File Book.
High Court Form No. 73.	Docket sheet in Second Appeal.
High Court Form No. 74.	Register of First Appeals (Loose Forms).
High Court Form No. 74-A.	Register of Appeals from Appellate Decrees.
High Court Form No. 75.	Docket sheet Memorandum of Objections.
High Court Form No. 76.	Memorandum of Objection against findings.
High Court Form No. 78.	Notice for filing Memorandum of Objection.
High Court Form No. 80-B.	Wrapper for Vernacular Record bundles.
High Court Form No. 81.	Docket sheet in Civil Miscellaneous Appeal.
High Court Form No. 82.	Docket sheet in Civil Miscellaneous Second Appeal.
High Court Form No. 83.	Docket sheet in Civil Revision Petition.
High Court Form No. 84.	Docket sheet in Civil Miscellaneous Petition.
High Court Form No. 85.	File book for Civil Miscellaneous Appeal.
High Court Form No. 86.	File book for Civil Miscellaneous Second Appeal.
High Court Form No. 87.	File book for Civil Revision Petition.
High Court Form No. 88.	File book for Civil Miscellaneous Petition.
High Court Form No. 89.	Docket sheet in Regular Appeal.

High Court Form No. 91.	File book for Original Side Appeals.
High Court Form No. 93.	Docket sheet in Letters Patent Appeal.
High Court Form No. 94.	Docket sheet in Cases Referred.
High Court Form No. 95-A.	Index sheets for Judicial Papers.
High Court Form No. 96.	Order Form in Referred Trial (Confirmation of sentence of death).
High Court Form No. 140.	Stamp Register.
High Court Form No. 143.	Register of unstamped documents.
High Court Form No. 144.	Notice Form for return of papers in receiving section.
High Court Form No. 145.	Register of Court-Fees realised.
High Court Form No. 169.	Letter calling for papers omitted.
High Court Form No. 171.	Notice for pointing out portions.
High Court Form No. 171-D.	Notice for printing pleadings.
High Court Form No. 171-D1.	Notice for pointing out documents.
High Court Form No. 171-F.	Notice for pointing out for payment of Translation and Printing charges.
High Court Form No. 171-G.	Lodgement schedule forms.
High Court Form No. 172.	Bill Book (Translation and Printing charges).
High Court Form No. 173.	Refund Chalan Book.

High Court Form No. 174.	Notice for pointing out portions in Appeal.
High Court Form No. 175.	Work statement of Translators.
High Court Form No. 175 (c).	Pendency Statement of T. & P. Applications with reference.
High Court Form No. 188.	Notice calling for folio charges.
High Court Form No. 189.	List of copies ready for delivery (Stamp copy).
High Court Form No. 190.	Copyist Department Application.
High Court Form No. 190-F.	Work statement of Stamp Copyists.
High Court Form No. 199.	Register of Material Objects.
High Court Form No. 211.	Official Memorandum Form (Vernacular Records).
High Court Form No. 211-B.	Official Memorandum Form (Vernacular Records).
High Court Form No. 242.	Record Issue Register.
High Court Form No. 321.	Preparation Book (Criminal Section).
High Court Form No. 414.	Criminal Miscellaneous Petition Register.
High Court Form No. 427.	Reminder for return of records.
High Court Form No. 427-A.	Reminder Form.
High Court Form No. 430.	Preparation Register (Notice Section).
High Court Form No. 437.	File Book for Criminal Revision Case.
High Court Form No. 440.	Judgment sent to Law Reporter.

