



**COURTS - STAFF -  
REGISTERS -  
LEGAL PROCEDURES :  
A GUIDE FOR  
JUDICIAL  
MINISTERIAL STAFF  
(CHENNAI CITY)**

**TAMIL NADU STATE JUDICIAL ACADEMY**

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**Courts - Staff - Registers -  
Legal Procedures :  
A Guide for Judicial Ministerial Staff  
(Chennai City)**

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**TAMIL NADU STATE JUDICIAL ACADEMY**

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## INDEX

Sl. No.	CONTENTS	Page No.
1.	Messages	
	<b>(CHAPTER - I)</b> <b>CIVIL UNIT &amp; SESSIONS COURTS</b>	
2.	Part - I Courts - Jurisdiction, Administration & Control	1 - 6
3.	Part - II Duties and Responsibilities of the Staff Members working in Civil Units and Sessions Courts	7 - 50
4.	Part - III List of Registers Maintained in the Civil Courts and Sessions Courts & Forms under Civil Rules of Practoce	51 - 73
5.	Part - IV Basic Legal and Procedural Aspects for Staff working in the Civil Units and Sessions Cases	74 - 90
	<b>(CHAPTER - II)</b> <b>CRIMINAL UNIT</b>	
6.	Part - I Courts - Jurisdiction, Administration & Control	91 - 93
7.	Part - II Duties and Responsibilities of the Staff Members Working in Criminal Courts	94 - 106
8.	Part - III List of Registers Maintained in the Criminal Courts	107 - 112
9.	Part - IV Basic Legal and Procedural Aspects for Staff working in the Criminal Courts	113 - 120

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May 29, 2013

**MESSAGE**

Knowledge is power and knowledge of laws is empowerment. The Handbook, Study Material and Reading Material published by the Tamil Nadu State Judicial Academy in English and Tamil is a commendable step to enhance the knowledge and skills of the Court Staff of the District Judiciary.

I am glad to note that the Handbook covered important provisions of Law such as Code of Civil and Criminal Procedure, Limitation Act, Court Fees and Suits Valuations Act to enable the Court Staff to easily understand the same applicable to their day to day work.

The Study Material which covered brief introduction of Courts, jurisdiction, Control and Administration apart from the duties and responsibilities of staff members, registers maintained in the Courts etc. is also really helpful to staff of the district judiciary.

The reading material consisting of Articles on District Court Administration, Disciplinary Proceedings, Inspection of Courts, Role of District Judge, Legal Aid etc. will certainly improve the skills of the Judicial Officers in the State.

I congratulate the Governing Body of the Tamil Nadu Judicial Academy for their efforts in publishing this type of books for the District Judiciary and I wish that, in the coming years, the Academy will continue with the impressive work that it has been doing.

  
(P. SATHASIVAM)

F.M. IBRAHIM KALIFULLA  
Judge  
Supreme Court of India



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07.06.2013

#### MESSAGE

*I had the benefit of scanning through the wonderful compilation made by the Tamil Nadu State Judicial Academy, at the able leadership of Hon'ble Thiru.Justice R.K.Agrawal, Acting Chief Justice, Hon'ble Smt.Justice R.Bennumathi, President, Board of Governors of the Academy, along with the able assistance of its other Hon'ble Member Judges, the Director of the Academy, other Officers and staff members. Such a handbook was a long felt need for the staff of this institution viz., Judiciary.*

*To my recollection, such a compilation has been made for the first time by the judiciary for guiding the staff members in getting a succinct understanding of the diverse laws, relevant for the discharge of their judicial functions. As the Subordinate Judiciary is the edifice over which the institution is built, it is needless to state that the effective functioning of judicial dispensation can be achieved only with the able assistance of its competent staff members. Therefore, it is imperative that the staff members get themselves apprised with the basic rules, regulations, prescribed forms and other procedures in order to ensure speedy and effective justice to the litigant public. Unless the staff members are aware and conversant with the relevant provisions and the procedural laws viz., the Code of Civil Procedure, Code of Criminal Procedure, Limitation Act and Court Fees and Suits Valuations Act, they are bound to commit serious errors, while examining the papers filed in the Court for the purpose of placing the same before the learned Judge for passing appropriate orders. Similarly, they should be aware of the other vital aspects such as jurisdiction, maintenance of relevant registers and other procedural aspects for better judicial administration.*

*It is heartening to note that the compilation has also been introduced in the local language viz., Tamil to enable the staff members to understand the various aspects fully, while discharging their duties. I wish the staff members make full use of the compilation and hope that the efforts taken by the Academy is justified and fulfilled in every respect.*

*I also congratulate the Academy for having accomplished the herculean task of making the compilation with utmost precision and lucidity, thereby presenting an enriching and knowledgeable odyssey for its users.*

(JUSTICE P.M.IBRAHIM KALIFULLA)

*R. K. Agrawal*  
*Acting Chief Justice*



*High Court,*  
*Madras.*

## MESSAGE

June 4, 2013

I am happy to note that the Tamil Nadu State Judicial Academy has prepared a Handbook and a Study Material for the use of staff working in the Subordinate Courts and a Reading Material for the Judicial Officers, in the State of Tamil Nadu.

The Handbook deals with important provisions of Code of Civil Procedure, Code of Criminal Procedure, Limitation Act and Courts Fees and Suits Valuation Act.

The Study Material gives a brief introduction of Courts, their jurisdiction, control and administration; duties and responsibilities of staff members; various registers maintained in the Courts; and also basic legal and procedural aspects which the staff required to know. The Study Material has been prepared with separate Chapters for Civil and Criminal Units while for city Courts, a separate Study Material has been prepared.

This apart, the Tamil Nadu State Judicial Academy has come up with a separate Reading Material containing Articles by Honourable Judges on District Court Administration, Disciplinary Proceedings, Inspection of Courts, Role of District Judge, Legal Aid, Budget Preparation and Important Circulars of the High Court for distribution to the Judicial Officers of the State.

The Judicial Officers are performing dual functions i.e. judicial and administrative. Without the cooperation of the efficient staff, it will be difficult for the Judicial Officers to perform their judicial work. Hence, the staff manning the subordinate Courts should understand the nature of their work and also the relevant provisions. The training in the Judicial Academy can only give a glimpse of their nature of work while the Handbook, available in English and Tamil, and the Study Material will help them to hone their skills. The Reading Material meant for the Judicial Officers will guide them in formulating their plans to improve and administration.

The Governing Body of the Tamil Nadu State Judicial Academy deserves congratulations for the meticulous preparation of these Books. I wish them to keep up their good work and come with many more novel ideas for the improvement of the judicial administration in the State.

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**JUSTICE ELIPE DHARMA RAO**



No.3, Greenways Road,  
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Dated: 10.6.2013

**MESSAGE**

Happy to hear that the Tamil Nadu State Judicial Academy is bringing out codified books for the use of the staff members of the subordinate Courts in the State, after successfully codifying the study material for the staff members of the High Court and conducting training programme for them recently.

There is imperative need for the staff members to get themselves equipped with the important provisions of law so as to be more helpful to the smooth running of the chariot of justice.

These books compiled by the Tamil Nadu State Judicial Academy, are handy and serve as ready reckoner for the staff members to get instant information regarding the important provisions of law, which they would come across while discharging their day-to-day duties and thus would help them to serve in more effective manner.

They also enlighten duties and responsibilities of the staff members; do's and don't's and the disciplinary rules.

With these, I have no doubt that the staff members would maintain the high standards.

**(JUSTICE ELIPE DHARMA RAO)**



**Justice R.BANUMATHI**  
President, Board of Governors,



**Justice S.MANIKUMAR**  
**Justice S.NAGAMUTHU**  
**Justice M.M.SUNDRESH &**  
**Justice G.M. AKBAR ALI**  
Members, Board of Governors,  
**TAMIL NADU STATE JUDICIAL ACADEMY, CHENNAI**

Date: 10.06.2013

The Judicial Ministerial Service Staff of the District Judiciary who are part of Justice Delivery System, perform various important function such as receiving the papers, numbering and posting, attending the calling work, assisting the trial work, drafting degrees, preparation and delivery of certified copy of orders/judgments, maintenance and destruction of records and many other ministerial work.

With a view to update their knowledge so as to enhance the quality and quantity of their performance, under the aegis of 13<sup>th</sup> Finance Commission, Tamil Nadu State Judicial Academy, which is pioneer in Judicial Education, has brought out the handbook on "Introduction to various Courts in the Districts and also an overall view of the duties and responsibilities of the Staff working in both Civil and Criminal Units, the Registers maintained and basic Legal and Procedural aspects" and also a handbook on "The relevant provisions of Civil Procedure Code, Criminal Procedure Code, Tamil Nadu Court Fees and Suits Valuation Act and Limitation Act". Tamil Nadu State Judicial Academy has also proposed to organise District wise training programme for staff members in co-ordination with the Principal District Judges.

Our appreciation goes to Mr.P.Kalaiyaran, Registrar General, High Court, Madras, Mr.C.Raghavan, Chief Judge, Small Causes Court, Chennai, Mr.S.Pandian, Principal District Judge, Vellore District, Mr. P.Vadamalai, Chief Metropolitan Magistrate, Chennai, Mr.T.Chandrasekaran, IV Assistant Judge, Mr.S.Natarajan, VI Assistant Judge, Ms.Sudha, Secretary, District Legal Services Authority, City Civil Court, Chennai, Mr.S.Balakrishnan, VI Metropolitan Magistrate, Mr.E.Rajendra Kannan, XXIII Metropolitan Magistrate, Chennai and their team of Staff Members, who have spent their valuable time in compilation of the study materials in co-ordination with Tamil Nadu State Judicial Academy. We also congratulate Mr.C.V.Karthikeyan, Director, Mr.S.Mohamed Abdahir, Additional Director, Mr.M.Vasantha Kumar, Assistant Director and Staff members of Tamil Nadu State Judicial Academy for their excellent assistance to bring out the compilation.

We hope that this hand book and the Staff training programme would help the members of Judicial Ministerial Service Staff to enhance their level of performance.

**Justice R.Banumathi**  
**Justice S.Manikumar**  
**Justice S.Nagamuthu**  
**Justice M.M.Sundresh**  
**Justice G.M. Akbar Ali**

# **TAMIL NADU STATE JUDICIAL ACADEMY, CHENNAI**

## **PREFACE**

Court Staff of the District Judiciary play a crucial role in the Administration of Justice. Their efficiency in discharge of official duties has a direct bearing on the smooth functioning of the Court operations and also in enabling the Judges to focus on the demands of Judicial adjudication. Access to Justice being the prime motive of the Judicial System, it is imperative that the Staff are well equipped to face their day-to-day responsibilities to the utmost satisfaction of all the stake holders, namely, the Bench, the Bar, the Litigant Public and themselves.

To achieve proficiency, training is very essential, and for any training programme to be successful, study materials are very necessary as it vastly improves and enhances knowledge acquisition.

Keeping this avowed object in mind, a dedicated attempt has been made by the Tamil Nadu State Judicial Academy, under the able guidance of the Governing Body, to prepare this compendium, consisting of an introduction to the various Courts in the Districts and also an overall view of the duties and responsibilities of the Staff working in both Civil and Criminal Units, the Registers maintained and basic Legal and Procedural aspects which, it is fervently hoped, would vastly improve and fine tune the existing quality, knowledge and skills of the Staff of the District Judiciary.

This hand book is only compilation of routine duties and responsibilities and not an exhaustive one. With the advancement of Information Technology and Right to Information Act more responsibilities are cast upon the staff members who were part of Justice Delivery System. Therefore, there is a need for the Judicial Ministerial Staff to rise up to the occasion to the emerging responsibilities.

It is hoped that all the Staff would go through the compilation and benefit from the same. Suggestions for improvement are encouraged and would be most welcome.

**C.V. KARTHIKEYAN**  
Director,  
Tamil Nadu State Judicial Academy,  
Chennai

**P. VADAMALAI**  
Chief Metropolitan  
Magistrate,  
Egmore, Chennai

**P. KALAIYARASAN**  
Registrar General  
High Court, Madras

**CHAPTER - I**

**CIVIL UNIT**

**&**

**SESSIONS COURTS**

## PART – I

### COURTS – JURISDICTION, ADMINISTRATION AND CONTROL

#### INTRODUCTION

The **City Civil Court, Chennai** was established by Madras City Civil Court Act, 7/1892 and the word “Madras” was substituted with “Chennai” by T.N.Act 28 of 1996. The Act 7/1892 was enacted to establish an Additional Civil Court for the City of Chennai.

The City Civil Court comprises of a Principal Judge, 19 Additional Judges and 18 Assistant Judges. Besides, there are 4 Ad hoc Courts functioning to assist the Additional and Assistant Courts. The 1st Assistant court is designated as the WAKF Tribunal and Appellate Tribunal for Private Schools Staff. The VI Assistant court designated as Tribunal for Land Acquisition cases. The IX and X Assistant Courts are designated as Execution Courts. The IX Assistant court has been designated to handle the petitions under Exorbitant Interest Act. The 1st Additional Judge and V Additional Judge have been designated as Presiding Officers of Designated Court No. I and II under TADA Act.

#### The List of courts functioning in City Civil Court Unit, Chennai

Sl.No.	Name of the Court	Nature of Work
<b>DISTRICT JUDGES LEVEL</b>		
1.	Court of Principal Judge / Special Court for the Exclusive Trial of Cases under S.C./S.T (Prevention of Atrocities Act) / Chairman, District Legal Services Authority, Chennai.	Criminal: Sessions cases, CrI. Revision, CrI.Appeals including Income Tax & Customs Act, Defamation Cases, Bail Applns & CrI. Misc. Petitions Civil: Suits, Appeals, HMGOP, MHOP, Tr.OP, Adop. OP And Over all administration of City Civil Courts & Metropolitan Magistrate Courts in Chennai City.

<b>Sl.No.</b>	<b>Name of the Court</b>	<b>Nature of Work</b>
2.	I Additional City Civil Court/ Designated Court No.I under TADA Act	Civil & Sessions Cases and Maintainability of Suits, Civil Appeals and Cases under TADA Act
3	II Additional City Civil Court	Civil & Sessions Cases
4	III Additional City Civil Court	Civil & Sessions Cases
5	IV Additional City Civil Court	Civil & Sessions Cases
6	V Additional City Civil Court/ Designated Court No.II under TADA Act	Civil & Sessions Cases & Cases under TADA Act
7	VI Additional City Civil Court	Civil & Sessions Cases
8	VII Additional City Civil Court	Civil & Sessions Cases
9	VIII Additional City Civil Court (Principal Special Court for Exclusive Trial of CBI Cases)	Exclusive Trial of CBI Cases
10	IX Additional City Civil Court (Additional Special Court for Exclusive Trial of CBI Cases)	Exclusive Trial of CBI Cases
11	X Additional City Civil Court (Special Court for Exclusive Trial of Cases under Prevention of Corruption Act)	Exclusive Trial of Cases under Prevention of Corruption Act
12	XI Additional City Civil Court (Additional Special Court for Exclusive Trial of CBI Cases)	Exclusive Trial of CBI Cases
13	XII Additional City Civil Court (Additional Special Court for Exclusive Trial of CBI Cases)	Exclusive Trial of CBI Cases
14	XIII Additional City Civil Court (Additional Special Court for Exclusive Trial of CBI Cases)	Exclusive Trial of CBI Cases

<b>Sl.No.</b>	<b>Name of the Court</b>	<b>Nature of Work</b>
15	XIV Additional City Civil Court (Additional Special Court for Exclusive Trial of CBI Cases)	Exclusive Trial of CBI Cases
16	XV Additional City Civil Court	Civil & Sessions Cases
17	XVI Additional City Civil Court	Civil & Sessions Cases
18	XVII Additional City Civil Court	Civil & Sessions Cases
19	XVIII Additional City Civil Court	Civil & Sessions Cases
20	XIX Additional City Civil Court	Civil & Sessions Cases
21	Principal Family Court	Suits under Family Court Act, HMOP & Maintenance O.P.
22	I Additional Principal Family Court	Suits under Family Court Act, HMOP & Maintenance O.P.
23	II Additional Principal Family Court	Suits under Family Court Act, HMOP & Maintenance O.P.
24	III Additional Principal Family Court	Suits under Family Court Act, HMOP & Maintenance O.P.
25	Special Court for the Cases under T.N.P.I.D. Act	Cases under TNPID Act
26	Sessions Court for Exclusive Trial of Bomb Blast Cases at Poonamallee.	Exclusive Trial of Bomb Blast Cases
27	Mahila Court	Trial of offences against Women

#### **SENIOR CIVIL JUDGE LEVEL**

28.	I Assistant Court/ Wakf Tribunal/Appellate Tribunal for Private School Staff	Civil Suits, Sessions Cases, Cases under Wakf Act & Dispute regarding Private School Staff & Maintainability of Suits
29	II Assistant Court	Civil Suits & Sessions Cases
30	III Assistant Court	Civil Suits & Sessions Cases

<b>Sl.No.</b>	<b>Name of the Court</b>	<b>Nature of Work</b>
31	IV Assistant Court	Civil Suits & Sessions Cases
32	V Assistant Court	Civil Suits & Sessions Cases
33	VI Assistant Court	Civil Suits, Sessions Cases and LAOP Cases
34	VII Assistant Court	Civil Suits & Sessions Cases
35	VIII Assistant Court	Civil Suits & Sessions Cases
36	IX Assistant Court (Exclusive Court for Execution of Decrees)	Execution Petitions, O.Ps under Exorbitant Interest Act & Sessions Cases
37	X Assistant Court (Exclusive Court for Execution of Decrees)	Execution Petitions, Caveat O.P. & Sessions Cases
38	XI Assistant Court	Civil Suits & Sessions Cases
39	XII Assistant Court	Civil Suits & Sessions Cases
40	XIII Assistant Court	Civil Suits & Sessions Cases
41	XIV Assistant Court	Civil Suits & Sessions Cases
42	XV Assistant Court	Civil Suits & Sessions Cases
43	XVI Assistant Court	Civil Suits & Sessions Cases
44	XVII Assistant Court	Civil Suits & Sessions Cases
45	XVIII Assistant Court	Civil Suits & Sessions Cases
46	Special Court for Vigilance and Anti Corruption	Trial of Cases under Vigilance and Anti Corruption Act
47	Secretary, District Legal Services Authority	Conducting Lok Adalat, Mediations & other works as directed by NALSA

### **JUNIOR CIVIL JUDGE LEVEL**

48	Registrar, City Civil Court.	Allocation of Suits to the courts and administration work as directed by Principal Judge.
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## ADHOC COURTS – (Retd.) DISTRICT JUDGE LEVEL

Sl.No.	Name of the Court	Nature of Work
49	Adhoc Court-I	Recording of evidence
50	Adhoc Court-II	Recording of evidence
51	Adhoc Court-III	Recording of evidence
52	Adhoc Court-IV	Recording of evidence

### JURISDICTION :

**THE TERRITORIAL JURISDICTION:-** The territorial jurisdiction of City Civil Court, Chennai is "*the area within the local limits for the time being of the ordinary original civil jurisdiction of the Hon'ble High Court, Madras*". The territorial jurisdiction of ordinary original civil Jurisdiction of the High Court, Madras is given in The Madras High Court (Jurisdictional Limits) Act, 1927 and The Madras High Court (Jurisdictional Limits) Extension Act, 1985. The schedule of the 1927 Act specifies the boundary by means of survey numbers of various villages and the jurisdiction is the area covered by the boundary mentioned in the Act.

