

Narasimma Chariar Vs. Sinnavan

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SooperKanoon Citation : sooperkanoon.com/781107

Court : Chennai

Decided On : Nov-06-1896

Reported in : (1897)ILR20Mad365

Judge : Arthur J.H. Collins, C.J. and ;Benson, J.

Appellant : Narasimma Chariar

Respondent : Sinnavan

Judgement :

1. We agree with the District Munsif that Section 28 of the Legal Practitioners Act is applicable. The plaintiff may, however, recover reasonable remuneration for the work done by him for the benefit of the client on the principle quantum meruit, Krishnasami v. Kesava I.L.R. 14 Mad. 63 .

2. The District Munsif refused to go into this question on the ground that the person benefited, viz., the second defendant, in the criminal case, was no party to the present suit. We observe, however, that the plaintiff would not have gone into Court at all but for the guarantee given by the first defendant, and the latter would have been in that case undefended. The first defendant then derived benefit from the plaintiff going into Court to defend him and the second defendant jointly. We think, therefore, that the plaintiff may recover reasonable remuneration for the services he rendered. We therefore set aside the decree of the District Munsif with costs and direct him to restore the suit to his file and dispose of it on the merits.