High Court Form No. 440-A.	Circulation Register (English Record).
High Court Form No. 441.	Official Memorandum regarding sanction for reporting cases on Law Reports.
High Court Form No. 442.	Translation and Printing file books.
High Court Form No. 466.	Register for issue of printed papers to accused.
High Court Form No. 476.	List of documents to be translated and printed.
High Court Form No. 479.	Contents slip (Translation and Printing).
High Court Form No. 518.	Batta forms.
High Court Form No. 519.	List for Non-Service of Processes on respondents.
High Court Form No. 521.	Notice to respondents.
High Court Form No. 573.	Lodgement Schedule (Translation and Printing).
High Court Form No. 574.	Check slip (Court-fees Section).
High Court Form No. 576.	Work statement of Court Fee Examiners.
High Court Form No. 608.	General Register.
High Court Form No. 619.	Distribution Register (Appeal Examiners Section).
High Court Form No. 620.	Receipt for Court-fees paid.
High Court Form No. 642.	Press Copy Register.
High Court Form No. 645.	Memorandum calling for the copies of documents.



High Court Form No. 649.	Rent chalan forms.
High Court Form No. 653.	Stamp Register (Appeal Examiner).
High Court Form No. 654.	Register of cases referred to Master or Judge (Appeal Examiners Section).
High Court Form No. 657.	Distribution Register (For print/No print cases).
High Court Form No. 664.	Index of cases disposal of receipt register.
High Court Form No. 665.	Daily register of Records received (English Records).
High Court Form No. 667.	Copy Complying Register.
High Court Form No. 669.	Distribution Register (English Records).
High Court Form No. 671.	Preparation Register for Criminal Revision Case.
High Court Form No. 673.	Notice Docket sheets.
High Court Form No. 676.	Register of printed papers.
High Court Form No. 677.	Record slip (Vernacular Records).
High Court Form No. 678.	Record requisition register.
High Court Form No. 680.	Call for book (Vernacular Records).
High Court Form No. 682.	Receipt showing Court-fees paid Translation and Printing.
High Court Form No. 684.	Record Issue Register (Vernacular Records).
High Court Form No. 685.	Memorandum for return of records to lower Courts.

High Court Form No. 689.	Order appointing guardian.
High Court Form No. 693.	Letter to Jail authorities about the release of the accused on bail.
High Court Form No. 695.	Check slip register (Appeal Examiners).
High Court Form No. 706.	Notice regarding despatch of records to Supreme Court.
High Court Form No. 707.	Progress Report (Outer) (Translation and Printing).
High Court Form No. 708.	Progress Report (Inner) (Translation and Printing).
High Court Form No. 711.	Daily register of Supreme Court Work received from press.
High Court Form No. 712.	Register of Supreme Court (Translation and Printing).
High Court Form No. 716.	Letter forwarding manuscript to the press for printing.
High Court Form No. 723.	Work Statement of Appeal Examiners.
High Court Form No. 725.	Registers for the use of Copy Complying Section.
High Court Form No. 749.	Statement of work of the Appellate Side.
High Court Form No. 754.	Register of Tax Cases.
High Court Form No. 755.	Register of Supreme Court Leave Petitions.
High Court Form No. 756.	Register of Supreme Court allied Leave Petitions.
High Court Form No. 759.	Tax Case Petition.

High Court Form No. 760.	Docket sheet in Supreme Court Petition.
High Court Form No. 761.	Letter to the post office for enquiry about non-receipt of postal acknowledgment.
High Court Form No. 762.	Tax Cases docket forms.
High Court Form No. 764.	Letter to postal authority (Notice Section).
High Court Form No. 766.	Notice in Civil Revision Petition and Civil Miscellaneous Petition (Prior to Decree cases).
High Court Form No. 767.	Notice in Tax Case Petition.
High Court Form No. 768.	Notice in Tax Cases.
High Court Form No. 770.	Register of Bleadings.
High Court Form No. 836.	Safe Custody Book (Vernacular Records).
High Court Form No. 839.	Translation Work Register.
High Court Form No. 845.	Notice Section (Periodical) Statement.
High Court Form No. 847.	Docket for Writ Miscellaneous Petitions.