### THE PECUNIARY JURISDICTION

#### ASSISTANT CITY CIVIL COURT:-

**Money suits:-** The pecuniary jurisdiction of Assistant city civil court regarding the money suit is above Rs. 20,000 upto Rs. 10,00,000/-.

**Title Suits:-** The pecuniary jurisdiction of Assistant city civil court regarding the title suits are suits and all proceedings of civil nature not otherwise exempted of which the value of the subject matter does not exceed Rs.10,00,000/-.

#### ADDITIONAL CITY CIVIL COURT:-

**Money suits** The pecuniary jurisdiction of Additional city civil court regarding the money suit is above Rs. 10,00,000 upto Rs. 25,00,000/-.



**Title Suits:-** The pecuniary jurisdiction of the Additional City Civil Court, Chennai are suits and all proceedings of civil nature not otherwise exempted of which the value of the subject matter above Rs. 10,00,000/- upto Rs.25,00,000/-.

In a suit or proceedings in which the value of single prayer does not exceed Rs.25,00,000/- and even the total value of the suit exceeds Rs.25,00,000/-, the jurisdiction would fall within City Civil Court, Chennai.

### **THE POWERS OF THE CITY CIVIL COURT:**

The powers of City Civil Court is to receive, try and dispose of all the suits and proceedings of civil nature except suits and proceedings which are cognizable;

- (a) by the High Court as a Court of Admiralty or Vice-Admiralty or as a Colonial Court of Admiralty, or as a Court having testamentary, intestate or matrimonial jurisdiction, or
- (b) by the Court for relief or insolvent debtors, or
- (c) by the Small Cause Court.

### **APPELLATE JURISDICTION:**

An appeal shall lie to the Principal Judge from any decree or order appealable under the provisions of the C.P.C., passed in any suit or proceedings by a Judge (the Assistant Judge) other than the Principal Judge.

The Principal Judge may, from time to time, transfer for disposal appeals preferred to any Additional Judge and may any time withdraw such transferred appeals and dispose of them himself.



## **PART – II**

### **DUTIES AND RESPONSIBILITIES OF THE STAFF MEMBERS WORKING IN CIVIL UNITS AND SESSIONS COURTS**

#### **ADMINISTRATION :-**

The Administration of the City Civil Court on administrative as well as judicial side lies with Principal Judge and are distributed to Ministerial Staff and Judicial Officers respectively.

#### **The Hierarchy of the administration is as follows:-**

The Principal Judge, Registrar, Court Manager, Chief Administrative officer, Sherishtadars, Head Clerks and Superintendents.

#### **REGISTRAR**

##### **The Responsibilities of Registrar:**

- ❖ In-charge of Filing Section both Civil and Criminal.
- ❖ Double Lock Officer for the safe custody of valuables.
- ❖ Executing the court orders in the matter of disposal of properties received in Criminal cases.
- ❖ In-charge of Civil Courts Deposit Accounts, issuing Cheques in CCD as per order of the Court.
- ❖ Signing of Cash Book, Reconciliation of Accounts thereof etc.
- ❖ In-charge of Administrative Establishment of City Civil Court including, Maintenance of Service Register of staff, Temporary Postings.
- ❖ Drawing and Disbursing Officer of Pay and Allowances to the staff of City Civil Court, Chennai including signing of Pay Bills.
- ❖ Drawing Officer of Contingent Bills and other Bills relating to the Administrative Establishment of City Civil Court, Chennai.
- ❖ In-charge of receipt of payments such as Plan Fee, Stamp Duty and Penalty, Fines in Criminal Cases and remittance to the Reserve Bank of India, Chennai.

- ❖ Checking of Registers maintained in both Administrative and Judicial side.
- ❖ Signing of Refund Certificate and bills.
- ❖ Supervision and Maintenance of buildings etc.
- ❖ Assisting the Principal Judge in the matter of administration.
- ❖ To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.

## **COURT MANAGER**

- ❖ The Court Manager assists the Principal Judge and the Registrar in administrative functioning of the courts to enhance the efficiency of the Court Management.
- ❖ While performing such functions, the Court Manager works under the control of the Principal Judge and the Registrar.
- ❖ To maintain professional secrecy and not to divulge any information which may come to his / her knowledge to any one under any circumstances.

## **DUTIES AND RESPONSIBILITIES OF COURT MANAGERS**

The Court Manager is entrusted with the following responsibilities:-

### **I. Policies and Standards:-**

- ❖ Based on applicable directives of Superior Courts, establishes the performance standards applicable to the Court (Including on timeliness, efficiency, quality of Court performance; infrastructure; and human resources; access to justice; as well as for systems for court management and case management).
- ❖ Carry out an evaluation of the compliance of the court with such standards; identifies deficiencies and deviations; identifies steps required to achieve compliance; maintains such and evaluation on a current basis through annual updates.

### **II. Planning:-**

- ❖ In consultation with the stakeholders of a court (including the Bar, ministerial staff, Executive Agencies supporting judicial functions such as prosecutors/ police/process serving agencies and court users), prepares and updates annually a 5 year court-wise Court Development Plan (CDP);

- ❖ Monitors the Implementation of the CDP and report to superior authorities on progress.

### **III. Information and Statistics:-**

- ❖ Ensures that statistics on all aspects of functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court;
- ❖ Ensures that reports on statistics are duly completed and provided as required;

### **IV. Court Management:-**

Ensures that the processes and procedures of the Court (including for filing, scheduling, conduct of adjudication, access to information and documents and grievance redress) are fully complied with the policies and standards established by the High Court for court management and that they safeguard quality, ensures efficiency and timeliness, and minimize costs to litigants and to the State; and enhance access to justice.

(Note: Standard systems for court management is to be developed at the High Court level.)

### **V. Case Management:-**

Ensures that case management systems are fully complied with the policies and standards established by the High Court for case management and that they addresses the legitimate needs of each individual litigant in terms of quality, efficiency and timeliness, costs to litigants and to the State.

### **VI. Responsiveness Management-Access to Justice-Legal Aid and User Friendliness:-**

Ensures that the Court meets standards established by the High Court on access to justice, legal aid and ADR methods and user friendliness.

### **VII. Quality Management:-**

Ensures that all directions issued by the High Court from time-to-time are complied with.

### **VIII. Human Resource Management:-**

- ❖ Ensures that Human Resource Management of ministerial staff in the Court comply with the Human Resource Management standards established by the High Court.

## **IX. Core Systems Management:-**

- ❖ Ensures that the core systems of the court are established and function effectively (documentation management; utilities management; Infrastructure and facilities management; financial systems management (audits; accounts; payments) in co-ordination with the PDJ.

## **X. I T Systems Management:-**

- ❖ Ensures that the IT systems of the court comply with standards established by the High Court and are fully functional.
- ❖ Feeds the proposal for National Arrears Grid to be set up to monitor the disposal of cases in all the Courts, as and when it is set up.
- ❖ To attend all other work as assigned by the Principal Judge then and there by means of Office Order or by means of Oral Order.

## **CHIEF ADMINISTRATIVE OFFICER**

- ❖ Scrutinises all the tapals received and opened by the Principal Judge, have to be entered in the Register of Tapals received and cause them to be distributed to the various sections of the Court for necessary further action.
- ❖ Scrutinies, sanction, signing the Proceedings and Bills of the General Provident Fund Temporary Advance applications relating to the staff.
- ❖ Signs the cheques ordered by the Principal Judge\*\*.
- ❖ Scrutinies and sanctions the Casual Leave Applications relating to the staff of the Court\*\*.
- ❖ Scrutinies, sanction, signing the Proceedings and Bills of the Cycle Advance, Hand Loom Advance, Khadi Advance, Festival Advance, Education Advance and Spectacle Advance, whichever necessary to the staff members\*.
- ❖ Scrutinies, sanction and signing the Proceedings of the Surrender Leave Applications of the staff\*.
- ❖ Day-to-day checking up and sign the following registers relating to the accounts branch of the Court\*\*.
  - Cash Book.
  - Common Cash Book.
  - Ledger.

- Permanent Advance Register.
  - Contingent Register.
  - Un-disbursed pay Registers.
  - Token Register.
  - Register of Deposits.
  - Register of repayments
  - Subsidiary Cash Book relating to the recovery of the amounts towards L.I.C., Co-operative Society, etc.,
  - Register of Investments.
- ❖ Signing of bills relating to refund of court-fees\*\*.
  - ❖ Refund of lapsed deposits\*.
  - ❖ Counter-signing of the Medical Reimbursement Bills of the Judicial officers\*.
  - ❖ Sanctioning of the Festival Advance to the Judicial officers\*.
  - ❖ Signing of the T.A.Bills\*.
  - ❖ Counter-Signing of the T.A.Bills of the Judicial officers\*.
  - ❖ Signing of the special contingent bills for the purchase of articles (other than the items supplied by the stationery and printing)\*\*.
  - ❖ Grant of Earned Leave to the members of the three sections of the Establishments of the city civil Court\*\*.
  - ❖ Grant of Unearned Leave on Medical Certificate, Maternity Leave to the staff members\*.
  - ❖ Grant of Leave on loss of pay\*.
  - ❖ To sign all correspondences addressed to the Judicial Officers (both in Civil and Criminal Units)\*.
  - ❖ Signing of the correspondences addressed to other departments except to the High Court, Government and other District Judges\*.
  - ❖ To communicate the Government orders and High Court's Circulars to the courts of the unit and also to the different sections of the Court\*.
  - ❖ To attend all other work as assigned by the Principal Judge then and there by means of Office Order or by means of Oral Order.

(In respect of City Civil Court, Chennai, the responsibilities given with "\*" are retained with the Principal Judge and "\*\*\*" have been entrusted with the Registrar).

## THE ADMINISTRATION OF CITY CIVIL COURT

### SHERISHTADAR – I:

Sherishtadar-I is having supervisory responsibility of both the administrative and judicial ministerial sides of staff. He has to authenticate all the files before sending for orders.

To attend all other work as assigned by the Principal Judge then and there by means of Office Order or by means of Oral Order.

### SECTIONS ON THE SIDE OF ADMINISTRATION

#### ESTABLISHMENT SECTION:

##### Head Clerk:

Head Clerk is the in-charge of supervising E2, E3, E5, E6, E7 and E8 Sections.

To attend all other work as assigned by the Principal Judge then and there by means of Office Order or by means of Oral Order.

The establishment Section is provided with 4 Translators, 4 Assistants, 2 Junior Assistants, 2 Typists and Office Assistant.

S.No	Designation	Nature of Work
E 2	Translator Assistant	<ul style="list-style-type: none"><li>• Appointments through TNPSC, Compassionate Grounds, Transfer &amp; Postings and Promotions of all Categories of staff members.</li><li>• Pay fixation, Pay anomaly, sending of Pension Proposals to the AG's office and submitting the estimate of vacancies to the Hon'ble High Court for the posts coming under the purview of TNPSC.</li><li>• Preparation of DCRG and SPF Bills for retired persons.</li><li>• Attending the letters received from the High Court and other Departments.</li><li>• Regularization and Declaration of Probation for the staff members appointed through TNPSC.</li><li>• Scrutinizing the Income Tax Statement submitted by the staff members.</li><li>• Making entries in the Service Register regarding the fixation of pay.</li></ul>

		<ul style="list-style-type: none"> <li>• Preparation and maintenance of Combined Seniority List of Categories 1 to 5 in TNJMS of the Civil and Criminal unit of Chennai District.</li> <li>• Preparation and Maintenance of the Seniority List of the staff members in Categories 6, 7 of Class 1, and Class II of TNJMS, Tamil Nadu General Subordinate Service and Tamil Nadu Basic Service in the unit of City Civil Court, Chennai.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
E 3	Assistant	<ul style="list-style-type: none"> <li>• Appointments through Employment Exchange as per the Roster.</li> <li>• Regularisation and Declaration of Probation for the staff members appointed through Employment Exchange.</li> <li>• Maintenance of Service Registers of all Categories of staff members.</li> <li>• Grant of all types of leave except Casual Leave.</li> <li>• Forwarding Housing Board Quarters applications to the Government.</li> <li>• Submitting Fortnight and Monthly reports to High Court regarding the appointments made through Employment Exchange.</li> <li>• Sanction of Annual Increments and Surrendering Leave.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>



E 5	Translator Junior Assistant	<ul style="list-style-type: none"> <li>• Provision of Telephone facilities to the Judges.</li> <li>• Preparing bills for Telephone and Broadband connections.</li> <li>• Preparing Budget Estimate, Revised Budget Estimate, Final Modified Appropriation Proposal, Allotment of funds to Special Court under TNPID Act and Mahila Court.</li> <li>• Preparing of Control Over Expenditure Statement, preparing bills for Maintenance charges of Xerox Machines, Xerox Machine Paper, Stationery items, Tax Bills, Electricity charges, Witness Batta, <b>Driver Batta</b>, Procurement of Uniform clothes and stitching charges, Medical Reimbursement of staff members, Fuel bills, Marriage Advance, House Building Advance, Contingent Staff and Computer stationery and for maintenance charges.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
E 6	Assistant	<ul style="list-style-type: none"> <li>• Sanction of GPF, Part Final to the staff members and preparing bills.</li> <li>• Sanctioning the Festival Advance and preparing bills.</li> <li>• Forwarding the applications to the High Court for sanction of Vehicle Advance, Computer Advance and Hand loom Advance.</li> <li>• Addressing AG's office for allotment of CPS Account Number.</li> <li>• Maintenance of GOs' and all Circulars and Official Memorandums received from the High Court.</li> <li>• Submitting Annual Statements to High Court regarding Compulsory Retirement, Wives &amp; Dependents of Government Servants taking up employment with Foreign Missions in India.</li> </ul>

		<ul style="list-style-type: none"> <li>• Forwarding Disbursement Certificate of Final GPF bill of retired staff members to AG.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
E 7	Translator Junior Assistant	<ul style="list-style-type: none"> <li>• Preparing all types of bills to the staff members except Tour TA, Transfer TA and LTC.</li> <li>• Preparing number and monthly statements.</li> <li>• Preparing Pay Drawn Particulars of staff members as and when required.</li> <li>• Issuance of Identity Cards to the staff members.</li> <li>• Sending of Last Pay Certificate to the staff members.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
E 8	Assistant	<ul style="list-style-type: none"> <li>• Grant of Casual Leave to the staff members.</li> <li>• Maintenance of Attendance Registers, Casual Leave Registers.</li> <li>• Postings of staff in the leave vacancy.</li> <li>• Putting up the Office Note for unauthorised absentees and for the letters received from the other Courts asking substitutes.</li> <li>• Preparing General Circulars and Duty Circulars.</li> <li>• Proposal for issuance of Memo for unauthorised absentees.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
	Typist	<ul style="list-style-type: none"> <li>• Attending all the typing work relating to the Sections</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

## CASH SECTION

This section is dealing with CCD Accounts, Investment of Suitors amount, Stamp Duty Penalty, Collection and Remittance of Fine amounts, Receiving, Custody, Distribution and Destruction of properties in Criminal side.

### Particulars regarding Nature of Works and Staff working in Cash Section

S.No	Designation	Nature of Work
1	Head Clerk	<ul style="list-style-type: none"><li>• Receiving of 'A' property (valuables) from Metropolitan Magistrates Courts, obtaining signature from the Registrar for receipt, verifying the property and entering the same in the 'A' Property Register and keep the same in Double Lock Room in the presence of the Registrar.</li><li>• Taking of 'A' properties from the Double Lock Room in the presence of the Registrar for evidence to the court concerned and receive back and keep the same in the double lock Room in the presence of the Registrar.</li><li>• Return of 'A' properties to the parties concerned after giving due notice as per the Judgment.</li><li>• Entering the Result portion of the judgment in the 'A' Property Register.</li><li>• Signing the copies of the Bail Orders, Subpoenas and Notices.</li><li>• To find out the lapsed amount in CCD and causing it to be credited into Government Account.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
2	Assistant	<ul style="list-style-type: none"><li>• Investing Suitor amount and such amounts in Fixed Deposits as per Court's order.</li><li>• Renewing the FDRs periodically.</li><li>• Receiving of Interest on FDRs and remit the same in the CCD Account as per Court's order.</li><li>• Recall and Return of FDRs as per the order of the Court.</li><li>• Collection of Fine Amount and collection of cash in respect of Stamp Duty Penalty, Salary Attachment, Copying Charges, Witness Batta, etc., issuing receipts and making necessary entries in the relevant Registers.</li><li>• Payment of Private Witness Batta amount to the party as per the order of the court.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>

3	Assistant	<ul style="list-style-type: none"> <li>• Receiving of 'B' Property (Non-Valuables) from the M.M. Courts as per the covering letter from the Magistrate, making necessary entries in the 'B' Property Register and keeping them in the 'B' Property Room.</li> <li>• Handing over of the required 'B' property to the Bench Clerk of the court concerned for evidence on getting letter from the Court,</li> <li>• Receiving back the 'B' properties from the courts after disposal along with Judgment copy and making entries of the result portion of the judgment in the 'B' Property Register.</li> <li>• Taking steps for disposal of 'B' Properties as per the judgment.</li> <li>• Return of 'B' Properties to the parties concerned in the presence of Registrar as per the judgment.</li> <li>• Preparation of bills for refund of fine amount. Preparation of Witness Batta Bills.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
4	Gollah	<ul style="list-style-type: none"> <li>• Remitting the fine amount, Daily collection amounts such as Stamp Duty Penalty, Salary Attachment, copying charges, etc. of this section in the RBI.</li> <li>• Remitting the cheques and collection of challans from RBI, relating to Ledger Section.</li> <li>• To go to banks concerned in which the FDRs are invested for obtaining renewal and investment particulars with the permission of the Registrar.</li> <li>• To Assist the Head Clerk and Assistants in receiving the 'A' and 'B' properties and locating the same concerned Rooms.</li> <li>• To assist the Registrar whenever the 'Double Lock Room' is opened for - deposit, taken out and Redeposited in the Double Lock Room.</li> <li>• To Assist at the time of destruction work of 'B' properties.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
5	Record Clerk	- do -

