

(1897) 12 MAD CK 0006
In the Madras High Court

Venkatagiri Raja

APPELLANT

Vs

Venkat Rau

RESPONDENT

Date of Decision : 08-12-1897

Acts Referred:

Citation : (1898) ILR (Mad) 243

Hon'ble Judges : Subramania Ayyar, J;Benson, J

Bench : Division Bench

Judgement

1. We do not agree with the District Munsif in holding that ""jodi"" is a cess or due of the kind referred to in schedule II, Article 13 of the Provincial

Small Cause Courts Act. The general word ""dues"" in that article must be taken to be dues similar in kind to the special dues mentioned in the

article. In the present case the claim is for ""jodi"" which is rent on favourable terms. Article 11 of Schedule II has no application whatever.

2. The claim was, therefore, cognizable by the Small Cause Court.

3. We set aside the order and direct the District Munsif to receive the plaint and dispose of it according to law. Costs will abide and follow the result.