#### ADMINISTRATIVE DEPARTMENT.

High Court Form No. 44	Consolidated distribution statement (Stationery).
High Court Form No. 58.	Register of letters, etc., received in Judicial branch.
High Court Form No. 75-B.	Certificate of Funds (Accounts Department)

High Court Form No. 150.	Disposal Register.
High Court Form No. 151.	Indent for Service stamp.
High Court Form No. 180.	Monthly statement of rent recovery for the Advocates Chambers, etc.
High Court Form No. 183-A (1).	Chalan Books (Civil).
High Court Form No. 183-A (2).	Chalan Book (Criminal).
High Court Form No. 211.	Official Memorandum.
High Court Form No. 226-A.	Check slip on statistical returns.
High Court Form No. 242.	Record Issue Register.
High Court Form No. 250.	Rent Receipt Book.
High Court Form No. 251.	Translation and Printing charges remittance chalan book.
High Court Form No. 256-G.	Form of Certificate for Security Deposit in Supreme Court Appeal.
High Court Form No. 256-J (1).	Rent remittance register.
High Court Form No. 256-J (2).	Electric charges register.
High Court Form No. 258.	Day Book.
High Court Form No. 413-A.	Reminder Form.
High Court Form No. 415-A.	Memorandum to Advocate regarding pay- ment of rent, etc.
High Court Form No. 429.	Certificate of Funds (Government Securities and Cash).

High Court Form No. 453.	Receipt Chalan for Personal Deposit Account to Reserve Bank.
High Court Form No. 483.	Remittance register of receipt.
High Court Form No. 501.	Carriage Hire Form.
High Court Form No. 519.	List showing details on non-service on respondents.
High Court Form No. 572.	Register of Receipts and Charges.
High Court Form No. 579.	Distribution Register.
High Court Form No. 580.	Personal Register.
High Court Form No. 581.	Periodical Register.
High Court Form No. 582.	Numbering Register (Telephone Operators).
High Court Form No. 595.	Annual Statement IV—Part I.
High Court Form No. 596.	Annual Statement V—Part I.
High Court Form No. 597.	District-war Statement of Statistics.
High Court Form No. 598.	Annual Statement IX (Statistics).
High Court Form No. 600.	Form to be used for sending forms to the Press.
High Court Form No. 602.	Register showing daily disposals urgent in Current Section.
High Court Form No. 608.	Circulation Register (Judges).
High Court Form No. 617.	Register of disposal of Administrative Department Records.

High Court Form No. 622.	Day Book of receipt and distribution.
High Court Form No. 643.	Civil Suits Register (Accounts Section).
High Court Form No. 646.	Translation and Printing refund acquittance Register.
High Court Form No. 651.	Bill Forms for Translation and Printing refunds.
High Court Form No. 658.	Calling Book (Current Section).
High Court Form No. 674.	Rent Ledger.
High Court Form No. 675.	Register showing sanctioned scale of establishment.
High Court Form No. 681.	Printed Application Form for employment in the High Court.
High Court Form No. 701.	Memorandum regarding appointment in the High Court.
High Court Form No. 732.	Control of expenditure statement.
High Court Form No. 751.	Fair copy and despatch register.
High Court Form No. 752.	Urgent slip.
High Court Form No. 777.	Railway Parcel Register.
High Court Form No. 778.	Register of Confidential Tapals.
High Court Form No. 779.	Register of ordinary cases dealt within Current Section.
High Court Form No. 780.	Register showing distribution of work to Typist.

High Court Form No. 783.	Small Causes Court inspection report.
High Court Form No. 785.	Form Receipt Register.
High Court Form No. 786.	Day Book of Rent and Electric charges.
High Court Form No. 787.	Printed docket for awards and orders, for use of Industrial Tribunal and Labour Courts.
High Court Form No. 832.	Forms Receipt Register (Budget Section).
High Court Form No. 837.	Typists' Daily Statement.
High Court Form No. 838.	Examiners' Daily Statement.
High Court Form No. 840.	Cash Balance Register.
High Court Form No. 848.	Security Register (Accounts).

