

SUPREME COURT, MADRAS ACT 1845

ACT No XXVIII OF 1845

(Rep., Act 8 of 1868)

[27th December, 1845.]

Passed by the Hon'ble the President of the Council of India in Council on the 27th December 1845, with the assent of the Right Hon'ble Governor General of India.

AN Act for the improvement of the Administration of the Justice and dispatch of Business in Supreme Court of Judicature at Fort St. George.

I. It is hereby enacted, that from the after the passing of this Act, it shall be lawful for any one of the Judges of the Supreme Court of Judicature at Fort St. George when occasion shall so require to sit apart from the other Judges or Judge, as the case may be, of the same Court for the dispatch of the Criminal Business of the said Court shall be at the time when the other Judges of Judge, as the same Supreme Court, and that all proceedings whatever so had by and before such Judge, so sitting apart for the purpose aforesaid, shall be good, valid and effectual in the Law to all intents and purposes as fully as if the said proceeding where had before all the Judges of the said Court sitting as a Court of Oyer and Terminer and Gaol Delivery under the Charter of the said Court.

II. And it is hereby further enacted, that all Business of what nature or kind soever which the said Supreme Court of Judicature at Fort St. George may or shall have power to transact in Term, it shall in like manner have power to transact out of Term, and that all proceedings whatever before the said Court out of Term, shall be as good, valid and effectual in the Law to all intents and purpose as fully as if the said proceedings were had in Term, and that all Rules and Orders of the said Court as to all Judgments Executions or other Proceedings in Term shall be applicable and shall be applied to all Judgments, Executions, or other Proceedings give, issued or had out of Term, as near as the same can be made applicable thereto, and the said Court shall issue such new Rules and Orders as may be necessary for the purpose of giving full effect to the provisions in this Act contained.