## LIST OF REGISTERS MAINTAINED BY CASH SECTION:-

- 1) Register of Daily Collection of Civil Court Deposits.
- 2) Permanent Advance Register,
- 3) Register of Batta and T.A. to Witness (C.R.A19)
- 4) Private Witness Batta Register (C.R.A.17)
- 5) U.D.P. Register,
- 6) Plan Fee Register,
- 7) Cash Book (C.R.No.A25(a)).
- 8) Fixed Deposit Register (C.R.63)
- 9) Fine Register (C.R.A16)
- 10) Fine Receipt Book (M.M.52
- 11) Challan Crl. Misc. 72 Form Register
- 12) "A" Property Register (C.R.A.12)
- 13) "B" Property Register (C.R.A.12)
- 14) Double Lock Room Entry Register



## LEDGER SECTION

### WORK PROFILE OF STAFF WORKING IN LEDGER SECTION

S.No	Designation	Nature of Work
1	Head Clerk	<ul style="list-style-type: none"><li>• Supervising the Section.</li><li>• Verification and Certification regarding the deposits in CCD in payment out petitions received from the concerned Court.</li><li>• Signing the cheques, challans,, receipts and all registers maintained in the Section.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
2	Assistants	<ul style="list-style-type: none"><li>• Preparation of cheques after receiving the order from the court concerned in the payment out petitions.</li><li>• Obtaining signature in Deposit Register and Ledger in respect of payment in &amp; out pertaining to this section.</li><li>• Preparation of Cheques to the parties.</li><li>• Preparation of challan for remittance of cash /cheques into RBI after making entries in Tapal register.</li><li>• On receipt of payment in challans from RBI making postings in the Ledger.</li><li>• Obtained officer's signature in Deposit Register in respect of payment out.</li><li>• Receiving Tapals from Tapal Section.</li><li>• Comparison and preparation of statement of amounts with RBI and Reconciliation.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
3	Junior Assistant	<ul style="list-style-type: none"><li>• On receipt of RBI challan making entries in Deposit Register and Ledger after the receipt of RBI Challan.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
4	Typist	<ul style="list-style-type: none"><li>• Preparation of List for Investment.</li><li>• All the typing works required for the Section including Cash Section.</li><li>• Assisting in picking up the ledgers, deposit registers and all other registers of ledger section required for entry and replacing in its original place after use.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>

## Maintenance of Registers

1. Register of Investments. **C.R.63**
2. Party Challan Register
3. M.O./Cash & Printing Charges Register.
4. Judicial Receipt Register (Stamp Duty Penalty).**C.R.22**
5. Receipt Register, on receipt of party challan.
6. Deposit Register (**CR 36** prescribed).
7. Ledger (**CR 35**) for postings.
8. Repayment Register (**CR 37** prescribed).
9. Cash Book (TNTC 5 prescribed). **C.R.38**
10. Counter Foil Register.
11. Reconciliation Register.



## WORK PROFILE OF STAFF WORKING IN STATISTICS SECTION

S.No	Designation	Nature of Work
1	Head Clerk Assistant	<ul style="list-style-type: none"> <li>• Preparing consolidated (1) Monthly statements, (2) Quarterly statements, (3) Half yearly statements and (4) Annual statements.</li> <li>• Statements regarding Senior Citizen Cases, High Court Stayed matters, Periodical Advance Statement.</li> <li>• Statements regarding 7 years Old cases.</li> <li>• Statements regarding more than 15 years to 20 years Old cases.</li> <li>• Statement regarding more than 20 years Old cases.</li> <li>• Budget Policy statement.</li> <li>• Preparing statistics monthly Review to the Assistant Judges in the unit of City Civil Court</li> <li>• Preparing Form – B in the Annual Confidential report of the Assistant Judges and forwarding the Annual Confidential report of the Additional Judges.</li> <li>• Preparing Office Note and related correspondence regarding the transfers of cases from City Civil Court to High Court (only pending cases).</li> <li>• Preparing Office Note and proceedings regarding the transfers of cases from one court to another and related correspondence.</li> <li>• Preparation of Office Note and related correspondence pertaining to Time Limit Cases.</li> <li>• Submission of Compliance Report regarding the directions given by the Hon'ble High Court.</li> <li>• Circulation of High Court's Circulars, Official Memorandum., important judgments, training circulars etc.</li> <li>• Advocates' Boycott communications to High Court, Madras.</li> <li>• Compliance report regarding disposal of senior citizen cases.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>



## BUILDING SECTION

This Section is provided with one Head Clerk, one Assistant and one Typist.

This Section is maintaining the cleanliness of the premises of City Civil Court with the following Basic Servants.

Lift Operator	:	3 Nos.
Watchman	:	6 Nos.
Sweepers	:	6 Nos.
Water men	:	1 No.
Water women	:	1 No.
Scavenger	:	4 Nos.
Masalchi	:	2 Nos.

### Contingent Staff

Scavenger	:	2 Nos.
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## *Work Profile of Staff working in Building Section*

S.No	Designation	Nature of Work
1	Head Clerk Assistant	<ul style="list-style-type: none"> <li>• Allotment of duties for all the Basic Servants in the Section.</li> <li>• Maintenance of cleanliness in the Main and Additional Building of City Civil Court, Chennai.</li> <li>• To make arrangements of furniture in the Court Hall, Judge's chamber and for all sections.</li> <li>• Forwarding of applications of the advocates for the appointment of Central Notary to the Central Government of India and Commission of Oaths to High Court.</li> <li>• Attending compliant regarding Notaries.</li> <li>• Checking of the Registers submitted by the Notary &amp; Commissioner of Oaths.</li> <li>• Attending the Civil and Electrical Repair works and Lift,</li> <li>• Accommodation arrangement for the New Courts, Judges Chambers and Staff members.</li> <li>• Purchase of furniture for the newly constituted courts.</li> <li>• Repair of broken furnitures in the court hall, chamber &amp; sections.</li> <li>• Payment of Property Tax and Water and Sewerage Tax for the main and additional block.</li> <li>• Purchase of Sanitary items for the toilets and also for the Judges.</li> <li>• Preparing Proceedings for the Contingent Staff regarding monthly salary, Ad-hoc Bonus and Enhance payment.</li> <li>• Forwarding of estimates for Civil and Electrical works.</li> <li>• Accommodation for Special Public Prosecutors  Arrangement for the Judges meetings and staff retirement functions etc.,</li> <li>• Attending the High Court Tapals regarding maintenance of the buildings of City Civil Court the buildings and other courts like CMM Courts.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
2	Typist	<ul style="list-style-type: none"> <li>• All the typing works pertaining to the Section and statistics Section.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

## **Maintenance of Judicial Officer's quarters.**

- Maintaining the Cleanliness in and around the Judicial Officers Quarters in Egmore and Saidapet, Chennai.
- Allotment of Quarters at Egmore and Saidapet for the Judicial Officers of the Courts in the Chennai District.
- Working out and collection of the Penal Rent for Judicial Officers Quarters who transferred from Chennai to other districts.
- Payment of Electricity Consumption for the Judicial Officers Quarters in Egmore and Saidapet for the common passage.
- Civil and Electrical repair work for the Judicial Officers Quarters in Egmore and Saidapet, Chennai.
- Instruction to the Civil and Electrical Department for the maintenance of park, lift and car parking in the Quarters.

## **Registers maintained in the Building Section:**

- Tapal Register
- Movement Register
- Complaint Register
- Furniture Register
- Stock Registers (Vol. I to III)
- Notary Registers
- Commissioner of Oaths Registers
- Advocate Receiver Register
- Deposit Interest Cheque Register
- Judicial Officers Quarters accommodation Registers ( A, B and C Types)



## TAPAL & DESPATCH SECTION

S. No.	Name of the Staff	Work Done	Registered Maintained
1	Tapal Clerk (Junior Assistant)	<ul style="list-style-type: none"> <li>• To receive all the tapals and submit to the Chief Administrative Officer.</li> <li>• After receiving from the Chief Administrative officer to enter in CR-48.</li> <li>• Send them to appropriate sections.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Register of Papers Received (CR-48)</li> </ul> <p>Hand book of letters delivered.</p>
2	Despatch Clerk (Junior Assistant)	<ul style="list-style-type: none"> <li>• Despatch all the letters and Court Orders through the post or by messenger after making entry in CR-49.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	

## LIBRARY

### Work Profile of Staff working in Library Section

S.No	Designation	Nature of Work
1	Librarian	<ul style="list-style-type: none"><li>• Purchase of Law Books as per High Court's Order.</li><li>• Custody of the library books.</li><li>• To maintain Library Register-CR66.</li><li>• Issue and recollection of library books to / from the Judicial Officers.</li><li>• Issuing books for the reference to Advocates.</li><li>• Purchase of Law Journals on Civil and Criminal side as per the order of the High Court.</li><li>• Circulating the Law Journals to the Judicial Officers.</li><li>• Bifurcation of the Journal as per Section and binding them.</li><li>• Receiving Tamil Nadu Government Gazette &amp; TNPSC Bulletin and circulate and keep them in safe custody.</li><li>• To maintain all the communications, proposals and bills of the Library</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>

## COMPUTER SECTION

This Section was established in 2004 under the E-Courts Project. Two Computer Systems and one Printer are provided to all the Courts. All the systems are connected with the Server Room. This Section gives training and guidance to the staff in implementing E-Court System.

The Principal System Analysis for Tamil Nadu of E-Courts System and the System Officer of Chennai City deputed by National Informatics Centre, Tamil Nadu are based in the Computer Section. The Section is deputed with one Assistant and two Junior Assistants from the Establishment of the City Civil Court.

All the staff of the City Civil Court have given with the training to handle E-Court System. The data of all the pending original suits were uploaded to the Computer and further data are being uploaded. All the Courts are maintaining e-Diary up to the disposal of cases.

This Section is in-charge of maintaining the Laptops and Printers of all the Judicial Officers and courts, on both Software and Hardware side. The Section is taking periodical backup of all the files. The section is attending all the communications of 'e-Court'. The Section is taking periodical backup of all the files. The section is attending all the communications of 'e-Court'.

## **JUDICIAL SECTION CIVIL SIDE**

### **SHERISHTADAR – II:**

Sherishtadar II is supervising Filing Section, E.P. Filing Section and Suit Register (Before Decree) Section. He is the custodian of the Court's received date seal used in Filing Section. His responsibilities are :

- Receives all the complaints, petitions and other papers to be presented in Court, accounting them and distribute to the Suit Examiners & Courts.
- Calculating and certifying the collection of stamp duty and penalty.
- Checking the refund certificates and bills.
- To attend all other work as assigned by the Principal Judge then and there by means of Office Order or by means of Oral Order.

## CIVIL FILING SECTION

### WORK PROFILE OF THE STAFF WORKING IN CIVIL FILING SECTION

S. No.	Name of the Seat	No. of Staff in the seat	Papers received	Work done in respect of the received papers	Name of the Registers Maintained
1	Receiving Clerk	1- Junior Assistant	<ul style="list-style-type: none"> <li>Receiving all papers filed in the section</li> </ul>	<ul style="list-style-type: none"> <li>Checking the enclosures of the plaint/ petitions and Court Fees paid and noting them on the plaint/ petition</li> <li>To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	
2	C.R.19 Clerk	1 Junior Assistant	<ul style="list-style-type: none"> <li>All papers received by Receiving Clerk</li> </ul>	<ul style="list-style-type: none"> <li>Recounts the Court Fees paid</li> <li>Checking the enclosures of the petitions</li> <li>Entering the required particulars in Detailed Register of Documents and Court Fees</li> <li>Arriving the total fees collected during the day in C.R.19</li> <li>Entering the total Court Fees collected in C.R.20</li> <li>To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	C.R.19 and C.R.20
3	Sheristadar	Sheristadar	-do-	<ul style="list-style-type: none"> <li>Examines the Court Fee Stamps paid for its validity</li> <li>Checks the amount of Court Fees paid.</li> <li>Initial the stamp papers and papers and get them sealed and the court fees stamps or papers punched with round punch.</li> <li>Enters in distribution registers and distributes the papers to the examiners or to the concerned courts.</li> <li>Initials the suits to be taken on file after examination by the suit examiners</li> <li>To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>Distribution Register</li> <li>Work done Register</li> </ul>

4	Suit Examiners	Assistant-4 Nos.	<ul style="list-style-type: none"> <li>• Receiving all papers filed in the section</li> <li>• All papers received by Receiving Clerk</li> </ul>	<ul style="list-style-type: none"> <li>• Check for required enclosures are presented (i.e.,Plaint, duplicate plaint, vakalat, verification affidavit, affidavit, documents, process service form with enclosures.</li> <li>• Entering Court Fees paid and excess court fees on the first page of the Plaint in red ink.</li> <li>• Verifying the content of the Plaintiff like Father name, sex, age, address etc.,</li> <li>• Verifying limitation and any endorsement on the document for payment in the Money Suits.</li> <li>• Verifying Territorial, Pecuniary and Inherent Jurisdiction</li> <li>• Verifying Court Fees paid in Plaint, Vakalat, PSA and original documents as per Amended Act 2002.</li> <li>• Verifying whether the suit appears from the statement in the plaint to be barred by any law</li> <li>• Verifying for Stamp duty and penalty</li> <li>• Verifying for delay in re-presentation or payment of court fees and to get appropriate order for the petition filed on that regard and such other petitions required to be ordered.</li> <li>• Sending the Plaints or OP's I.P.'s or Appeals for maintainability if necessary to I Assistant or I Additional Court or Principal Court</li> <li>• Passing the suits, O.P.'s, I.P.'s, appeals, and CMAs and send them to Numbering Clerk.</li> <li>• Passing the original petitions and send them to Court through Suit Register (After Decree) Section.</li> <li>• Making comprehensive returns and send to Numbering Clerk for returns and <b>avoid piece meal return.</b></li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Hand book of daily work</li> </ul>
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5	Numbering Clerk	Junior Assistant	<ul style="list-style-type: none"> <li>• Passed and return plaints</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Passed plaints</b></li> <li>• Separating the petition for interim orders and send them to the Caveat Clerk</li> <li>• Serial the plaint as per S.R.No. &amp; category of cases and getting court nos. and hearing date assigned by Register.</li> <li>• Assigning suit no. etc. and entering in Institution Registers</li> <li>• Entering in ISTHIYAR (Filing Register for the verification of Advocate)</li> <li>• Entering the Suit No. in Distribution Register.</li> <li>• Separating the duplicate plaint and sending it to Computer Clerk.</li> <li>• Sending the numbered suits, appeal etc to the concerned Suit Register Section.</li> <li>• <b>Returned plaints</b></li> <li>• Making entry in returned Register</li> <li>• Entering the date of return in Distribution Register</li> <li>• Having the custody of returned plaint</li> <li>• Returning the plaint to Advocates/ Registered Advocate clerk after getting signature in returned register.</li> <li>• Consigning the rejected plaint to appropriate sections.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Institution registers (O.S., A.S., C.M.A.)</li> <li>• Filing Register</li> <li>• Returned Register</li> <li>• Distribution Register</li> <li>• Consignment Register</li> </ul>
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6	Caveat Clerk	Junior Assistant	<ul style="list-style-type: none"> <li>• Caveat Petitions received</li> </ul>	<ul style="list-style-type: none"> <li>• Checking for Court Fees, enclosures, contents &amp; the postal receipts for sending caveat petitions copy to respondents.</li> <li>• Getting order for Lodgement from Xth Assistant Judge and entering into Caveat Register or returning the defect petitions.</li> <li>• Receiving the petitions for interim order from numbering clerk and certifying the pendency or non-pendency caveat <b>O. P's.</b></li> <li>• To attend all other work as assigned by the Principal Judge Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Caveat Register (Suit, A.S., C.M.A.)</li> <li>• Returned Register</li> </ul>
7	Court Fees Refund Clerk	Junior Assistant	<ul style="list-style-type: none"> <li>• Rejected plaints and Appeals from Filing Section</li> <li>• Case records of settled cases from Courts</li> </ul>	<ul style="list-style-type: none"> <li>• Verifying the refund orders and to prepare Refund Certificate and Bill and get them signed by the Registrar</li> <li>• Sending advice and bills to the Treasury (P.A.O.) and receiving the tokens</li> <li>• Handing over the tokens to the party.</li> <li>• Certifying for pendency of attachments in EP for the cheques received on that ground and to return the cheques with inadequate particulars etc.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Refund Certificate Register</li> </ul>
8	Computer Clerk	Typist	Duplicate Plaint from the Numbering Clerk	<ul style="list-style-type: none"> <li>• Entering all the available entries into Computer and send the duplicate plaints to Suit Register (Before Decree) Section</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>• Hand book for work done</li> </ul>

### Work profile of the staff working in Suit Register (Before Decree)

S. No.	Name of the Seat	No. of Staff in the seat	Papers received	Work done in respect of the received papers	Name of the Registers Maintained
1	Receiving Clerk	1- Junior Assistant	<ul style="list-style-type: none"> <li>All suit records from Numbering clerk</li> </ul>	<ul style="list-style-type: none"> <li>Checking the enclosures of the plaint</li> <li>Entering the Suit No. and Cause Title in Suit Register</li> <li>Separating Process Applications and sending them to Central Nazir Section after entering the Suit No. and hearing date.</li> <li>Sending emergent plaints to the Courts after restoration of injunction petitions and ordinary plaint to Safe Custody Section.</li> <li>Assisting the Suit Register Clerk for the completion of the work.</li> <li>To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	Hand book of work done  CR 1
2	I.A. Numbering Clerk	1- Junior Assistant	<ul style="list-style-type: none"> <li>Petitions receive from Courts and Caveat Clerk</li> </ul>	<ul style="list-style-type: none"> <li>Assigning I.A. No. and entering in I.A. Register</li> <li>To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	I.A. Register
3	Suit Register Clerk	Junior Assistant	<ul style="list-style-type: none"> <li>Duplicate plaints received from Computer Clerk</li> </ul>	<ul style="list-style-type: none"> <li>Entering all the available particulars in the Suit Register</li> <li>To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ul style="list-style-type: none"> <li>Suit Register Hand book for work done</li> </ul>

## SAFE CUSTODY SECTION

### Work profile of the staff working in Safe Custody Section

S. No.	Name of the Seat	No. of Staff in the seat	Papers received	Work done in respect of the received papers	Name of the Registers Maintained
1	Safe custody	Junior Assistant	Entire Suit Records of ordinary cases received from Suit Register (Before Decree Section)	<ul style="list-style-type: none"> <li>● Bifurcation of documents from suit records and keep them in Safe Custody and send the other suit records to the Court.</li> <li>● To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<ol style="list-style-type: none"> <li>1. Register of documents received.</li> <li>2. Distribution book of other Suit Records.</li> <li>3. Documents Issue Register.</li> </ol>

## CRIMINAL FILING SECTION

Criminal Filing Section is functioning as Centralized Filing System for all the following Criminal Courts working under the direct control of Principal Sessions Judge. Besides the Principal Sessions Court, 13 Additional Sessions Court are functioning in this Unit. All the 18 Assistant Judges of City Civil court are conferred with the powers of Assistant Sessions Judges.

