

Privy Council Appeal No. 2 of 1917.

Sri Raja Parthasarathi Appa Row Savai Aswa
Row Bahadur, Zemindar Garu - - - - - *Appellant.*

v.

Chevendra China Sundara Ramayya and others *Respondents.*

252 Consolidated Appeals.

FROM

THE HIGH COURT OF JUDICATURE AT MADRAS.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE
OF THE PRIVY COUNCIL, DELIVERED THE 29TH JANUARY, 1917.

Present at the Hearing :

VISCOUNT HALDANE.

LORD SHAW.

LORD PARMOOR.

SIR JOHN EDGE.

MR. AMEER ALI.

[*Delivered by* VISCOUNT HALDANE.]

Their Lordships will humbly advise His Majesty that the same order should be made in these consolidated appeals as was made on the 31st May, 1910, in the appeal No. 37 of 1908. The effect of this will be that the appeals will be allowed and the suits remitted to the High Court, so that they may then be remitted to the proper court to determine, in accordance with the provisions of the Madras Rent Recovery Act 1865, Section 11, clause 3, what rates of rent the appellant is entitled to receive in respect of the property.

With regard to the five appeals referred to by Counsel, in which the Record is defective owing to the parties not being before the Court, their Lordships will advise His Majesty that the appellant ought to be at liberty to withdraw them, and no order will be made in respect of those appeals.

Following the form of the previous order, the costs incurred in India will be left to be dealt with by the High Court, and there will be no costs of these appeals.

In the Privy Council.

SRI RAJA PARTHASARATHI APPA ROW
SAVAI ASWA ROW BAHADUR,
ZEMINDAR GARU

v.

CHEVENDRA CHINA SUNDARA
RAMAYYA AND OTHERS.

DELIVERED BY
VISCOUNT HAIDANE.