#### SHORTHAND WRITERS' SECTION.

High Court Form No. 501.	Carriage Hire Form.
High Court Form No. 512.	Shorthand Note-books.
High Court Form No. 548.	Shorthand Writers' Diary.

#### BENCH CLERKS' DEPARTMENT.

High Court Form No. 5.	Bail Order (Single accused).
High Court Form No. 6.	Bail Order (More than one accused).
High Court Form No. 19-A.	Letter to lower Court for service of notice on the Respondent.
High Court Form No. 47-B.	Interim Order Book.

High Court Form No. 58.	Register of letters received in Judicial branch.
High Court Form No. 96.	Referred Trial Order (Confirmation of sentence of death).
High Court Form No. 97.	Referred Trial Order (Reduction of sentence of death).
High Court Form No. 98.	Referred Trial Order (Reversal of sentence of death).
High Court Form No. 99.	Referred Trial Judgment in cases (Referred Trials) referred by Sessions Judges.
High Court Form No. 100.	Form of Judgment in Criminal Appeal.
High Court Form No. 100-A.	Judgment in Criminal Appeal ( <i>Amicus Curiae</i> ).
High Court Form No. 101.	Judgment/Order in Criminal Appeal (Appeal against acquittal).
High Court Form No. 105.	Order in Criminal Appeal (For acquittal).
High Court Form No. 107.	Order in Criminal Revision Cases.
High Court Form No. 108.	Order in Criminal Revision Cases.
High Court Form No. 109.	Order in Cases Referred (Criminal Revision Cases).
High Court Form No. 110.	Decree Form in First Appeal.
High Court Form No. 112.	Order in Civil Miscellaneous Appeals.
High Court Form No. 113.	Civil Miscellaneous Appeals with memorandum of cost.
High Court Form No. 115.	Judgment in Civil Revision Petitions.
High Court Form No. 116.	Order in Civil Revision Petitions.



High Court Form No. 117.	Dismissal Order in Civil Revision Petition (with memorandum of costs).
High Court Form No. 118.	Order in Civil Miscellaneous Petition (in <i>forma pauperis</i> ).
High Court Form No. 120.	Order in Civil Miscellaneous Petition (Review of Judgment).
High Court Form No. 123.	Decree in Second Appeal (Order XLI, Rule 11, Civil Procedure Code).
High Court Form No. 123-A.	Decree in Second Appeal (Order XLI, Rule 11, Civil Procedure Code).
High Court Form No. 124.	Ledger (Bench Clerks' Department).
High Court Form No. 127.	Decree in Second Appeal (Dismissal with memorandum of cost).
High Court Form No. 127-B.	Decree in Appeals.
High Court Form No. 128.	Decree in Second Appeal (Dismissal with memorandum of cost after the findings).
High Court Form No. 129.	Bench Clerk's Diary.
High Court Form No. 134-A.	Letter forwarding copies of printed records and Judgments of the Court of Sessions and the High Court in Referred Trial and Criminal Appeal.
High Court Form No. 139.	Judgment in Second Appeals.
High Court Form No. 139-A.	Decree in Second Appeal.
High Court Form No. 139-B.	Decree in Second Appeal (where no Memo- randum of Objections are filed).
High Court Form No. 154-A.	Certificate of appearance of the Public Prosecutor in the High Court.
High Court Form No. 155.	Memorandum of Cost (Appellant cost in Second Appeal).