The Notifications regarding the special powers of the Additional Courts as follows:

- Principal Sessions Court is notified to try is SC/ST Cases, cases under Prevention of Money Laundering Act, cases under Navigation and Maritime, cases under Electricity Act.
- I Additional Sessions Judge is notified as Presiding Judge Designated Court No.I under TADA Act to try Rajiv Gandhi assassination case.
- II Additional Sessions Judge is notified as Special Judge to try Human Rights Cases.
- V Additional Sessions Judge is notified as Presiding Judge, Designated Court No.II under TADA Act to try TADA cases
- VIII & IX, XI to XIV Additional Sessions Courts are notified as special courts for the trial of CBI Cases
- X Additional Sessions Courts are notified Special Court for the trial of vigilance and Anti Corruption cases
- Mahaleer Needhimanram is notified to try Criminal Cases pertaining to commission of offence against Women.
- Additional Sessions Court for Bomb Blast Court is notified to try Bomb Blast cases and POTA Cases
- Special Court for exclusive trial of Prevention of Corruption Act is constituted newly on 13-10-2011 for trial of Prevention of Corruption Act cases. **(Assistant Sessions court )**

S.No	Designation	Nature of Work
1	Head Clerk Translator Junior Assistant Typist Office Assistant	<ul style="list-style-type: none"> <li>• Receiving, Checking and Numbering of petitions such as Bail Petitions, Anticipatory Bail Petitions, Petitions for Relaxation or Modification of conditions, Transfer Petitions, Time Extension Petitions, Sec.5 Limitation Petitions and Petitions for Amendments.</li> <li>• Assigning Stamp Register number for all the petitions.</li> <li>• Checking and numbering of entire committal case records received from the Metropolitan Magistrate Courts.</li> <li>• Assigning Sessions case number and entered in Sessions case Register (CR C No.1).</li> <li>• Checking and Numbering of Criminal Appeals, Criminal Revision and Calender Case and entering them into concerned Registers (CR A 1, CR A 2 &amp; No. 4 respectively).</li> <li>• After assigning Case numbers, the case bundle will be sent to Principal Sessions Court. The Principal Judge will made over to the cases to Additional Sessions Court and Mahalir Needhimanram.</li> <li>• Checking and numbering the following Calendar Cases and post before the Principal Judge. <ul style="list-style-type: none"> <li>(i) Cases filed under Section 500 IPC</li> <li>(ii) Complaints filed under Prevention of Money Laundering Act.</li> <li>(iii) Indian Electricity Act.</li> </ul> </li> </ul> <p><b>Other Works</b></p> <ul style="list-style-type: none"> <li>• Assigning number in other Miscellaneous petitions.</li> <li>• Receipt of Lower Court records in Criminal Appeal and send them to concerned courts after checking them.</li> <li>• Receipt of High Court orders and after making necessary entry in the register and sending them to concerned courts in order to comply with the directions given thereon.</li> <li>• Making Entry of disposed of cases in Sessions Cases (CR A4 &amp; A5), Calendar Cases (No.4), Criminal Appeal (CR A6) and Criminal Revision (CR A7) for all the Courts.</li> <li>• Attending of other Miscellaneous letters, Criminal Complaints and Telegrams related to Criminal Section.</li> <li>• Submitting remarks to High Court in the criminal matters.</li> <li>• Preparation of Jail visit report.</li> <li>• Monitoring Committee meetings.</li> <li>• Sending, receiving, consolidating periodicals from all the Sessions Courts and submit them to the High Court.</li> <li>• Maintenance of the car of the Principal Judge and Judges Vans.</li> <li>• Maintaining log book, sanction of fuel charges, repair charges to the car and the Judges Van and sanction of uniforms and shoes to the Drivers.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

**Registers maintained in the Section**

1. Register of Appeal Cases.
2. Register of Revision Cases.
3. Register of Miscellaneous and Maintenance Cases.
4. Register of Calender and Preliminary Cases.

## EXECUTION PETITION FILING SECTION

S.No	Designation	Nature of Work
1	Assistant	<ul style="list-style-type: none"> <li>• Checking of the Execution Petitions, payment out applications and Transmit decree petitions.</li> <li>• Obtaining the signature of the Judges of the EP Court.</li> <li>• Sending the checked petitions for assigning number.</li> <li>• Returned Petitions are placed before the Filing Sherishtadar for signature.</li> <li>• Put up the maintainability cases before the EP Judges.</li> <li>• Receiving other court decree and returned them after the lapse of one year.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
2	Junior Assistant	<ul style="list-style-type: none"> <li>• Checking the contents of the petitions with Suit Register.</li> <li>• Checking whether there is any stay is in force.</li> <li>• Assigning E.P and E.A Numbers to the petitions by making entries in the concerned Registers</li> <li>• Entering the petitions in the EP and E.A Reference Register, Suit Register and other Court Decree Register.</li> <li>• Sending EP petitions to EP Courts.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
2	Record Clerk	<ul style="list-style-type: none"> <li>• Receiving the petitions from the Filing Section.</li> <li>• Giving reference numbers by entering in the EP and E.A Reference Register</li> <li>• Entering the payment out applications in Payment Out Register and receiving back records from R.K.II and certification of the deposits from Ledger Section.</li> <li>• Entering the result of the EP in the EP Numbering Register.</li> <li>• Entering the Result of Execution in the Suit Register or Sending Execution reports to the other courts.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

## **DOCUMENTS NEEDED WHILE CHECKING OF EP**

- Copy of concerned decrees and Process Service Applications
- Under OR 21 R 54 & 64 CPC - Encumbrance Certificate to be filed
- Under OR 21 R 32 CPC - Affidavit to be filed for disobedience of Decree along with original proof of violation.
- Under OR 21 R 37&38 CPC - Supporting Affidavit for source of availability of money.
- Under OR 21 R5 & 6 CPC - Supporting Affidavit stating reason for transmitting the decree to other Court, to be filed.

## **DOCUMENTS NEEDED WHILE CHECKING THE PAYMENT OUT PETITIONS**

- Schedule of payment.
- Part or Full Satisfaction Memo.
- Any Attachment is in force.
- Minor Interest involved.
- Whether proper undertaking was pleaded in Affidavit.

## **Registers maintaining in EP Section**

Registrar of Execution Petition	- CR 7
Registrar of Civil Miscellaneous Petitions	- CR 6
Registrar of Execution Petitions Disposed Off	- CR13
Registrar of Miscellaneous petitions disposed off	- CR 12
Registrar of Other Court Decrees Received	- CR15
Sale Certificate Registrar	- CR34



**WORK PROFILE OF COURT STAFF**  
***ASSISTANT COURTS***

S.No	Designation	Nature of Work
1	Bench Clerk (Grade-II)	<ul style="list-style-type: none"> <li>● Verifying the Hearing Book as to whether all the cases to be called on the next day are taken.</li> <li>● Checking the notes papers for the next day's work and endorsing the service affected if any.</li> <li>● Arrange the case records as per stage numeral and chronological order.</li> <li>● Preparing the Cause List of the next day and paste them on the notice board.</li> <li>● Calling the cases in the Open Courts.</li> <li>● Assisting the Judicial Officers in conducting the cases.</li> <li>● Restoring the deposition with suit records after getting the signature of the Judge.</li> <li>● Marking the Exhibits and making endorsements and getting the signature of the Judge.</li> <li>● Maintaining Disposal Registers.I Updating the Pending List.</li> <li>● Making Posting and Re-posting in the Hearing Book.</li> <li>● Checking the Interlocutory Applications and getting further orders.</li> <li>● Attending all the communications to the Courts and taking further actions.</li> <li>● Issuing of Commission Warrants and Court Notices.</li> <li>● Bifurcating the material and immaterial records of the cases which are reserved for Judgment or Orders including the list of Exhibits, depositions and submit them to the Judge.</li> <li>● Maintenance of Judgment Reserved Registers.</li> <li>● Preparation and completing "B" Diary.</li> <li>● Preparation and Submission of Monthly Statements on or before 5<sup>th</sup> of every month and other periodicals within the time stipulated.</li> </ul>

		<ul style="list-style-type: none"> <li>● Permitting the Counsel to peruse the case records in his personal presence and supervision in the event of orders passed by the court on application.</li> <li>● Permitting the Counsel to carry out amendments as per the orders in Amendment Petitions and verifying the Amended Copies.</li> <li>● Verification of Additional Court fees, if required. Verification of Counter Claims or Cross Appeal and Payment of Court Fees.</li> <li>● Getting amendments in the plaint be carried out in Suit Registers (C.R 1)</li> <li>● Rectification of check slip with case records from Drafting Section and RK-I.</li> <li>● Overall supervision of other court staff.</li> <li>● Having joint responsibility of other court staff.</li> <li>● To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
2	Assistant Bench Clerk (Grade-II)	<ul style="list-style-type: none"> <li>● Picking up the case records to be called for the next day from Almirahs.</li> <li>● Writing the "A" Diary and getting the signature of the Officer at the end of the day (Now, it is being and done in E-Court System).</li> <li>● Replacing the case records in Almirahs after the purpose is over and having the custody of them.</li> <li>● Receiving new cases from Filing Section and checking them.</li> <li>● Receiving petitions and other papers from Receiving Section and enter them in IA Reference Register and place them before Bench Clerk with back records.</li> <li>● Call for records from RK-I &amp; II and check them on its receipt and place before Bench Clerk.</li> <li>● Compliance of Copy Applications.</li> <li>● Compliance of Process Service Applications.</li> <li>● Consignment of records to RK-I, etc after duly indexed.</li> </ul>

		<ul style="list-style-type: none"> <li>• Prepare the Decreeal Orders for compliance of CA.</li> <li>• Preparing Fair Issues and get signature from the Judge.</li> <li>• Assist the Bench Clerk in his work.</li> <li>• To Act as Bench Clerk whenever required.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
3	Steno- Typist	<ul style="list-style-type: none"> <li>• Typing dictations and computersing Judgments and Orders from the Judge.</li> <li>• Making entries in Fair Copy Register at appropriate time.</li> <li>• Preparing Decree in the contested cases.</li> <li>• Typing the Periodicals, Warrants, Letters and such other typing work required by the Court.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

## REGISTERS MAINTAINED

- Register of Civil Miscellaneous Petitions - CR6
- Suit Disposal Register ( Title) - C.R 9
- Suit Disposal Register ( Money) – C.R 9
- I.A Disposal Register – C.R 12
- Hearing Book – C.R 17
- “A” Diary - C.R 18
- Fair Copy Register – C.R. 21
- Clerks and Pleadings Register - CR40
- Suit Pending list
- I.A Pending list
- Judgment Reserved Register
- I.A Reference Register
- Hand Book of I.A’s sent for numbering
- Hand Book for compliance of Process Application
- Hand Book for Records consigned to R.K I , II and other courts.

## EXECUTION COURTS

S.No	Designation	Nature of Work
1	Bench Clerk (Grade-II)	<ul style="list-style-type: none"><li>• As Bench Clerk of Assistant Courts.</li><li>• Checking Encumbrance Certificates, Draft sale deeds and Sale Papers.</li></ul>
2	Assistant Bench Clerk (Grade-II)	<ul style="list-style-type: none"><li>• As Assistant Bench Clerk of Assistant Courts.</li></ul>
3	Steno - Typist	<ul style="list-style-type: none"><li>• As Steno-Typist of Assistant Courts.</li></ul>
4	Record Clerk	<ul style="list-style-type: none"><li>• Indexing the bundle</li><li>• Restoring summons and warrants</li><li>• Issuing and receiving back records to Nazir Sectionl</li><li>• Call for Records from R.K II</li><li>• Consigning Records to E.P, Section.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
5	Office Assistant	<ul style="list-style-type: none"><li>• As Office Assistants of Assistant Courts.</li></ul>

## REGISTERS MAINTAINED

- E.P. Pending Register
- E.A Pending list
- E.P. Disposal Register - C.R 13
- E.A Disposal Register - C.R 12
- Other court decree Register – C.R. 15
- Sale Certificate Register – C.R. 34.



## ADDITIONAL COURTS

S.No	Designation	Nature of Work
1	Bench Clerks Civil Side (Grade-I)	<ul style="list-style-type: none"> <li>• As Bench Clerk and Assistant Bench Clerk of Assistant Courts in Civil side.</li> </ul>
2	Bench Clerks Criminal Side (Grade-I) (or) Translator (beside translation work)	<ul style="list-style-type: none"> <li>• As Bench Clerk of Assistant Courts in conducting the court etc.,</li> <li>• Preparation for framing charges, 313 Cr.P.C. Questions</li> <li>• Call for and receive the Case properties from the Property Room.</li> <li>• Scrutinising all the notice, summons and warrants.</li> <li>• Bifurcating the material and immaterial records of the cases which are reserved for Judgment or Orders including the list of Exhibits, depositions and remand particulars of the Accused and submit them to the Judge.</li> </ul>
3	Steno - Typist	<ul style="list-style-type: none"> <li>• Taking dictation and computerising judgments in both Civil and Criminal cases.</li> <li>• Maintaining Fair Copy Registers.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
4	Typist	<ul style="list-style-type: none"> <li>• Typing decrees</li> <li>• Typing Draft and Fair Order in uncontested Civil Cases.</li> <li>• Computerising depositions in Civil and Criminal Cases.</li> <li>• Attending all other typing works of Civil and Criminal side</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
5	Record Clerk	<ul style="list-style-type: none"> <li>• Indexing the Criminal Cases and consign them to Criminal Filing Section.</li> <li>• Preparing all the notices, summons and warrants.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

**PARTICULARS REGARDING NATURE OF WORK AND STAFF  
WORKING IN THE DRAFTING SECTION**

S. No	Designation	Nature of Work	Name of the Registers maintained
1	Head Clerk	<ul style="list-style-type: none"> <li>• Supervising the section</li> <li>• Allotting works for the Assistants, Jr Asst and Typists and Checking the Records, Decree and Judgment in contested and uncontested matters.</li> <li>• Assisting the Typist in preparation of the decree and judgment in uncontested matters and Scrutinizing them.</li> <li>• Calling for Non Judicial stamp papers for engrossing Final Decree matters.</li> <li>• Attending Amendment work</li> <li>• To attend all other work as assigned by the Principal Judge Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	<p>Hand Book of case records received from the Courts.</p> <p>Hand Book of case records sent to Suit Register (After Decree) Section.</p> <p>Hand Book of cheque slip issued to Court.</p>
2	Assistants	<ul style="list-style-type: none"> <li>• Checking of Decree and Judgments and calculate the Bill of Costs in contested and uncontested matters.</li> <li>• Sending records to Record section through Suit Register Section. (After Decree).</li> <li>• To attend all other work as assigned by the Principal Judge then and there by means of Office Order or by means of Oral Order.</li> </ul>	Hand Book of work done.
3	Jr. Assistant	<ul style="list-style-type: none"> <li>• Receiving the disposal cases as per index sheet and making entries in Fair copy Registers.</li> <li>• To attend all other work as assigned by the Principal Judge Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	Cr.24 & 48. Hand Book of work done.
4	Typists	<ul style="list-style-type: none"> <li>• For Typing Decree incorporating cause of action and Judgments of uncontested matters and Final Decree in N.J.S (Non Judicial Stamp paper).</li> <li>• To attend all other work as assigned by the Principal Judge Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	Hand Book of work done.
5	Record Clerk	<ul style="list-style-type: none"> <li>• To get signature from the presiding Officers</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	

**Suit Register (After Decree) Section  
Work profile of the staff working in Suit Register  
(After Decree) Section**

S. No.	Name of the Seat	No. of Staff in the seat	Papers received	Work done in respect of the received papers	Name of the Registers Maintained
1	Suit Register Clerk	Junior Assistant	<ul style="list-style-type: none"> <li>• Receiving all papers filed in the section</li> <li>• Ops, AS, CMAs, OAS &amp; Mts from Filing Section concern Courts.</li> <li>• Records from Drafting Section and Courts.</li> <li>• Orders received from Higher Courts.</li> </ul>	<ul style="list-style-type: none"> <li>• Assigning OP numbers.</li> <li>• Entering the cases in OP Register, AS Register, OSA Register &amp; MTA Register.</li> <li>• Entering decrees in concern suit register and filling up of all unfilled columns in the Suit Register, etc.</li> <li>• Entering the pendency of appeal and stay orders and all the orders communicated by the Higher Courts in the concerned Suit Register, Appeal Register, etc.</li> <li>• Sending all the records to RK-I.</li> <li>• Entering the recording of the Full Satisfaction and Transfer Orders or order returning the Plaintiff in the Suit Register, etc. and consigning it to the appropriate section.</li> <li>• Sending all the Higher Courts Order including Stay Orders to the concerned Courts or Sections.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	Registers of Original Suit (C.R1) Appeal Suit (C.R 4) CMA, (C.R 5) OP, (C.R 2) & MTA(C.R 5)  Handbooks

## COPYIST SECTION

### Work profile of the staff working in Copyist Section

S. No	Designation	Nature of Work	Registers used
1	Superintendent of Copyist	<ul style="list-style-type: none"> <li>• Administration of Copyist Section.</li> <li>• Signing certified copies, NJS papers, printed copies, Returned CAs, struck off CAs and CAs that are not pressed.</li> <li>• Receiving urgent Copy Applications.</li> <li>• Carry out corrections in Certified Copies as per the corrections made in originals by the order of the court.</li> <li>• Maintaining Stamp account.</li> <li>• Returning unused stamps and maintaining account for the same.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	Plan Fee
2	Junior Assistant	<ul style="list-style-type: none"> <li>• CA Numbering.</li> <li>• Receipt of Stamp Deposits.</li> <li>• Sending of CAs to Xerox Operator.</li> <li>• Delivery of Certified Copies.</li> <li>• Printing call for.</li> <li>• Send for and Receive the original documents from Courts and Record Section and check them.</li> <li>• Making entries in "A" Register regarding receipts and return of documents.</li> <li>• Preparing Ready List.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	CR-26  CR-27
3	Examiner	<ul style="list-style-type: none"> <li>• Assessing of Court Fee Stamps for the original documents received.</li> <li>• Preparing daily call for list.</li> <li>• Making entries in "A" Register regarding call for.</li> <li>• Allotting works to Copyist.</li> </ul>	Call For.  CR-29, 51, 53



