

(1927) 11 MAD CK 0043
In the Madras High Court

Pinnamraju Raghunadha Raju

APPELLANT

Vs

Burra Mariyamma and Another

RESPONDENT

Date of Decision : 01-11-1927

Acts Referred:

Madras Village Courts Act, 1889 — Section 73

Citation : AIR 1928 Mad 980

Judgement

1. We are of opinion that "the decision of the District Munsif cannot be supported. Section 73, Madras Village Courts Act, as amended, shows that the Court is not bound to interfere even if there is an error of law unless the decree is unjust, or, in other words, if substantial justice has been done. Error of law should not be a ground for interference by the District Munsif. In the present case no plea of limitation was raised and the findings of the village Court are clear that there were dealings between the parties and that the amount claimed is due. The District Munsif's view that the evidence disclosed that there might be question of limitation does not give him any right to interfere. We set aside the order of the District Munsif. The decree of the village Court will stand.