High Court Form No. 156	Memorandum of cost (Petitioners and Respondents cost).
High Court Form No. 157.	Memorandum of costs in cases.
High Court Form No. 158.	Memorandum of cost in Second Appeal.
High Court Form No. 159.	Taxation Reference.
High Court Form No. 253.	Letter of intimation for inspecting the draft of the decree issued by Manager, Bench Clerks Department.
High Court Form No. 523.	Bail slip.
High Court Form No. 589.	Stay order in Criminal Miscellaneous Petition.
High Court Form No. 590.	Warrant of arrest in Criminal Appeal.
High Court Form No. 591.	Order of arrest in Criminal Appeal against acquittal.
High Court Form No. 606.	Register of Shorthand cases.
High Court Form No. 609.	Register of Urgent cases.
High Court Form No. 610.	Draft Distribution Register.
High Court Form No. 611.	Drafters Diary.
High Court Form No. 612.	Bench Clerks Diary Register.
High Court Form No. 614.	Register of insertion of cases in Original Side Appeal.
High Court Form No. 615.	Register of cases submitted to the Officers for approval.

High Court Form No. 616.	Fees Certificate Register.
High Court Form No. 619.	Distribution Register.
High Court Form No. 619-A.	Writ Order to produce or to appear.
High Court Form No. 619-D.	Writ Order absolute.
High Court Form No. 702.	Memorandum of cost in Civil Miscellaneous Petition.
High Court Form No. 717.	Urgent slip (Bench Clerk).
High Court Form No. 739.	List of cases pending for more than three weeks.
High Court Form No. 740.	Docket sheet for Judgment.
High Court Form No. 741.	Docket sheet for Decree.
High Court Form No. 742.	Docket sheet for Order.
High Court Form No. 744.	Register of applications for M. filing.
High Court Form No. 745.	Docket sheet for Writ Petition.
High Court Form No. 772.	Writ of Certiorari (Order absolute).
High Court Form No. 773.	Writ Petition (Order for calling for records).
High Court Form No. 774.	Writ Appeal (Order against Letters Patent Appeal).
High Court Form No. 782.	Writ Petition (Order <i>Nisi</i> to produce or to appear.
High Court Appeal No. 789.	Interim Orders (Civil Miscellaneous Peti- tions).
High Court Form No. 792.	Certificate of refund of Court-fees.

## ORIGINAL SIDE

High Court Form No. 3.	Interim Order Receiver (Insolvency).
High Court Form No. 5.	Adjudication Order (Insolvency).
High Court Form No. 8.	Protection Order Form (Insolvency).
High Court Form No. 14.	Notice in First Appeal.
High Court Form No. 22-A.	Memorandum for bringing on record fresh advocates.
High Court Form No. 47.	Dividend Declaration Order.
High Court Form No. 49.	Dividend Payment Order.
High Court Form No. 50.	Dividend Deposit Order.
High Court Form No. 57.	Warrant Order.
High Court Form <b>No. 65.</b>	Petition Memorandum (Insolvency).
High Court Form No. 193.	Original Side Decree Form.
High Court Form No. 277.	Letters of administration.
High Court Form <b>No. 278.</b>	Probate.
High Court Form No. 301.	Testamentary Register.
High Court Form No. 305.	Prohibitory Order under Order XXI, Rule 54, Act V of 1908.
High Court Form No. 316.	Warrant for Sale of Immovables.
High Court Form No. 365-A.	Decree in Civil Suits (Current Section).

High Court Form No. 366.	Order in Application (Original Side).
High Court Form No. 375.	Original Petition Register.
High Court Form No. 380.	Order for first hearing in Original Side.
High Court Form No. 381.	Appendix A in Civil Suits (Original Side) (Insolvency).
High Court Form No. 383.	Docket sheet for Application (Original Side).
High Court Form No. 383-A.	Application Docket Form.
High Court Form No. 384.	Index of papers (Original Side).
High Court Form No. 384-A.	Index of papers (Insolvency).
High Court Form No. 387.	Certificate of satisfaction in Original Petition.
High Court Form No. 407-A.	Taxation of cost (Insolvency).
High Court Form No. 419.	Index sheet for Original Side Appeal.
High Court Form No. 433.	Posting Book in Original Side.
High Court Form No. 453-A.	Form of memorandum to advocate intimating him that the draft decree or order is open for inspection.
High Court Form No. 456.	Monthly return of Original Suits and Petition.
High Court Form No. 494.	Order in Civil Suits.
High Court Form No. 504.	Consent Order Form.