		<ul style="list-style-type: none"> <li>• Comparing the certified copies with originals and initial them.</li> <li>• Affixing true copies and signing each page of the copies after verification.</li> <li>• Maintaining Struck Off Register.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	
4	Reader	<ul style="list-style-type: none"> <li>• Reading the certified copies for comparing the original.</li> <li>• Sending originals to Court or Record Section.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	
5	Copyist Typist	<ul style="list-style-type: none"> <li>• Copying or Typing the originals.</li> <li>• Maintaining CR – 52 Register.</li> <li>• Typing works of the Section.</li> <li>• Assisting the Section in other works.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	CR-52
6	Xerox Operator	<ul style="list-style-type: none"> <li>• Taking xerox copies of the original and send the originals and copies to Copyist Section.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>	

### REGISTER MAINTAINED

- Copyist "A" Register – CR26
- Copyist "B" Register – CR27
- Copyist "C" Register – CR28
- Copyist "D" Register – CR21
- Copyist "D" Register – CR51
- Register of Copyist Establishment – CR52
- Examiner "D" Register – CR 53

## NAZIR SECTION

### WORK PROFILE OF THE STAFF WORKING IN NAZIR SECTION

S.No	Designation	Nature of Work
1	Central Nazir	<ul style="list-style-type: none"><li>• Overall Supervision of Nazir Section.</li><li>• Signing all the warrants viz movable, immovable, Test, Arrest, Salary attachment, Warrant of possession and Warrant for direction.</li><li>• Signing the codes of proclamation for execution under public auction.</li><li>• Taking of sworn statement of bailiffs after execution of warrants.</li><li>• Conducting sales</li><li>• Collecting poundage.</li><li>• Collecting one third of sale process.</li><li>• Execution of Detention Warrant.</li><li>• Receiving all the Cash amount to be collected by the Establishment and issuing receipt.</li><li>• Maintaining Cash Books (CR-45) and Receipt Books (CR-41).</li><li>• Stopping the execution of the warrant in the event of the receipt of Stay Orders.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
2	Deputy Nazir	<ul style="list-style-type: none"><li>• Supervising the Process Service Section regarding Service of Process.</li><li>• Signing all the process service papers and allotment of work to junior bailiff and maintaining concerned registers.</li><li>• Taking of sworn statement of junior bailiff after services of process.</li><li>• Procurement and Distribution of stationary items to all Courts.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
3	Nazir Assistant	<ul style="list-style-type: none"><li>• Receiving Batta Memos and entering in "A" Register in CR-44.</li><li>• Checking the correctness of the Process Fee paid.</li><li>• Receiving Tom Tom Charges, Subpoena Batta, Witness Batta, Precept Charges and receiving and sending Money orders to other courts.</li><li>• Segregating all the Batta Memos and distributing to the concerned Process Writers.</li></ul>

		<ul style="list-style-type: none"> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
4	Senior Bailiff	<ul style="list-style-type: none"> <li>• Execution of attachment warrants of movable and immovable.</li> <li>• Maintaining CR-17 &amp; CR-64.</li> <li>• Execution of test warrants of movable and immovable.</li> <li>• Execution of arrest warrants for recovery of money and disobedience of decrees.</li> <li>• Proclamation of sale of immovable property.</li> <li>• Execution of warrants for delivery of possession.</li> <li>• Execution of mandatory injunction.</li> <li>• Executing warrants for attachment before judgment and maintaining CR 31 &amp; CR 32 registers.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
5	Junior Bailiff	<ul style="list-style-type: none"> <li>• Submitting the executed warrants to Nazir and to give sworn statement and return them to the concerned courts.</li> <li>• Maintaining Register of movables attached and immovables attached in CR-31 &amp; 32 respectively.</li> <li>• To serve summons, notices, Interim injunction, Pro order and others directions as ordered to be communicated including show cause notice within the jurisdiction of the City Civil Court.</li> <li>• Submitting the served summons or notices to Deputy Nazir and to give sworn statement and return them to the concerned courts.</li> <li>• Maintaining CR-17 &amp; CR-64.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
6	Process writer	<ul style="list-style-type: none"> <li>• Checking for the enclosures and content of process service applications.</li> <li>• Preparing Summons and Notices and all types of Warrants after verifying the orders from original records.</li> <li>• Preparing Proclamation for Sale.</li> <li>• Despatching the Summons, Notices etc., to Mofussil Courts.</li> <li>• Maintaining Tapal and Despatch Register.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

## REGISTERS MAINTAINED

Movable Attachment Register	– CR31 Nazir “A” Register	– CR44
Immovable Attachment Register	– CR32 Nazir “D” Register	– CR45
Sale Certificate Register	– CR34 Nazir’s “C” Register	– CR47
Nazir Receipt Book	– CR41 Daily of Amins and Process Server	– CR64
Nazir “B” Register	– CR43	

## Record Section – I

The safe custody of Original and Appellate records and binding and safe custody of Draft Judgments are rest with this section.

### WORK PROFILE OF THE STAFF WORKING IN RECORD SECTION

S.No	Designation	Nature of Work
1	Record Keeper	<ul style="list-style-type: none"> <li>• Supervising the Sections of Record I &amp; II.</li> <li>• To rectify the complaints.</li> <li>• Attending the tapals from the Tapal Section.</li> <li>• Destruction work by following necessary procedures including Gazette Publication.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
2	Assistant	<ul style="list-style-type: none"> <li>• Maintenance of Destruction Register and to make entries in the Destruction Register.</li> <li>• Double punching of Stamps in the disposed cases.</li> <li>• Receiving Copy Applications and making entries in the “B” Register.</li> <li>• Compliance of Copy Applications and receiving back the originals.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>
3	Junior Assistants	<ul style="list-style-type: none"> <li>• Checking the bundles received through Suit Register (After Decree) Section.</li> <li>• To send the records to the Courts whenever called for and maintaining Record Issue Register for the same.</li> <li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li> </ul>

## RECORD SECTION – II

The safe custody of following case records rests with this section.

- ❖ All case records of Criminal side
- ❖ All case records of Original Petitions, Original Applications, Land Acquisition Original Petitions, Municipal Taxation Appeal, Civil Miscellaneous Appeals, Execution Petitions and Civil Miscellaneous Petitions.
- ❖ Plaints and Appeal Memorandums rejected before institutions
- ❖ All Execution records including E.As This section is in-charge of supply of all prescribed forms and covers supplied through department of Printing and Stationery.

### WORK PROFILE OF R.K. II

S.No	Designation	Nature of Work
1	Assistant	<ul style="list-style-type: none"><li>• Submitting Civil Side Lower Court Records for Appeal.</li><li>• Supply of Forms and Registers.</li><li>• Receiving all Criminal Side Records, Checking them and the safe custody of the same.</li><li>• Submitting Criminal Side Lower Court Records for Appeal.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
2	Junior Assistants	<ul style="list-style-type: none"><li>• Receiving all EP and O.P. records, checking them and safe custody of the same.</li><li>• Compliance of Copy Applications and Sending Back Records to Execution Side.3. Submitting EP and O.P Records for Appeals.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>
3	Record Clerk	<ul style="list-style-type: none"><li>• Assisting the Assistants of the Section.</li><li>• Receiving call for letters and forwarding Appeal Records to the concerned Courts.</li><li>• To attend all other work as assigned by the Principal Judge / Presiding Officer then and there by means of Office Order or by means of Oral Order.</li></ul>

### REGISTERS MAINTAINED

Record Issue Register - CR55 Destruction of CMPs - CR58  
Destruction list of original Suits - CR56 Destruction list of sessions petitions - CR59



**PART – III**  
**LIST OF REGISTERS MAINTAINED IN CIVIL COURTS AND SESSIONS  
COURTS & FORMS UNDER CIVIL RULES OF PRACTICE**

**Civil Side**

- All the Registers used in Assistant Courts.
- Appeal Pending Register.
- CMA Pending Register.
- CMP Pending Register.
- Register of Appeal Suit Disposed Off – CR10
- Register of Civil Miscellaneous Appeal Disposed off – CR11
- Register of Civil Miscellaneous Petitions (for CMPs) – CR 12

**Criminal Side**

- Disposal Register – C.R A.4
- Register of Punishments – C.R A 5
- Criminal Appeal Disposal Register – C.R A 6
- Criminal Revision Disposal Register – C.R A 7
- Hearing Book – C.R A. 10
- Diary – C.R A 8
- Pending list – Category wise
- Criminal Miscellaneous Petitions Pending list- C.R.3.



## CIVIL REGISTERS AT A GLANCE

S. No	CR.No.	Name of the Register	Maintained by
1.	C.R.1	Original Suit Register	Suit Register (Before Decree / fter Decree)
2.	C.R.2	Original Petitions Received	Suit Register (After Decree)
3	C.R.4	Appeal Suit Register	Suit Register (After Decree)
4	C.R.5	Register of Civil Misc. Appeals	Suit Register (After Decree)
5	C.R.6	Register of Civil Misc. Petition (I.A.s. and E.A.s.)	PJ Court -Civil BC
6	C.R.7	Register of Execution Petition	EP Filing Section
7	C.R.9	Register of Original Suit Disposed Off.	Bench Clerk
8	C.R.10	Register of Appeal Suit Disposed Off	Bench Clerk
9	C.R.11	Register of Civil Miscellaneous Appeals Disposed Off	Bench Clerk
10	C.R.12	Register of Civil Misc. Petitions	Bench Clerk
11	C.R.13	Register of Execution Petition Disposed Off	Bench Clerk
12	C.R.15	Register of Other Court Decrees Received	EP Filing Section
13	C.R. 16	Register of Guardians/ Accounts	Bench Clerk (PJ Court)
14	C.R.17	Hearing Book	Bench Clerk
15	C.R.18	Diary Register	Bench Clerk
16	C.R.19	Register of Court Fees Received	Filing Section
17	C.R.20	Daily Register of Court Fees Received	Filing Section
18	C.R.21	Fair Copying Register	Steno-Typists
19	C.R.22	Register of Instruments Impounded	Filing Section
20	C.R.23	Register of Refunds, Process and Poundage	Nazir Section

21	C.R.24	Register of Return of Documents	RK
22	C.R.25	Register of Discredited Documents	Safe custody
23	C.R.26	Copyist 'A' Register	Copyist Section
24	C.R.27	Copyist 'B' Register	Copyist Section
25	C.R.28	Copyist 'C' Register	Copyist Section
26	C.R.29	Copyist 'D' Register	Copyist Section
27	C.R.31	Movable Attachment Register	Nazir Section
28	C.R.32	Immovable Attachment Register	Nazir Section
29	C.R.33	Register of Unclaimed Inter state Property	Nazir Section
30	C.R.34	Sale Certificate Register	Bench Clerk of EP Courts
31	C.R.35	Ledger	Ledger Section
32	C.R.36	Deposit Register	Ledger Section
33	C.R.37	Repayment Register	Ledger Section
34	C.R.38	Cash Payment Register	Ledger Section
35	C.R.39	Pleaders Gumastas Register	Filing Section
36	C.R.40	Clerks and Pleaders Register	Bench Clerk
37	C.R.41	Nazir Receipt Book	Nazir Section
38	C.R.42	Head Clerks Receipt Book	Cash Section
39	C.R.43	Nazir 'B' Register	Nazir Section
40	C.R.44	Nazir 'A' Register	Nazir Section
41	C.R.45	Nazir 'D' Register	Nazir Section
42	C.R.46	Register of Receipts of Process Memo	Nazir Section
43	C.R.47	Process 'C' Register	Nazir Section
44	C.R.48	Register of Papers Received	Tapal Section
45	C.R.49	Register of Dispatch	Dispatch Section
46	C.R.50	Register of Postage	
		Stamp Account	Dispatch Section
47	C.R.51	Copyist 'D' Register	Copyist Section
48	C.R.52	Register of Copyist Estt.	Copyist Section



49	C.R.53	Examiner 'D' Register	Copyist Section
50	C.R.54	Jewels or Other Valuable Disposal Register	Cash Section
51	C.R.55	R.I.R. Register	RK I & II
52	C.R.56	Destruction Register of Original Suits	RK I & II
53	C.R.58	Destruction Register of C.M.P.s	RK II
54	C.R.59	Destruction Register of Sessions Petitions	RK-II
55	C.R.60	Account Book of Postage Stamps	Dispatch Section (Regular Estt.)
56	C.R.63	Investment Register	Ledger Section
57	C.R.64	Diary of Amins and Process Servers	Nazir Section
58	C.R.66	Library Book Register	Librarian
59	C.R.67	Commission Register	Bench Clerks
60	C.R.68	Register or Cash Received from Other Courts and Office	Nazir Section

### CRIMINAL COURT REGISTERS

Register No	Name of the Registers	Maintained by
1	Register of Appeal Cases	Criminal Filing Section
2	Register of Revision Cases	Criminal Filing Section
3	Register of Miscellaneous Cases	Criminal Filing Section
4	Register of Results of Cases (Old No.7)	Bench Clerks
5	Register of Punishments (Old No.8)	Bench Clerks
6	Register of Appeal Cases: Disposed of:	Bench Clerks
7	Register of Revision of Cases: Disposed of	Bench Clerks

8	Diary Register (Sessions and Magistrate Counts)	Bench Clerks
9	Register of Court Fees and Process Fees received (Old No.12)	Filing Section
10	Hearing Book	Bench Clerks
11	Register of Referred Charge Sheets	Cash Section
12	Register of Case Properties	Cash Section
13	Register of Unclaimed Properties	Cash Section
14	Register of Calendar Received (Sessions Court & Chief Judicial Magistrate Courts)	Cash Section
15	Register of Refund Certificate	Cash Section
16	Register of Fines	Cash Section
17	Register of Witness Batta Collected from Parties	Cash Section
18	Register of Witness Attendance in Criminal Courts	Bench Clerks
19	Register of Batta and Traveling Allowances to Witness	Cash Section
20	Register of Long Pending Cases	Bench Clerks
21	Record Destruction Register for Criminal Courts	RK-II
22	"A" Cash Book	Cash Section
23	Criminal Process Register	Record Clerk
B1	Register of Calendar and Preliminary Cases	Criminal Filing Section
CR.74	Record Issue Register	RK-II



## **FEATURES OF THE REGISTERS CIVIL SIDE**

### **1. C.R.19 : Detailed Register of Documents and Court Fees:**

All papers relating to the suits and proceedings received in Public court and by the Chief Ministerial Officer daily are to be entered in this register.

Serial Number is to be given for each paper and Serial Number will begin from No.1 onwards every month of a fresh.

The Court fees paid on each paper should be entered in the relevant columns of the register.

Every day the papers received and entered in the register should be handed over to the branch concerned and the initial of the ministerial officers should be obtained.

This register should contain the total sum of Court-fees received on the above papers and documents on every day. The total must be entered and it must be signed by the Presiding Officer daily.

### **2. C.R. 20 : Daily Register of Court fees:-**

The total sum of court fees received daily and mentioned in CR.19 register has to be carried out in this register and it has to be signed by the Presiding Officer daily.

### **3. C.R. 1 : Register of ordinary Suits Instituted/Suits Register**

The suits filed as Ordinary suits.(Original Suits) should be entered in this register.

Columns 1 to 6 should be filled up by the clerk concerned then and there.

When the suit is disposed off and the decree is drafted the decretal portion should be entered in Column 7 under the initial of the Presiding Officer.

In column 8, the petition for rehearing or review should be entered with date of disposal.

In column 9, the appeal number and its result should be entered.

In column No.10, the part satisfaction recorded before filing E.P. should be entered.

#### **4. C.R. 2 : Register of Original Petition received:**

The Original Petitions received under various Act like Indian Succession Act, Hindu Marriage Act, Special Marriage Act. Indian Divorce Act, Guardian and Wards Act, Tamilnadu Buildings (Lease and Rent Control) Act, columns 1 to 6 should be filled up by the clerk concerned and Column No.7 will be filled up at the time of drafting the decretal order under the initial of the Presiding Officer. In column No.8, the petition for rehearing and review should be entered with date of disposal.

In Column No.9, Civil Miscellaneous Appeal No. and its result should be entered.

In Column No.10, the part satisfaction recorded before filing E.P. should be entered.

#### **5. C.R. 6 : Register of Civil Miscellaneous Petition received.**

The petitions for interlocutory orders filed are entered in this register.

Column 1 to 6 should be entered by the clerk concerned immediately on filing.

In Column. 7, disposal with date is entered at the time of disposal of the petition. In column 8, the number of CM.A and its result is entered.

Petitions filed under Or.6 R.17, Or.22, R.3&4, Or.32 R.3 Or.39 R.1 &2, Or.1 R. 8 of C.P.C. are to be entered. Entries regarding the disposal are to be carried out in the suit register to know the up to date developments in the case.

#### **6. C.R. 7 : Register of Execution Petitions received:**

Execution petition filed for Executing the decrees passed in Suits and other proceedings are to be entered in the register.

Columns 1 to 7 should be filled up by the clerk concerned immediately after filing the E.P.

Column No.8 will be filled up at the time of disposal with the date and nature of result of the disposal.

Details of every disposal of E.P. should be entered in column. 11 and 12 of the suit register concerned.

Separate registers are to be maintained for O.S. Execution. & S.C. Execution.

**7. C.R. 9 : Register of Suit disposed off:**

- (a) Original suits;
- (b) The disposal registers in respect of Money & title suits should be maintained separately for each Presiding Officers,
- (c) Column 1 to 13 relates to the classification of disposal of suits.
- (d) Col.14 to 21 relates to the duration for the disposal of suits and remarks. The columns should be filled up immediately on the disposal of suits by the concerned clerk.
- (e) The contested suits in which Judgments are pronounced, should be entered either in Column. 12 or 13. It should be watched by the Presiding Officer, every month.

**8. C.R. 12 : Register of Miscellaneous Cases disposed of :-**

The disposal of I.A.'s and all O.P's should be entered in this Register, Separate Registers are to be maintained for disposal of O.Ps & I.As Column.1 to 13 relates to the classification of disposal of cases.

Column 14 to 21 relates to the duration for the disposal of cases and remarks. The column should be filled up immediately on the disposal of cases by the concerned clerk.

The contested cases in which Judgments are pronounced should be entered either in Column, 12 or 13. It should be watched by the Presiding Officer every month.

**9. C.R. 13 : Register of Execution Petitions disposed of :-**

Every Execution petition disposed is to be entered in this register. Column 1 to 10 relates to the classification of disposal of E.P. Column. 11 to 24 relates to the mode of disposal of the E.P. Column 25 relates to the duration for the disposal of the E.P.

