

Suits Valuation Act, 1887

Section 1870 - namely, suits for possession of land to enforce a right of pre-emption, and for specific performance of an award

S. 7) a procedure for the publication of proposed rules, so that the Courts and the public may have an opportunity of preferring any objections which they may have to them before the rules are made. The Bill further declares (S. 3) that where a suit mentioned in para. Civ) of S. 7, or Art. 17 of Sch. II of the Court-fees Act, relates to land, the amount at which for purposes of jurisdiction the relief sought in the suit is valued shall not exceed the value of the land to which the suit relates as determined by the rules under the Act. In addition to the foregoing provisions which relate exclusively to land-suits S. 4 provides that in other suits in which court fees are payable ad valorem, the value for purposes of jurisdiction shall be estimated in accordance with the rules which regulate the value for court-fee purposes. Section 5 of the Bill is taken from Sections 206-208 of the North-Western Provinces Rent Act, 1881, and has been inserted at the suggestion of Sir Charles Turner, late Chief Justice of Madras, It lays down a special procedure for cases in which the objection that a suit was not properly valued for purposes of jurisdiction is taken in an appellate Court, an objection which the Bill declares may not be entertained unless it was taken in the Court of first instance. Lastly, the Bill (S. 6) repeals S. 14 of the Madras Civil Courts Act, 1873 which enacts the rule of valuation which it is the object of this Bill to abolish, namely, the valuation for jurisdiction in the case of land suits shall be in accordance with the court fee valuation prescribed by S. 7, para. (v) of the Court-fees Act,