High Court Form No. 534.	Decree Nisi in Original Matrimonial Suit.
High Court Form No. 546.	List of papers returned (Original Side).
High Court Form No. 573	Lodgement Schedule.
High Court Form No. 578.	List of Exhibits filed.
High Court Form No. 584.	Order appointing guardian for the minor in Original Petition.
High Court Form No. 587.	Attachment of moveables. .
High Court Form No. 588.	Commissioners Report on passing the account (Original Side).
High Court Form No. 611.	Drafter's Diary.
High Court Form No. 633.	Register of Interlocutory Applications.
High Court Form No. 637.	Record Issue Register.
High Court Form No. 638.	Register of Records received in the Original Side Records.
High Court Form No. 639.	Register of Applications for copies filed in (the Original Side.)
High Court Form No. 640.	Diary Distribution Register.
High Court Form No. 641.	Original Side Diary Register.
High Court Form No. 647.	Summons Finding Register.
High Court Form No. 652.	Suit Register (Original Side).

High Court Form No. 655.	Work statement book of the decree drafting (Original Side).
High Court Form No. 659.	Register or records received from other Courts and Offices.
High Court Form No. 662.	Disposal Register.
High Court Form No. 686.	Current Register of papers received.
High Court Form No. 714.	Letter to Lower Court for sending summons for service on the Respondents.
High Court Form No. 717.	Urgent slip.
High Court Form No. 721.	Register of Chamber Applications.
High Court Form No. 724.	Memorandum to advocate for payment of arrears.
High Court Form No. 725.	Register of Copy Applications.
High Court Form No. 748.	Monthly Statement of work of the Original Side.
High Court Form No. 771.	Process Register.
High Court Form No. 780.	Register showing distribution of work to Typist.
High Court Form No. 784.	Certificate in Original Petition (Testamen- tary and Intestate).
High Court Form No. 792.	Certificate for refund of Court-fees.
High Court Form No. 793.	Affidavit of service.
High Court Form No. 794.	Affidavit of service in Petition (Insolvency).
High Court Form No. 795.	Insolvency Petition Returnable Form.

High Court Form No. 796.	Memorandum of acknowledgment in Insolvency Petition.
High Court Form No. 818.	Consent Order Form.
High Court Form No. 819.	Warrant of arrest in Execution Order.
High Court Form No. 820.	Warrant of attachment of Immovable property.
High Court Form No. 821.	Warrant of attachment of immovable property.
High Court Form No. 822.	Certificate of satisfaction in Execution Petition (Insolvency).
High Court Form No. 823.	Transmission of notice of Insolvency to the Lower Court.
High Court Form No. 824.	Form for Transmission of Execution Petition (Insolvency).
High Court Form No. 825.	General Index sheets.
High Court Form No. 826.	Index sheets (Original Side Appeal.)
High Court Form No. 827.	List of Exhibits.
High Court Form No. 828.	Warrant for Discharge (Insolvency)
High Court Form No. 829.	Draft Appeal Form.
High Court Form No. 830.	Warrant of Commission.
High Court Form No. 831.	Docket Sheet (Insolvency).



High Court Form No. 835.	Register of Receiver Accounts.
High Court Form No. 842.	Notice of Annulment of Adjudication (Insolvency).
High Court Form No. 843.	Notice as to cross of adjudication (Insol- vency).
High Court Form No. 844.	Notice as to cross of adjudication (with columns for creditor's name (Insolvency).
High Court Form No. 849.	Inventory Register (Sheriff's Office).
High Court Form No. 850.	Register of fees (Sheriff's Office).