Separate register are to be maintained for disposal of O.S.E.P.& S.C.E.P.

**10. C.R.15 : Register of Decrees of other Courts Received for Execution:-**

Decree of other courts received for execution are to be entered in the register. Columns 1 to 6 are to be filled up by the concerned clerk immediately on receipt of decrees from other Courts for execution. If no E.P. Is filed within one year from the date of receipt of decree, the decree is to be returned back to the concerned court under Rule 138 C.R.P. & entries for it are to be made in column 7.

If E.P is filed within one year and taken on file, the result of disposal of E.P is to be communicated to the concerned court and entries are to be made in Column 7.

**11. C.R. 17 : Hearing Book:-**

Each and every case posted on a particular day is to be entered in the register. One or two pages are to be allotted for each working day. The date, to which each case is adjourned and disposals are noted in this register.

**12. C.R. 18 : Diary:-**

The minutes of every case posted for each day are to be entered in the register. As this register is the Yardstick to assess the quantum of work tuned out every day by the court, this register is to be properly maintained and signed by the Presiding Officer daily. Verbatim re-production of minutes of every case is to be made in this register. The time taken for the trail of each contested case is to be noted in this register.

In District Munsif-cum-Judicial Magistrates Courts, separate Diary is to be maintained for Civil & Criminal cases.

**13. C.R. 22 : Register of Instruments impounded:**

Whenever any stamp duty and penalty is collected by the court on an insufficiently or unstamped documents entries regarding the collections and remittance into Treasury of such amount are to be made in this register. Copy of such document is to be sent to the Revenue Divisional Officer concerned.

**14. C.R. 23 : Register of application for return of documents: [Or 13 Rule 9 of CPC]**

Whenever return of exhibits other than suit documents, is sought for by the parties, the application is filed and entered in this register. It should be applied only to the court of first instance. This application is to be entertained only after the lapse of appeal time or the appeal is disposed of. The documents are to be returned only on the specific orders of the Presiding Officer and undertaking of the party concerned.

**15. C.R. 34 : Register of Sale Certificates:-**

Whenever any immovable property is sold in Public auction held in court, Certificate in Non Judicial Stamp papers is issued by the court to the Auction purchaser.

The cost of such N.J.S. is collected from the purchaser. Entries regarding the Case No and other particulars of sale are to be entered in this register by the concerned Clerk at the time of issuing the sale certificate.

#### **16. TNTC 5 Cash Book.**

All cash transactions of the court are to be entered in the register and attested by the Presiding Officer daily. The transaction of every week is to be reconciled with the Treasury account on receipt of Weekly statement from the Treasury.

When the transfer of charge of Officer takes place the signature of relieving officer and relieved officer are to be obtained in the register. The unused Cheque book numbers are to be noted on such occasions.

#### **17. C.R.35 : Ledger**

All Cash transaction of the court are to be entered in this register and attested by the Presiding Officer daily. On receipt of Moneys into court the credit entries are made on the Right side of the Ledger. When payments are made, the debit entries are to be made on the left side of the Leger. This register is to be tallied with the Cash Book and Treasury account at the end of each financial year. The outstanding amounts after such tallying are to be brought forward to a new ledger.

If any amount lying in the Ledger is attached by a Prohibitory order of any court, such entries are to be made in Red Ink against the entries for such amount in the Ledger and attested by the Presiding Officer. Unless such attachment is raised by the concerned court which issued the Prohibitory Order, Payment of the amount so attached should not be made.

#### **18. C.R.36 : Register Of Receipts (Deposit Register):-**

Whenever any amount in cash, is received and whenever any Demand Draft or Cheque is received by adjustments by the Court, entries are to be made and attested by the Presiding Officer in this Register. Similarly, whenever payments by Cheques are made by the Court, the debit entries against the concerned credit entries are to be made and attested by the Presiding Officer.

The transaction of every week is to be tallied with the Treasury account on receipt of weekly statement from the Treasury.

**19. C.R.37 : Deposit Register of payment (Repayment register)**

Whenever any amount is paid by Cheque to the party concerned by the Court, entries of such payment are made in the Register and attested by the Presiding Officer.

The transaction of every week is to be tallied with the Treasury account on receipt of weekly statement from the Treasury.

**20. C.R.38 : Cash payment Book:**

Whenever any amount is realised by a Senior Bailiff or Junior Bailiff in Execution of Warrant, such amount is deposited into Court by him. Payment of such amount is made immediately to the concerned advocate or party by the Court. Entries regarding such receipt and payments of amount are entered in this register.

**21. C.R.48 : Register of Tapals received:**

All correspondences received daily by the Court are entered in this register and signature of the concerned clerk must be obtained in this register. Whenever the disposal is given to the Tapals, entries regarding such disposal is to be made by the concerned clerk in this register.

**22. C.R.49 : Register of Papers despatched:**

All correspondences despatched to other officers are to be entered in this register. The Service Postage Stamps spent for each Tapals is also to be noted and the total of service postage stamps spent on each day is to be noted. This total should be carried over to the register of service Postage Stamps.

**23. C.R.50 : Register of Service Postage Stamps:**

The stock on hand and the expenditure of Service Postage Stamps each day is entered with denomination wise, and balance is arrived at every day. The entries are to be checked and initialed by the Chief Ministerial Officer daily. This register has to be checked with reference to the Stock of Stamps on hand by the Presiding Officer frequently.





## **NAZIR SECTION**

### **'A' Register (Civil Register No.44):**

In this register, all the 'B' Memos filed are entered in this register with Batta Memo Number and Case Number. The Batta memos received by the District Court are distributed to the staff concerned. The concerned staff will send the 'B' memo to the Central Nazir Section for preparation of summons / Notice, if they are in order. After preparation of the summons / Notices, the 'B' memos are returned to the concerned Section on proper acknowledgment. The defective 'B' Memos are returned.

Separate Register is maintained for District Court, Sub Court, Munsif Court and Chief Judicial Magistrate Court.

### **'B' Register (C.R. No.43):**

In this register, all the 'B' Memos received are entered in this register with Batta Memo Number and Case No. The process fee and the Amins fee are entered in the columns provided in this register.

The Witness Batta amount, Tom Tom charges and Arrest Warrants amounts are entered in this register.

The date when the Summons / Notices are made ready and to whom the said Summons / Notices are issued, are also entered in this register. On return of the process by the Senior Bailiff / Jr.Bailiff, the same is distributed to the concerned Section on proper acknowledgment.

In respect of the process relating to other courts, the same is sent to the Courts concerned by post and on receipt from the said courts, the same is distributed to the courts concerned.

The unexpended batta amount, Tom Tom charges and Arrest Warrants if any, is to be returned to the advocates concerned on proper acknowledgment. Necessary entries to that effect is also made in this register.

The accounts regarding Process Fees, Amins Fee and Cash have to be struck down daily.

### **'C' Register (C.R. 47):**

Separate register is maintained for every Senior Bailiff and Junior Bailiff. The processes issued to the Senior Bailiff / Jr. Bailiff are entered in this register. B.No., Case No., Nature of process, Name of the Village, Date of issue of process and date of return of the said process are entered in this register.

The individual who is receiving the said process has to return it on or before the date specified for return of the said process with his signature and the manner of service.

The Cash received for arrest warrant, attachment etc., if spent is to be entered in Col. No. 9 and if it is unexpended, it should be shown in Col. 11.

### **Diary (C.R. 64):**

Diary is issued to the Senior Bailiff and Junior Bailiff. They have to make necessary entries regarding the date on which they executed the process issued to them with process No., Case No. and the Village where they have gone for execution on process and the nature of execution of process viz., served or unserved etc. The attestation from the Villagers or Ryots are also obtained in this Diary.

The Central Nazir has to scrutinize the Diary with the " C " Register and on verification F.T.A. is paid to the concerned Senior Bailiff / Junior Bailiff.

### **Register of Movable attached (C.R. 31):**

This register is maintained to show the movable properties attached by the Senior Bailiff. All the items attached are to be entered in this register, with " B " Memo No., Name of the Court with case No. and the date of attachment.

### **Register of Immovables attached (C.R. 32):**

This register is maintained to show the immovable properties attached by the Senior Bailiff. All the items of immovable properties attached are to be entered in this register with " B " Memo No., Name of the Court with case No. and the date of attachment.

On receipt of communication regarding the raising of attachment from the courts concerned necessary entries are made in this register.

**Despatch Register (C.R. 49):**

This register is maintained to show the processes sent to other Courts by post. The stamps spent for each tapal on each day is entered in this register and the total stamps spent on each day is struck off and placed before the Central Nazir.

**Nazir's Register showing the Money in Nazir's Section (C.R. 45):**

The cash like Tom Tom charges for attachments and for arrest warrants received are entered in this register. Daily accounts regarding the amounts received, issued to the Senior Bailiff / Junior Bailiff and the amount spent / returned by the Sr. Bailiff / Jr. Bailiff and the closing balance is entered in this register.

**Money Order Receipt Register:**

The cash received from the other courts are received by Money Order. The same is entered in this register with "B" Memo No. and the Case No. and Name of the Courts with nature of process.

**Money Order sent Register:**

The cash received in connection with the other courts attachment, arrest warrant are sent to the courts concerned and the same is entered in this Money order sent register.

**U.D.P. Register:**

The Un-disbursed pay has to be entered in this register and shown daily until the same is disbursed.

**COPYIST SECTION (Civil)****"A" Register (C.R.26):**

The register contains 20 columns. This is the main register. All the particulars relating to the Copy Application received, right from the number of C.As till the certified copy is delivered are to be entered in this register. This register also contains the entries about Copyist to whom the C.A. is issued for preparing the certified copy and when the copies are made read etc. Daily account relating to the court fees received in connection with the C.A. has to be account for. The amount deposited towards printing charges and plan fee will also be entered in this register. If the

Copying stamp papers are not produced by the advocates, the C.A. will be struck off. The struck off C.A. will be mentioned in the "A" Register.

**"B" Register (C.R. 27):**

This register contains 11 columns. It contains the entries relating to the C.As and the Description of the papers for which C.A. Is filed. The date of compliance of C.A. By the respective Branch is to be entered in this register. After the originals are made ready, the C.A. is returned with the original to the section concerned.

**"C" Accounts Register (C.R. 29):**

This register contains the number of papers copies and the No. of words typed by each copyist. The total No. of words types will find a place in this register. The minimum No. of words to be typed is 84,000 per month.

**Examiner's Register (C.R. 53):**

Each examiner is having one register. The total number of copies taken by the copyists had been distributed among examiners and readers. Entries relating to the comparing and checking of the said certified copies will be made by the examiners concerned.

**Copyist Register (C.R. 52):**

This register is maintained by each Copyist to show the record of work done by him / her each day. The total No. of words typed on each day and the total number of pages copies, are to be entered in this register. The balance of the stamp on hand of the said copyist will find a place in this register. The total number of words typed will be accounted for at the end of the month.

**Call for Register is respect of stamps for certified copy:**

After the compliance of the originals from the respective branches, the stamps for the purpose of preparing certified copies will be called for and the number of stamps received with the name of the Advocate will be mentioned in this register.

The C.As that are returned will also be entered in this register.

**Call for Register for Printing:**

In this register, printing charges will be called for if the words of the judgment exceeds 700 words. 7 days time will be given for purpose of remitting printing charges.

Printing charges are remitted into the Head Clerk Section, where the receipt for payment of printing charges is issued.

**“E” Register (C.R. 29):**

This register contains the entries relating to the no. of stamps expended with the costs of the stamps of all the courts in the District. The pay and allowances relating to the Copyist Establishment of all courts will find a place in this register.

**Plan Fee Register:**

This register is maintained to show the plan fees received in the C.As in respect of the cases in which certified copies of plan is sought for. The amount deposited as plan fee finds a place in this register with the name of the Copyist to whom the plan is issued and fee paid.

**Printing Register:**

This register contains the case number and the name of the press to whom the originals are sent for printing. The B,R. No., with date and the amount of printing charges will have to be entered in this register.

**Printing Register (Individual Register):**

Individual press register is maintained to show the judgments / orders that were sent to each press. In this register, the C.A. No., Case No., B.R. No. and the amount deposited for printing will find a place.

**“D” Register (C.R. 51):**

This register contains the entries relating to the date and the total number of stamps received on each day. The number of stamps issued to each Copyist will find a place in this register. The total No. of stamps typed and the unused papers returned to the advocates will find a place in this register.



## **REGISTERS MAINTAINED IN SESSIONS CASES**

### **Sessions Filing Register (C.R. C.No.1):**

This register contains 12 columns. The Case No. with name of the Committing Magistrate and the P.R.No. Of the Magistrate Court with Crime No. will be entered. The description of the accused, nature of the offence, date of commitment, receipt of records, commencement of trail and close of trail, the result of the Judgment will be entered. The date of Consignment of the case will find a place.

The Number of appeals, if any filed and the D.No. and on which date the records were submitted to the High Court and the result of the appeal will be entered in this register.

### **Disposal Register (C.R.A4):**

This register is the Disposal Register. It contains 26 columns. Entries relating to the disposal of cases, both conviction and acquittal cases, duration of the case, the number of accused persons and the total number of witnesses examined have to be made in this register.

The number of adult and Juvenile, Male / Female are to be entered in this register, in conviction cases.

### **Register of Punishments (C.R. A.5):**

This register contained 45 columns. In this register, all the cases entered in conviction alone will be entered. The substantive sentence and the fine if any, imposed will be entered in this register.

### **Fine Register (C.R. A.16):**

The fines imposed in the cases concerned were entered in the Fine Register. The demand as well as the collection of fine amount have to be entered. This register contains 23 columns, contained the date of imposition of fine, amount of fine imposed and the collection of the fine amount.

### **Fine Receipt Book:**

On receipt of the fine imposed from the accused, the same is entered in the fine receipt book and fine receipt is given to the accused concerned.

### **Challan CrI. Misc. 72 Form Register:**

All the amounts collected as fine are to be remitted in to the State Bank on the next day of its receipt. If it happens to be a holiday, the amount has to be remitted on the next day of the holiday.

### **Witness Register (C.R. A.18):**

This register contains 12 columns. In this register, all the witnesses for whom summons are issued are to be entered. After the examination of the witnesses, the Judge has to pass orders in this register for payment of batta or issue of court certificate as the case may be to the witnesses appeared.

### **Register of Batta and T.A. To Witnesses (C.R. A.19) :**

This register contains 14 columns. The Batta to the witnesses ordered to be paid by the Judge in C.R. 18 register, are to be paid to the witnesses. Entries to that effect are to be made in this register. The Judge has to sign this register daily.

### **Register of Witness Batta collected from the parties**

#### **(Private witness Batta Register ) (C.R.A 17):**

In this register, entries relating to the witness batta ordered to be paid by the parties are to be made. The batta to the witnesses has to be paid to the witnesses and necessary entries to that effect has to be made in this Register. The balance amount, if any, has to be returned to the counsel for the accused.

### **Hearing Book ( C.R. A.10 ) :**

The cases that were taken on file and posted to various dates will be entered in this Hearing Book. The cases disposed of on date of Hearing should be rounded.

### **Diary ( C.R. A.8 ) :**

The diary shall show the time at which the criminal proceedings of each day are commenced and the time at which they ended and shall indicate clearly the progress made on the hearing of each case in the order which each was taken up.

### **Cr.M.P. Petitioners ( C.R. A.3 ) :**

The miscellaneous petitions that were taken on file and numbered were entered in this register as Cr.M.P. It contains 10 columns.

### **Criminal Appeal Register ( C.R. A.1 ) :**

This register contains 10 columns. The name of the Court with Case No. Name of the appellants, the sentence awarded by the lower court with the law under which it was passed and the result of the appeal are entered in this register.

The date on which the records were submitted to the High Court with D.No. should also be entered.

The result of the Revision if any are also entered in this register.

**Register of Revision Petitions (C.R. A.2):**

This register contains 8 columns. The number of the case, Name of the Revision petitioner, the order and name of the Court against which the Revision petition is filed and the nature and date of disposal should be furnished in this register.

The result of the appeal, if any, preferred in High Court will be entered in this register.

**CrI. Appeal Disposal Register ( C.R. A.6):**

This register contains 11 columns. The No. of appeals disposed of and the Number of appellants whose cases were disposed of, and the duration of the case should be entered.

**CrI. Revision Petitions Disposal Register ( C.R. A.7):**

The No. of Revision petitions disposed of, the Name of Revision petitioner and duration should be entered. Nature of disposal of cases should also be mentioned.

**Register of Refund Certificate ( C.R. A.18 )::**

This register contains 8 columns. The month & the date of certificate of voucher, Name of the court which imposed fine, the No. of case and date of Judgment in appeal, the name and residence of the individual to whom the refund is granted, the amount of refund and the D. No. and date on which refund certificate is issued should be entered in this register.

**Register of Enforcement Register ( C.R. 8-A )::**

This register contains 16 columns. In this register conviction (remand) particulars are detailed with the case No. and the No. of accused till the disposal of the appeal.

**F.I.R. Register:**

This register is maintained by the Head Clerk of FIR Clerk of the Judicial Magistrate Court. Entries relating to the receipt of the FIR should be made immediately on receipt of the FIR by the Judicial Magistrate.



**Arrears of Fine amount – 30- A Register:**

In this register, the fine amount which were imposed but not collected from the concerned accused, were entered after the lapse of that month. Action will be taken to recover the fine amount.

**Register of Court Fees and Process Fees received (C.R. A.9):**

All the petitions received were entered in this register. It contains the receipt of the process fees and court-fees. The total amount of process fees and court-fees received were struck down every day. The Magistrate has to sign in this register daily.

**Property Register ( C.R. A.12 ):**

Register of Case Property. The Head Clerk of the Magistrate Court has to make necessary entries regarding the properties received from the investigating agency in respect of the case concerned. The valuable properties are to be kept in the valuable box and the said box is sent to the Sub Treasury for safe custody.

**Cash Book (C.R. No. A.25(a)):**

The cash like fine, salary and other amounts relating to the establishment are to be entered in this register daily.

**Receive Register (C.R 48):**

All the papers ( Tapals) received by the courts concerned are entered in this register.

**Fair Copying Register:**

Fair Copying Register is maintained to make entries regarding the disposal of the cases to be fair copied.

**Record Issue Register:**

In this register, the records that were called for appeals have to be entered. The records have to be submitted to the Appellate Court on receipt of intimation from the appellate court. The D.No. and the date on which the records were submitted to the appellate court have to be made in this register.

The disposal relating to the appeals have to be entered in this register as well as the Filing Register.

**Destruction Register (C.R. A 23):**

This register is maintained to show the destruction of records. This register contains 9 columns. All the cases disposed off will be entered in this register.

