

Queen-empress Vs. Subramanian and ors.

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SooperKanoon Citation : sooperkanoon.com/776239

Court : Chennai

Decided On : Sep-11-1896

Reported in : (1897)ILR20Mad1

Judge : Subramania Ayyar and ;Davies, JJ.

Appellant : Queen-empress

Respondent : Subramanian and ors.

Judgement :

ORDER

1. Reading Sections 98 and 100 of the Local Boards Act (V of 1884) together, it is clear that the notice prescribed by the former Section is a mere preliminary to the action to be taken by the president himself and not by the party under the latter Section. The notice in question is, therefore, merely a notice and not an order of the kind contemplated in Section 188 of the Penal Code.

2. We accordingly agree with the District Magistrate that the convictions were wrong and set them aside and direct that the fines, if paid, be refunded