

**(1895) 07 MAD CK 0001**  
**In the Madras High Court**

Devalji Rau

APPELLANT

Vs

President, Municipal Commission

RESPONDENT

---

**Date of Decision :** 31-07-1895

**Acts Referred:**

Madras City Municipal Corporation Act, 1884 — Section 433

**Citation :** (1896) ILR (Mad) 503 : (1895) ILR (Mad) 503

**Hon'ble Judges :** Shephard, J; Best, J

**Bench :** Division Bench

---

**Judgement**

1. We are of opinion that the letter of the plaintiff is not a sufficient notice within the meaning of the 433rd Section of the City of Madras Municipal

Act of 1884. It is insufficient because it omits to state the place or street in which the house alleged to be demolished stood, as also the time of the

alleged demolition. Further, the letter does not positively state that an action will be brought. See Breese v. Jerdein 4 Q.B. 585; 12 L.J. Q.B. 234

and Mason v. Birkenhead Improvement Commissioners 6 H. & N. 72.

2. It is unnecessary to answer the second question.

3. Barclay, Morgan & Orr: Attorneys for Defendant.