Destruction should be made only after the expiry of the period prescribed under the Rules. A list of cases that were to be destroyed has to be prepared and submitted to the Chief Judicial Magistrate, and on sanction by the Chief Judicial Magistrate, notification of the destruction of the case records has to be issued in the Gazette. On receipt of the notification, destruction of the records will have to be made.

## **PREPARATION AND SUBMISSION OF STATEMENTS AND COURT WISE PENDENCY (CIVIL)**

The following are the statements to be submitted to the High Court by the Lower Courts.

1. Monthly Statement - Advance Statement – Every 5<sup>th</sup> Monthly Statement (Regular) with Review – Every 5<sup>th</sup>
2. Quarterly statement - Every 5<sup>th</sup> of Succeeding Quarter
3. Half yearly statement - Every 5<sup>th</sup> of Succeeding Half year\*
4. Annual Administration report - 15<sup>th</sup> of every January
5. Annual Statement - 15<sup>th</sup> of every January
6. Annual confidential report - 15<sup>th</sup> of every year
7. Salient features
8. Budget policy note statement.  
Statement for Periodical and Annual Statement.
9. Year war pendency of old Original Suits
10. Year war pendency of Original suits
11. Senior Citizen Cases Statements.
12. High Court Stayed Matters.
13. Statement regarding more than 15 years to 20 years old cases.
14. Statement regarding more than 20 years old cases.

## **PREPARATION AND SUBMISSION OF STATEMENT SESSIONS DIVISION (CRIMINAL)**

The following Sessions (Criminal Statements are to be submitted to the High Court)

1. Monthly Statement (Sessions)
2. Periodical Statement - I period  
II period  
III period
3. Salient Features Statements (April to March)
4. Monetary Statements (Half yearly statement)
5. Annual statements

### **Criminal Courts Statement**

1. Monthly statement
2. Weekly statement
3. Quarterly statement
4. Half yearly statement
5. Salient feature statement (April to March)
6. Annual statement

### **Index of Sessions Statement relating to the Court of Sessions.**

1. Statement showing the Nationality, number of working days and of the Judicial Officers exercising Criminal jurisdiction in the Sessions Courts.
2. Statement showing the number of offences reported and persons tried, convicted and acquitted of such offences in the District.
3. Statement showing the number of General results of the enquiries and trials in Criminal Courts Original jurisdiction in the District.
4. Statement showing the punishment initiated by the Criminal Courts (Original Jurisdiction in the District No.V part I)
5. Statement of proceedings under Section 195, 203 and 315 Cr.P.C.
6. Statement showing the exhibition of loss due to extra statutory remission as per High Court's Official Memorandum Roc.No. 3712/A-1/dt/26.8.1974.
7. Statement showing the fine imposed and realised in the Sessions Courts and Asst. Sessions Courts.

8. Explanation for old cases (Sessions, Criminal appeals and Revision)
9. Administration report of Criminal Justice.

While preparing the statement care must be taken that the number of suits or cases shown as pending at the close of one period is entered as pending at the beginning of the next. When however, the entries must differ by reason of an error in a previous return, a note should be added explaining the discrepancy and pointing out the part where corrections should be made.



**PART – IV**  
**BASIC LEGAL AND PROCEDURAL ASPECTS FOR STAFF WORKING IN THE**  
**CIVIL UNIT AND SESSIONS CASES**

**What is Plaintiff?**

Plaint is the basic document of a civil nature of disputes. It is a verified statement of a person who files a civil suit, containing full description and address of both parties and detailed particulars of the dispute. These are required to be furnished as per Order VII Rule 1 C.P.C.

**Particulars to be furnished in Plaintiff as per Rule 1 of Order VII C.P.C.**

1. The name of the court in which the Suit is brought;
2. The name, description and place/s of residence of the plaintiff or plaintiffs;
3. The name, description and place/s of residence of the defendant or defendants, so far as they can be ascertained;
4. Where the plaintiff or the defendant is a minor or a person of unsound mind, a statement to that effect;
5. The facts of the dispute in detail constituting the cause of action and when it arose;
6. The facts showing that the court has jurisdiction;
7. The relief which the plaintiff claims;
8. Where the plaintiff has allowed a set off or relinquished a portion of his claim the amount so allowed or relinquished; and
9. A statement of the value of the subject matter of the suit for the purposes of jurisdiction and of court fees.

Every plaintiff shall comply with the rules contained in orders VI and VII CPC.

**Verification:**

Before taking up the plaintiff for scrutiny a random verification of the following aspects of the plaintiff and its enclosures is necessary.

1. Whether the plaintiff has been prepared in green sheet and neatly stitched as per the instructions given in Civil Rules of Practice.

2. Whether each page of the plaint has been signed by the plaintiff.
3. Whether Vakalat of concerned advocate has been filed along with plaint duly signed by the plaintiff or plaintiffs and attested and also accepted by the concerned advocate by making endorsement in his own handwriting as per the instructions laid down under Rule 19 C.R.P. and is adequately stamped.
4. Whether the plaint allegations are divided into paragraphs and numbers assigned to each paragraph as per Order VI R2 (2) CPC and dates, sums and numbers are expressed in figures and words.
5. Whether cause titles of both parties and name and address of the concerned advocate and detailed particulars of the pleadings about the material facts of the dispute as per Order VI R 2 CPC and para for cause of action, Statement of Valuation, payment of court fee, statement of jurisdiction, particulars of valuation and payment of C.F. nature of reliefs, para of verification of plaintiff and list of particulars and description of documents are set out in the plaint and signed by the counsel concerned.
6. Whether the plaint is stamped.
7. Whether the duplicate copy of plaint is placed as required in Order IV Rule 1 C.P.C.
8. Whether the verification of the plaint is made as per Rule 15(1) Order VI C.P.C.
9. Whether the verification is signed date of verification and place are stated as per Rule 15(3) of Order VI C.P.C.
10. Whether the supporting affidavit of the plaintiff is filed along with the plaint as per rule 15(4) of Order VI C.P.C.
11. Whether the description of property sufficient to identify it is set out as per Rule 3 Order VII CPC where the subject matter of the suit is immovable property?
12. Whether Batta Memo duly stamped with sufficient No. of copies process and copies of plaint is filed along with the plaint.

#### **Scrutiny of the Plaint:**

After finishing of the at random verification of the plaint as quickly as possible the scrutiny of the plaint has to be commenced immediately. The scrutiny means the thorough checking of the plaint, Cause title, pleadings sentence by sentence, correction

of documents and dates, dates of causes of action in the pleadings with the dates mentioned in the para of cause of action.

1. Checking of both the cause titles of plaintiff and defendants as to whether, the correct name, age, father's name or husband's name and full address are given.
2. If one of the either parties are a minor the age of the Minor shall have to be given. It is a must.
3. If the plaintiff is a minor it should be seen that affidavit of next friend is to be filed along with the plaintiff. If the defendant or one of the defendants is a minor, in application for appointment of guardian with affidavit shall be filed along with the plaint.
4. Whether the address of the Lawyer appearing for plaintiff is correctly given is to be checked.
5. Whether all the enclosures as per the amended CPC is along with the plaint are to be checked.
6. Whether each page of the plaint is signed by the concerned person or persons filing the suit.
7. Each and every line of the plaint is to be scrutinized with due care as to whether the suit is barred by any other act.
8. Entire Pleadings to be thoroughly checked as to which section of C.F. Act is attracted to the subject matter of the suit for ascertaining the valuation and payment of court fees.
9. Whether the suit is in time to be carefully checked.
10. Whether pleadings to the effect the Territorial jurisdiction under sections 16 to 20 CPC and pecuniary jurisdiction are correctly explained is to be scrutinized.
11. After ascertaining the correct provisions of C.F. Act applicable to the subject matter of the suit, whether adequate C.F. has been paid on the plaint is to be checked very carefully.
12. Whether all dates of causes of action have been mentioned in the para of causes of action is to be checked.
13. Whether the entire pleadings has constituted causes of action for the suit?
14. Whether the statements to the effect of Limitation, jurisdiction and payment of C.F. are correctly given tax is to be checked.

15. Whether relief's are correctly put forth in the plaint is to check very carefully.
16. Some times two relief's would have been clubbed together and furnished as a single relief. Hence it is our duty to find out the said technique of the lawyer and collect sufficient C.F. for each and every distinct and different relief.
17. Whether original of basic documents relied on for the purpose of the suit is filed to be seen.
18. Whether the full description of documents are furnished with dates in the list of documents amended as per Order VII Rule 14 CPC is to be carefully checked. If the suit is filed against the Government, E.B. and Housing Board the issuance of the statutory notice and date of service is to be checked.
19. Whether the para of verification has been correctly set out with dates and place of verification is to be seen.
20. Whether the Vakalat is filed after complying with all requirements of Rule 19 CRP is to be carefully checked.
21. If any deficiency is found in the plaint on the above points the plaint shall have to be returned as per the instructions given in Civil Rules of Practice and got the plaint corrected.

The Chief Ministerial Officer who is incharge of numbering the plaint is satisfied after scrutinizing the plaint on the aforesaid method of scrutiny and found the plaint is in order he shall take the plaint on file and assign suit No. to it by affixing the suit filing seal on the back of the plaint. Generally the quantum of payment of C.F. Act which are applicable to the subject matter of suit.

General Instructions to the Chief Ministerial Officers who is in charge of the verification and numbering plaint:-

1. Kindly avoid flimsy returns.
2. Please rack-up all specific points of returns at a stretch in the first return itself.
3. Please avoid several returns.
4. Even after 2 returns the defects pointed out are not rectified the plaint may be returned as a last chance after placing it before the Judge for orders.
5. Even then the defects are not rectified the plaint may be placed before the officer for orders for being taken up the plaint in open court for hearing the counsel for plaintiff and for favour of passing suitable orders thereon.



6. Avoid the rack – up any question of return on the subject matter of the suit to be decided at the time of trial.

## **7. Court Fees and Suits Valuation:**

### **What is Court fee?**

Fee collected in the shape of G.F. Stamps and stamp papers on the valuation of the subject matter of the Civil Suit under the provisions of C.F. Act. It is a Judicial receipt collected as if it is a land revenue.

### **What is Suits Valuation?**

1. The act of estimating and assessing the value of the different type of subject matter of civil nature suits according to provisions of C.F. Act as on the presentation of the plaint into Court as laid down U/o. 7 of C.F. Act.
2. Title Suit: The correct valuation of the civil suit as on the date of plaint shall only be ascertained from the pleadings set out in the plaint. The Advocates may quote the value of the suit in Title suits as mentioned in the title deed prior to the date of plaint. But it is not correct.
3. From the Scrutiny of the entire plaint pleadings a definite conclusion is required to be arrived at as to which provision of C.F. Act is applicable to the subject matter of the suit and then proceed to estimate the value of the suit accordingly and calculate the quantum of requisite C.F. payable as contemplate under the respective provisions of court.

Sec.7: The determination of Market Value has to be made under the provision of Sec. 7 of the C.F. Act.

- i. If the subject matter of the suit in respect of cultivate lands the valuation for the purpose of C.F. should be determined on the 30 times of kist paid as on the date of plaint.
- ii. If the subject matter of the suit in respect of house sites or house properties the valuation for the purpose of C.F. should be determined on the market value of the said properties prevailing as on the date of plaint and not on the value mentioned in the documents of title deeds and any other documents.

- iii. Separate C.F. has to be collected for each and every distinct and different relief as per based on different causes of action as per Sec 6 of Court fees Act.
- iv. In any suit in which separate and distinct relief's are sought based on the same cause of action, the plaint shall be chargeable with a fee chargeable on the aggregate value of the reliefs as per Sec.6(1) of C.F. Act.
- v. Provided that if a relief is sought only ancillary to the Main relief, the plaint shall be chargeable with fee only on the value of the main relief.
- vi. Where more reliefs than one based on the same cause of action are sought in the alternative in any suit, the plaint shall be chargeable with the highest of the fees leviable on the reliefs.
- vii. As per Sec. 10 of C.F. Act in every title suits valuation ship (a Statement in the prescribed format, of particulars of the subject matter of the suit and plaintiff's valuation thereof) shall be attached with the plaint. It is mandatory.
- viii. Some possible proof may be insisted to the effect of the market value of the property to determine the correct value as on the date of plaint.

### **MONEY SUITS:**

In suits for recovery of money (including a suit for damages or compensation or arrears of maintenance, of enmities or of other sums payable periodically fee shall be computed on the amount claimed, as per Sec.22 of C.F.Act.

The Chief Ministerial Officer of a Court who is in charge of numbering the plaint after collection of the requisite C.F. shall always have the latest C.F. Act in his hand to scrutinize the plaintiff's valuation of the subject matter of the suit with reference to the relevant sections of C.F. Act valuation of the suit and computation of C.F. will be varied from suit to suit and hence the verification and the reading of the sections of C.F.Act under which the subject matter of suit falls again and again is very much important.

### **Calculation of Court Fees:-**

Rs.8/- for the first Rs.100/-

Rs.7.50 for every hundred in excess of Rs.100/-

**Valuation for movable property:**

1. The plaint has to be valued based on the value of the property on the date of filing of the suit.
2. Under Sections 25(a), 25(b), 27(c), 29, 30, 37(1), 37(3), 38, 45 and 48, market value of the property is 30 times the kist payable on the suit property.

**ORDER 8 . CPC-**

**Written statement has to be filed within 90 days or within time extended by Court on specific reason.**

Issues must be in prescribed form and on settling it must be signed by Presiding Officer.(Form-21)(CRP 60)

**Trial:**

After the filing of the suits and written statement issues are framed by the Presiding Officers concerned and the trial of the suit is to be proceeded.

The witnesses to be examined in the case have to be summoned. The witnesses are to be examined and documents are to be marked. While marking the documents, the Bench Clerks should know as to who has presented the said document, on whose side the documents are marked. There should not be any mistake in marking the documents.

The witnesses to be examined on the side of the Plaintiff	Plaintiff's witnesses	P.Ws
The witnesses to be examined on the side of the Defendant	Defendant's witnesses	D.Ws.
The witnesses to be examined on the side of the petitioner	Petitioner's witnesses	P.Ws.
The witnesses to be examined on the side of the Respondent	Respondent's witnesses	R.Ws.
The witnesses to be examined on the Side of Court	Court's witnesses	C.Ws.

## **Details of Marking of the documents**

### **" A " Series :**

Marking exhibit : (1) Exhibit admitted in the evidence shall be marked as follows :

(i) if filed by the plaintiff or one of the several plaintiffs with the capital letter "A" followed by a numeral A. 1.A.2, A.3 etc.,

### **" B " Series :**

(ii) If filed by the defendant or one of several defendants, with the capital letter "B" followed by a numeral B.1, B.2, B.3, etc.,

(iii) If court exhibits with the capital letter "C" followed by a numeral C.1, C.2, C.3, etc.,

### **"X" Series :**

If third party exhibits with the capital letter "X" followed by a numeral X-1, X-2, X-3, etc.

After the marking of the documents, the Bench Clerk has to affix the seal in the exhibits and Reposition and get the signature of the Presiding officer, then and there;

After the evidence is recorded, arguments heard and judgment is pronounced. The Bench Clerk attached to the courts concerned have to make the records ready, and place them to the Presiding Officer concerned for dictating judgment to Stenos.

### **Drafting of Decree:**

Order XX Rules 6, 7, 9, 10, 12, 12-A, 13 to 19 in CPC and Rule 84 in C.R.P. and Form No.1, Decree for Original Suit.

The Stenographer or the person who are in charge of preparing the decrees are requested to follow the instructions provided in Order XX of the Code.

The decree shall agree with the judgment. The reliefs granted in the judgment shall find a place in the decree without omission. (Rule – 6)

The decree shall bear the date of Judgment, signature of the Judge who pronounced the judgment and court seal (Rule – 7)

Before going to draft the decree the judgment shall be read over twice carefully, by the decree drafting officer, and reliefs granted by the court in the above judgment shall be arrived, clause war as 1, 2, 3 & etc., This method will help to prepare/ draft a perfect decree.

The particulars set out to draft a decree in Rules 6 and 7 of Order XX of the Code and Rule 84 of C.R.P. and Form No.1 Decree for original suit are taken up and assigned numbers consecutively and shown hereunder which are helpful to draft a decree.

**Particulars to be followed are given below:**

1. Name of Court
2. Name of Judge and Designation
3. Date of Decree
4. Suit No.
5. Name of Plaintiff
6. Name of Defendant
7. Particulars of Claim, Date of presentation of plaint.
8. Final Hearing portion,
9. Reliefs granted by court

Time granted by Court, if cost of suit is ordered

10. Terms of compromise with I.A.No. and date.
11. Description of property
12. Cost of suit as taxed by officer of court.
13. Date of Decree and seal.
14. Signature of judge.
15. Designation of Judge.

The above particulars are in questionnaire manner. The decree shall be prepared/drafted only by providing answers to the above particulars. That will be a perfect decree.

**Important points are given to follow strictly while drafting the decree:**

1. The age of the minor plaintiff and the age of the minor defendant shall be noted in the decree.
2. The name of the next friend of the plaintiff and the name of the guardian for the defendant shall be noted in the decree.
3. The leave granted by the court to the guardian to enter into compromise on behalf of the minors shall be noted in the decree with I.A.No. and date of order (Rule 7 in Order XXXII of the Code)

4. Time granted for payment of money shall be noted in the decree.
5. Commissioner's plan shall be attached to the decree.
6. Decree for partition and separate possession shall be engrossed in the non judicial stamp papers on the value arrived under Article 45 of Indian Stamp Act at 1 percent on the value.
7. The terms of compromise entered into between the parties shall be noted in the decree with I.A.No. and date of orders.
8. Description of property with Survey Number, extent and boundaries shall be noted in the decree.
9. Decree shall bear the court seal.
10. Decree shall be signed by the successor if his predecessor vacated the office without signing the decree(Rule 8 in Order XX of the Code). It shall not be sent to the predecessor for signature.

**EXECUTION:**

Order XXI Rule 1 to 106 and Sections 36 to 74 of the Code Section 5, and Articles 125, 127 to 129 and 134 to 137 of the Limitation Act 1963.

**LIMITATION:**

1. Only Articles are applicable to the execution.
2. Section 5 of the Limitation Act NOT applicable to the execution.

Art.125	To record satisfaction of decree amount paid out of court	30 days from the date of payment.
Art.127	To set aside sale	60 days from the date of sale.
Art.128	For possessions by one dispossesses – Redelivery	30 days from the date of dispossession.
Art.129	Removal of obstruction	30 days from the date of obstruction.
Art.134	Delivery by Court purchase	One year from the date when sale become absolute.
Art.135	Enforcement of Mandatory injunction	3 years from the date of decree.
Art.136	All other decree except perpetual decree	12 years from the date of decree.

