

(1896) 11 MAD CK 0026
In the Madras High Court

Narasimma Chariar

APPELLANT

Vs

Sinnavan

RESPONDENT

Date of Decision : 06-11-1896

Acts Referred:

Legal Practitioners Act, 1879 — Section 28

Citation : (1897) ILR (Mad) 365

Hon'ble Judges : Arthur J.H. Collins, C.J;Benson, J

Bench : Division Bench

Judgement

1. We agree with the District Munsif that Section 28 of the Legal Practitioners Act is applicable. The plaintiff may, however, recover reasonable

remuneration for the work done by him for the benefit of the client on the principle quantum meruit, Krishnasami v. Kesava ILR 14 Mad. 63 .

2. The District Munsif refused to go into this question on the ground that the person benefited, viz., the second defendant, in the criminal case, was

no party to the present suit. We observe, however, that the plaintiff would not have gone into Court at all but for the guarantee given by the first

defendant, and the latter would have been in that case undefended. The first defendant then derived benefit from the plaintiff going into Court to

defend him and the second defendant jointly. We think, therefore, that the plaintiff may recover reasonable remuneration for the services he

rendered. We therefore set aside the decree of the District Munsif with costs and direct him to restore the suit to his file and dispose of it on the

merits.