

**(1929) 04 MAD CK 0069**  
**In the Madras High Court**

Secy. of State

APPELLANT

Vs

Saminatha Nadar

RESPONDENT

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**Date of Decision :** 26-04-1929

**Acts Referred:**

**Citation :** AIR 1930 Mad 342(1)

**Hon'ble Judges :** Jackson, J

**Bench :** Division Bench

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**Judgement**

Jackson, J.—The question for decision is whether certain documents items 1 and 7, are open to the lower Court's inspection. The point is concluded by Irwin v. D.J. Reid AIR 1921 Cal 282 which follows the English Law, see Halsbury's Laws of England, Vol. 11, pp. 84 and 137.

2. The public officer concerned and not the Judge is to decide whether the evidence referred to shall be given or withheld. If the objection is taken by the proper person, the Court will not go behind it.

3. The order directing the open production of the documents is cancelled. The petition is allowed with costs.