



CIRCULAR

Courts – Civil – Deposition of witnesses – Typed copies of deposition along with originals – Submission of – Further instructions – Issued.

- Ref:
1. High Court's circular P.Dis.No.310/67, dated 01.08.1967
 2. High Court's letter ROC No.3308A/77/F1, dated 31.08.1977
 3. High Court's letter ROC No.294A/85/RR, dated 15.04.1987
 4. High Court's Circular ROC No.750/92/F1, dated 28.02.1992

The High Court, in the past, had issued instructions to the Subordinate Civil Courts, in the form of circulars and letter cited above, that the civil courts should prepare a typescript of the depositions, then and there duly authenticated by the Presiding Officers, who have recorded the depositions and to keep them along with the manuscript evidence, so that no inconvenience is caused, even if the Presiding Officers are transferred subsequently. The Presiding Officers of the Subordinate civil courts were also requested to strictly adhere to the said instructions without fail in future.

In spite of the above instructions, in one of the Second Appeals that came up recently for hearing before the High Court, it was noticed that the depositions recorded in the Original Suit, against which the Appeal was preferred, were not clearly written and the evidence recorded by the concerned Presiding Officer in his hand writing, in that case, was not decipherable, causing much inconvenience to the court, and the typed copies of the depositions were not also certified.

To avoid recurrence of such instances and to ensure that no inconvenience is caused to the court, the High Court directs that the several instructions issued in the High Court's circular and letters under reference, in the matter of sending typed copies of the depositions along with the original, should be strictly adhered to without fail in future.

The Presiding Officers are informed that any violation in the observance of the instructions issued in this regard would be viewed, seriously and appropriate action taken against the erring officer.

HIGH COURT, MADRAS
DATED : 15/03/1993

Sd/-T.KRISHNAMURTHY
ADDITIONAL REGISTRAR (JUDICIAL)