

funds thus saved are to be appropriated to the construction and maintenance of a Dispensary, (G. O., Revenue, 6th June 1870, No. 830), for the erection of which Government have authorized the grant of a loan of Rupees 7,000 to be re-paid from the endowment fund in annual instalments.

VI. Process Service Fund.—To this fund are credited all receipts realized in the shape of batta for serving processes, and of fees for making distress or selling property under Act II of 1864, (Madras). To this fund are debited payments to batta peons and Amins. (Proceedings, 3rd August 1865, No. 4,590). This fund has been abolished and the surplus proceeds credited to Imperial Revenue under order of the Government of India, 25th July 1870, No. 2,198. The surplus in Bellary was only Rupees 243.

VII. Village Service Fund.—This fund appears for the first time in the accounts of 1869-70. The receipts in that year were Rupees 195; the expenditure Rupees 88 and the balance Rupees 107.

CHAPTER VII.

COURTS OF CIVIL JUSTICE.

The Courts of Village Munsiffs—Of District Munsiffs—Of the Principal Sadr Amin—Of the Civil Judge—Revenue Courts—Appellate jurisdiction.

In this as in other districts, there are four grades of Civil Courts those of

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| 1. Village Munsiffs. | 3. The Principal Sadr Amin. |
| 2. District Munsiffs. | 4. The Civil Judge. |

Collectors and their subordinates have also jurisdiction to dispose of certain special suits of a civil nature, such as suits under Reg. VI of 1831 for "possession of or succession to hereditary village or other offices in the Revenue or Police Departments, or for the enjoyment of any of the emoluments annexed thereto;" summary suits under VIII of 1865 (Madras), or II of 1864 (Madras), in cases involving disputes about 'Revenue' or 'Rent,' and under Reg. XII of 1816 in certain land disputes.

I. Village Munsiffs.—There are 2,076 Village Munsiffs in the Bellary district, but they do not all exercise the powers conferred on them by the law. A Village Munsiff has primary jurisdiction :

(1.) In suits for sums of money or other personal property the value of which does not exceed ten Arcot Rupees.

(2.) With the help of a Panchayet in suits without any limitation as to the value of the property in dispute, in the two following cases (a). When the plaintiff and defendant agree that the matter in issue shall be decided without appeal by a Village Panchayet, and prefer in writing a request to that effect to the Munsiff, whether the parties be residents of the village or not. (b) Where one party to the suit prefers such a request in writing, and the other on being summoned and being an inhabitant of the same village signifies his consent in writing.

(3.) The Village Munsiff is also authorised to try and determine as arbitrator suits relating to money or personal property not exceeding Rupees 100, when voluntarily referred to him by the parties.

Village Munsiffs are prohibited from trying any suit in which they or any of their immediate servants are personally interested, or suits against any person or persons not actually residing within their jurisdiction at the time when such suit shall be preferred.

The Village Panchayet is to consist of an odd number not less than five nor more than eleven, and is to be composed of the most respectable inhabitants of the village, who are called upon to serve in rotation under a penalty not exceeding five Arcot Rupees. The majority decides.

II. Courts of District Munsiffs.—Till recently there were seven of these Courts in the district at Kurgódu, Gooty, Adoni, Purghi, Tádmarí, Kalyandrúg and Kottúr. In 1852 the Courts at Kurgódu and Kottúr were removed to Bellary and Narayanadeverkerra. In 1864 the Courts at Adoni and Tádmarí were abolished. The Kalyandrúg Court is temporarily established at Anantapúr. As it is understood that the High Court have recently sanctioned a complete re-arrangement of the jurisdiction of each Court, the jurisdictions now existing need not be defined.

At present the Bellary Munsiff is of the first grade, those at Gooty and Narayanadeverkerra of the second grade, and those of Purghi and Kalyandrúg of the third grade. Each Munsiff has a fixed establishment costing Rupces 120 per mensem

The District Munsiff has primary jurisdiction over all residing within his jurisdiction under the following limitations: (1.) For land exempt from the payment of rent to Government, the annual produce of which does not exceed Rupees 100; for land subject to the payment of rent to Government where the value of the matter in dispute does not exceed Rupees 1,000. (2.) He can summon Panchayets within his jurisdiction for the decision of suits for real and personal property, without limitations as to amount or value, in the same two cases as the Village Munsiff is authorized to summon Village Panchayets. (3.) He is also authorized to hear and determine as arbitrator all suits which may be voluntarily referred to him by both parties, whether for real or personal property, of the value above specified.

He is however prohibited from receiving or trying any suit for damages on account of personal injuries or for personal damages of any nature, without an order of reference from the Civil Court.

The District Panchayet is formed in the same way as the Village Panchayet, but out of the inhabitants of the whole district, who are liable to serve in rotation under a penalty of a fine of Rupees ten for refusing. The majority decides.

District Munsiffs are also vested with small cause jurisdiction over claims and in suits for personal property, the value of which does not exceed Rupees 50. The decisions in these cases are final. The following table shows the number of suits filed in the District Munsiffs' Courts in the last six years:—

	1865.		1866.		1867.		1868.		1869.		1870.	
	Original.	Small Cause.	Original.	Small Cause.	Original.	Small Cause.	Original.	Small Cause.	Original.	Small Cause.	Original.	Small Cause.
1. Bellary	1022	332	782	226	1112	349	1220	411	1118	490	1046	387
2. Gooty	845	496	700	400	1033	670	1011	520	975	536	1014	579
3. Narayandeverkerra...	315	148	277	127	464	229	399	209	448	196	438	172
4. Kalyandrug	435	326	409	192	424	232	327	153	408	101	413	136
5. Purgbi	650	403	566	383	550	370	632	396	648	405	523	295

III. Court of the Principal Sadr Amin.—In 1860 the Court of the Subordinate Judge, established under Act VII of 1843 was abolished, and a Court of a Principal Sadr Amin substituted; but in December 1860 it was closed again. A temporary Court was established in 1866 to dispose of the numerous appeal cases which had accumulated in the Civil Court, and was continued until June 1867. In July 1871, for the same reason, the Court of Cuddapah was temporarily transferred to Bellary. The Principal Sadr Amin has original jurisdiction in suits where the amount or value of the property in dispute does not exceed Rupees 10,000.

IV. Court of the Civil Judge.—This is the Chief Civil Court of the District. The Civil Judge has original jurisdiction in suits where the amount or value of the property in dispute is above Rupees 10,000, and when there is no Principal Sadr Amin in the District in suits valued above Rupees 1,000, which cannot be tried by the District Munsiffs.

Appellate jurisdiction.

- (1.) From decrees of Village Munsiffs there is no appeal.
- (2.) From decrees of Village Panchayets there is no appeal, but in cases of gross partiality the decision may be annulled by the Civil Judge on petition presented within 30 days from the date of the decree.
- (3.) From all decisions of District Munsiffs there is an appeal to the Civil Judge in all suits for property in land, and in suits for money and other personal property the amount or value of which exceeds Rupees 20; for money or personal property not exceeding that amount the decree is final. These appeals may be referred by the Civil Judge to the Principal Sadr Amin for disposal.
- (4.) From the decrees of District Panchayets there is no appeal, but the decree may be set aside for gross partiality.
- (5.) From the decrees of the Principal Sadr Amin there is an appeal in all cases to the Civil Judge.
- (6.) From decisions and orders of the Civil Judge an appeal lies to the High Court.