Art.136	Proviso in Perpetual decree	No period provided. At any time can be executed.
Art. 137	No period is prescribed.	3 year from the right accrue to apply.

An execution petition is taken up for admission, it shall be checked with reference to the articles mentioned above whether it is barred or not.

If barred it shall not be admitted.

### **EXECUTION:**

Order XXI Rule 1 to 106 and Section 36 to 74 in the Code.

Order XXI Rule 11(2) and 15 of the Code Execution Petition

Execution petition shall be prepared as per particulars set out in rule 11(2) and 15 of the Code Execution Petition.

Execution Petition shall be prepared as per particulars set out in rule 11(2) and 15 in Order XXI duly signed by decree holder by the joined decree holder.

All decree holder shall sign in the execution petition. It is executed by one on behalf of others permission of the court to be obtained.

Order XXI Rules 105 and 106 of the Code

To set aside order of dismissed for default and exparte.

Application may be filed to restore the petition dismissed for default by decree holder and an application may be made by judgment debtor to set aside the exparte order. Application to be filed within 30 days from date of orders. Sec. 5 of Limitation act not applicable.

Order XXI Rule 16 and Section 50 of the Code, Adding L.Rs. To Decree holder and Judgment debtor.

If the decree holder is reported dead LR's can be added under rule 16 in order and

If the judgment debtor is reported dead LR's can be added under section 50 of the code.

### **Order XXI Rule 22 of the Code**

Show cause notice why the decree should not be executed.

If the execution is made after 2 years from the date of decree, the show cause notice should be sent. It is mandatory. Otherwise the order passed becomes invalid. Appellate court also set the order passed on the above ground.

## **SESSIONS CASES**

Final report filed by the investigating officer for the offences which are exclusively triable by Court of Sessions should be taken cognizance by the Judicial Magistrates as Preliminary trial cases.

The Preliminary trial cases should be committed by the Magistrate concerned to the Sessions court for trial.

The FIR relating to offences exclusively triable by the sessions court, received from the Police Station concerned should be received and entries for the receipt of such FIR and other records should be made in the FIR Register and the same should be kept in safe custody.

Further as soon as the records/documents in connection with the Sessions cases, are received, they should be filed along with the connected FIR, and after the receipt of the charge sheet or final report, the Head Clerk of the Magistrate Court should verify that all the records are available with the Charge Sheet.

If all the records are available as cited in the list of documents furnished along with the Charge sheet, the case should be taken cognizance and handed over to the Magistrate Clerk of the Magistrate Court to proceed further.

After taking cognizance the entire Papers should be handed over to the Magistrate Clerk. The Papers should be indexed, C.C. No./S.T.C. No./P.R.C.No. as the case may be and the relevant case number should be allotted and then the particulars should be entered in the relevant registers. Thereafter as per the orders of the Judicial Magistrate, the Record Clerk should prepare the summons to the accused. Thereafter the case bundle should be given to Copyist for the preparation of copies of documents to be furnished to the accused U/S. 207 Cr.P.C.

After furnishing copies, the Judicial Magistrate should go through the records and analyse the offences committed by the accused. The accused shall be questioned with regard to the receipt of copies of documents and with regard to the means to engage an advocate to conduct the case. Then the Magistrate should commit the case to the Court of Sessions for trial, if the offences are triable exclusively by Sessions Court.



Charges are framed against the accused by the Sessions Court. The said charges should be read over and explained to the accused in Tamil or in the language known to the accused. The charge should contain the particulars regarding the time, place and person and the offence for which the accused stands charged. Thereafter, the case should be posted for trial notifying the dates.

Witnesses should be summoned for the dates noted by the Presiding Judge for the examination.

Properties relating to the said case should be called for from the subordinate courts concerned and made ready for trial of the cases. Public Prosecutor should begin the case.

The witnesses summoned should be examined in court. Documents should be marked. The properties received and proved should be marked as material objects.

After the examination of the witnesses are over, the accused should be examined under section 313 Cr.P.C. with reference to the evidence found incriminating. Written statement of the accused can be submitted by the accused. Defence witnesses if any are to be examined.

Arguments of both the Public Prosecutor and the Counsel for the accused should be heard. The Counsel for accused and the Public Prosecutor can submit his written arguments.

After hearing the arguments, the Judge should pronounce his judgment.

The Sessions clerk should write the sessions filing register regarding sessions case number, P.R. case number, crime number, name of the Police Station and number of accused persons and the charges framed against the accused.

After the disposal of the case, the Sessions clerk should make necessary entries in the disposal register, Register No. 7 and 8 and Enforcement register (8-A) and also the Case Property Register maintained in the District Court.

The fine, if any, awarded should be entered in the Fine Register and the Judge should sign in the fine register.

## **Consignment of records to the Record Section.**

After the disposal of the Sessions cases, the Sessions Clerk should consign the records to Central Record Room duly indexed and authenticated.

## **Records to be submitted to the High Court for appeal**

As soon as the appeal intimation is received from the High Court, the sessions records should be submitted to the High Court under parts I to IV. The material objects relating to the said sessions case should be submitted to the High Court.

After the disposal of the appeal, if the conviction under the said Sessions case is confirmed, then the translator should send the warrant with the accused to the Jail, in case the accused had already been released on bail by the appellate court.

## **PREPARATION AND SUBMISSION OF STATEMENT**

The following Sessions (Criminal) Statements should be submitted to the High Court:-

1. Monthly Statement (Sessions)
2. Periodical Statement -
  - I period
  - II period
  - III period
3. Salient Features Statements (April to March)
4. Monitoring Statement (Half yearly statement)
5. Annual statements

### **Criminal Courts Statements**

1. Monthly statement
2. Weekly statement
3. Quarterly statement
4. Half yearly statement
5. Salient feature statement (April to March)
6. Annual statement

## **Index of Sessions Statement relating to the Court of Sessions**

1. Statement showing the Nationality, number of working days and of the Judicial Officers exercising Criminal jurisdiction in the Sessions Courts.
2. Statement showing the number of offences reported and persons tried, convicted and acquitted of such offences in the District.
3. Statement showing the number of general results of the enquiries and trials in Criminal Courts Original jurisdiction in the District.
4. Statement showing the punishment initiated by the Criminal Courts (Original Jurisdiction in the District No. V part I)
5. Statement of proceedings under Sections 195, 203 and 315 Cr.P.C.
6. Statement showing the exhibition of loss due to extra-statutory remission as per High Court's Official Memorandum Roc.No.3712/A-1/dt/26.8.1974.
7. Statement showing the fine imposed and realised in Sessions Courts and Asst. Sessions Courts.
8. Explanation for old cases (Sessions, Criminal appeals and Revision)
9. Administration report of Criminal Justice.

While preparing the statement, care must be taken that the number of suits or cases shown as pending at the close of one period is entered as pending at the beginning of the next. When however, the entries must differ by reason of an error in a previous return, a note should be added explaining the discrepancy and pointing out the part where corrections should be made.

## **DISPOSAL OF CASE PROPERTIES**

- The term "Property" includes any kind of document or article regarding which an offence appears to have been committed, or which appears to have been used in the commission of any offence.
- Whenever any article / property is seized, in the course of investigation into an offence, the investigating officer shall report the same to the Magistrate concerned. Submission of seizure mahazar or a special report with details of the articles seized is sufficient for the purpose.
- On such reporting the Magistrate may make appropriate order, including interim order, regarding its custody / disposal, even though the property / articles are not physically produced before him. Ref: Section 457(1) CrPC.

- Section 451 CrPC is repository of the criminal courts' power to direct custody of the property during enquiry or trial. That's pending disposal of the case.
- In criminal cases before the Court of Session, when trial is completed, the Court itself may make final order for the disposal of the property. That's it may order destruction or confiscation or delivery to any person who establishes his claim. Ref: Section 452 (1) CrPC.
- Instead of itself making the final order, the Court of Session may also direct the property to be delivered to the Chief Judicial Magistrate who shall hold a detailed enquiry and issue final order in accord with the provisions in Sections 457,458 and 459 CrPC.
- However, if the property is livestock or is subject to speedy and natural decay, the Court may dispose it of immediately. Otherwise the final order of disposal shall not be carried out for a minimum of two months, or if an appeal is presented, until such appeal is disposed.
- As a matter of caution, the Sessions Judge may address the Superintendent of Police or the Public Prosecutor concerned and verify whether any appeal has been preferred at the instance of the State or the accused. If so, particulars thereof shall be obtained and the disposal of the property shall be deferred till the appeal is finally decided.
- If any property is ordered to be returned to any person and if that person fails to establish his claim within six months, the Court need not wait any further. It may order confiscation to the Government. Ref: Section 458 CrPC.
- In cases involving counterfeit coins, the Court shall forward the dies, moulds, etc., to the nearest Treasury with a request to remit them to the Mint for examination. The Court shall attach a concise statement of the case and the sentence passed. Ref: Rule 295 (1) Criminal Rules of Practice, 1958.
- In the case of forged currency notes, the court shall handover them to the police concerned with instruction to forward the notes to the Issue Department of the Reserve Bank of India with a brief report of the case. Ref: Rule 295(3) Criminal Rules of Practice, 1958.



# **CHAPTER-II**

# **CRIMINAL UNIT**

## PART – I

### COURTS – JURISDICTION, ADMINISTRATION & CONTROL INTRODUCTION

Establishment of Courts of Metropolitan Magistrates is in accordance with Section 16 of the Code of Criminal Procedure. At three levels, viz. District Judge, Senior Civil Judge and Civil Judge, there are 34 Metropolitan Magistrate Courts in Chennai and they are divided into three units viz. Egmore, George Town, and Saidapet. The list of Metropolitan Magistrate Courts functioning presently in Chennai, as on date is as follows:-

S.No	NAME OF THE COURT	UNIT / LOCATION
1	Additional Chief Metropolitan Magistrate	(Economic Offences-I) Egmore
2	Additional Chief Metropolitan Magistrate	(Economic Offences-II) Egmore
<b>SENIOR CIVIL JUDGE LEVEL</b>		
3	Chief Metropolitan Magistrate	Egmore
4	Additional Chief Metropolitan Magistrate	Egmore
5	II Metropolitan Magistrate	Egmore
6	III Metropolitan Magistrate	George Town
7	IV Metropolitan Magistrate	Saidapet
8	X Metropolitan Magistrate	Egmore
9	XI Metropolitan Magistrate	Saidapet
<b>CIVIL JUDGE LEVEL</b>		
10	V Metropolitan Magistrate	Egmore
11	VI Metropolitan Magistrate	Egmore
12	VII Metropolitan Magistrate	George Town
13	VIII Metropolitan Magistrate	George Town
14	IX Metropolitan Magistrate	Saidapet
15	XII Metropolitan Magistrate *	(Juvenile Justice Board) Egmore / Kellys

16	XIII Metropolitan Magistrate	Egmore
17	XIV Metropolitan Magistrate	Egmore
18	XV Metropolitan Magistrate	George Town
19	XVI Metropolitan Magistrate	George Town
20	XVII Metropolitan Magistrate	Saidapet
21	XVIII Metropolitan Magistrate	Saidapet
22	XIX Metropolitan Magistrate	Egmore/ Chennai Corporation building
23	XX Metropolitan Magistrate *	Egmore/ Chennai Corporation building
24	XXI Metropolitan Magistrate	Egmore (Mobile Court)
25	XXII Metropolitan Magistrate (Mobile Court)	Egmore
26	XXIII Metropolitan Magistrate	Saidapet
27	Railway Special Metropolitan Magistrate *	Egmore / Egmore Railway Station
28	Railway Special Metropolitan Magistrate *	Egmore / Central Railway Station
29	Metropolitan Magistrate, Fast Track Court at Magisterial Level-I	Egmore
30	Metropolitan Magistrate, Fast Track Court at Magisterial Level-II	Egmore
31	Metropolitan Magistrate, Fast Track Court at Magisterial Level-III	Saidapet
32	Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV	George Town
33	Special Metropolitan Magistrate, Special Court for Land Grabbing Cases-I	Egmore/ Periamet
34	Special Metropolitan Magistrate, Special Court for Land Grabbing Cases-II	Egmore/ Periamet

\* XII Metropolitan Magistrate and XX Metropolitan Magistrate also act as Railway Special Metropolitan Magistrate, Egmore Railway Station, and Railway Special Metropolitan Magistrate, Central Railway Station, respectively.

Regarding the appellate jurisdiction vis-a-vis the judgment of conviction passed by the Metropolitan Magistrate, the person convicted may appeal to the Court of Session, as per Section 374 (3) (a) Cr.P.C., and within a period of thirty days from the date of sentence as stated under Article 115(b) of the Schedule to the Limitation Act.

Where an order of acquittal is recorded by a Magistrate in respect of cognizable and non-bailable offence, appeal to the Court of Session may be presented by the Public Prosecutor on the direction of District Magistrate, as per Section 378 (1) (a) Cr.P.C. In any case, as directed by the State Government, appeal to the High Court lies from an order of acquittal, in accordance with Section 378(1)(b) Cr.P.C. The period of limitation for presenting an appeal against the order of acquittal is 90 days from the date of order as contemplated under Article 114 (a) of the Schedule to the Limitation Act.

This Chapter has been divided into four parts, though they are inter-related, for clear understanding of the staff members. Introduction forms Part - I. Part-II deals with duties and responsibilities of the staff members, which has been further divided into two distinctive heads, viz. (1) Administrative work, and (2) Court work. The Registers being maintained by various staff members are set out in Part-III. Basic legal and procedural points for the knowledge of the staff members are explained in Part-IV.





## **PART-II**

### **DUTIES AND RESPONSIBILITIES OF THE STAFF MEMBERS WORKING IN CRIMINAL COURTS**

The staff members working in the Metropolitan Magistrates' Courts could be grouped vis-a-vis their duties and responsibilities under two categories and they are, (1) those, like Sherishtadar and Chief Clerk, who do administrative work, and (2) those, like Interpreter and Bench Clerk, who do court work. As the number of persons working in various sections involved in administrative work, like 'A' Section, 'B' Section, and Bills Section, vary in the three units, the work handled by individual staff members in the Section, has been grouped together. In addition to the work mentioned hereinbelow, the staff members are required to attend to the work as are and may be allocated from time to time. Section-I deals with Administrative work and Section-II Court work.

#### **SECTION-I**

#### **ADMINISTRATIVE WORK**

##### **I SHERISHTADAR**

- In charge of administration and exercises general supervision and control over all members of the staff
- Scrutiny of the files relating to all Sections and Courts and submit the same to the Chief Metropolitan Magistrate
- Supervision of attendance of the staff members
- Causing to post substitutes for the Magistrates and staff members who enter on leave/other duty
- Checking daily tapals and distribution to the sections concerned
- Custodian of Round Seal
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

## II HEAD CLERK IN CHIEF METROPOLITAN MAGISTRATE COURT / CHIEF CLERK

- Scrutiny of the monthly statements and put up review of the work of all Metropolitan Magistrates
- Attending to work relating to disciplinary action against staff members
- Attending to confidential correspondence
- Scrutiny and put up review of monthly property statements of all the Courts
- Checking the accounts daily with the assistance of the Accountant
- Signing receipts and pay orders for the receipt of Criminal Court Deposits and miscellaneous amounts, etc., and maintain the same
- Checking Service Stamp Accounts and Despatch Register daily
- Maintenance of running note files and check the personal registers of A, B, C, D and E Sections
- Scrutiny and preparation of review of D.C.B. statements
- Scrutiny of all correspondence files handled by the following sections:
  - a) Establishment Section
  - b) Property Section
  - c) Record Section
  - d) Correspondence Section
  - e) Press and Statistics Section
  - f) Bills Section
  - g) Accounts Section
  - h) D.R.O. Section (Deposit Refund Order)
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.
- **Chief Clerk:** (Other than the work mentioned for Chief Clerk Stated above)
  - a) In charge of administration and exercises general supervision and control over all members of the staff in the unit

- b) Supervision of attendance of the staff members
- c) Causing to post substitutes for the Magistrates and staff members who enter on leave /other duty
- d) Custodian of Round Seal
- e) Checking daily tapals and distribution to the sections concerned
- f) To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

### **III ESTABLISHMENT SECTION – 'A' SECTION**

- Handling matters regarding appointment, promotion, transfer and posting of staff members
- Preparation of estimates of vacancies
- Preparation of proposals for permanent retention of temporary posts and further continuance of temporary posts and additional staff
- Preparation of pension proposals of the Metropolitan Magistrates and staff members
- Handling retirement file
- Preparation of provisional pension proposals
- Preparation of periodical statements
- Preparation of seniority list of the staff members
- Handling matters relating to Special/Selection Grade of staff members
- Preparation of pay fixation of Metropolitan Magistrates and staff members
- Maintenance of Service Registers of the officers and staff members
- Scrutiny and put up of letters of correspondence of the Metropolitan Magistrates and staff members
- Nomination of officers and staff members for Evening Court and Holiday remand duties
- Handling matters relating to annual increment for officers and staff
- Handling matters relating to certificate verification, regularisation and declaration of probation
- Maintenance and handling of disabled persons file and Bhavanisagar training file

- Preparation of proceedings for allowances to the staff members
- Maintenance and handling of Boycott and passport file
- Handling matters relating to L.T.C. to Metropolitan Magistrates and staff members
- Handling all kinds of leave applications, including surrender leave applications, of the Metropolitan Magistrates and staff members
- Maintenance of attendance register and late attendance particulars
- Handling matter relating to contribution pension scheme and preparation of proceedings
- Communication of GO's and circulars to officers and staff members
- Handling matter relating to New Health Insurance Scheme

#### **IV PROPERTY ROOM – 'B' SECTION**

- Receiving and returning non-valuable case properties as per the order of the Metropolitan Magistrates
- Sending and receiving the samples from laboratories
- Destruction and confiscation of properties
- Monthly statement regarding disposal of properties
- Purchase and distribution of stationery forms, furniture, computer parts, etc
- Maintenance of furniture, computers, xerox machines, typewriters, etc
- Supply of uniforms to eligible staff members
- Receiving forms 1 to 60 from the Hon'ble High Court and distribute to all Courts and Sections
- Preparation of indent to get seal and rubber seals for use in the office and courts
- Maintenance of 'B' property Register
- Maintenance of Brought Forward Register
- Maintenance of Stationery Distribution Register
- Attending the work in video conference room
- Arranging for destruction and disposal of property

## **V RECORD ROOM – ‘C’ SECTION**

- Custodian of records of cases disposed of and registers of the courts and office
- Receiving records of cases disposed of and registers of the courts and office
- Submission of records for revision and appeal
- Taking action to re-commit the accused in cases of appeal and revision
- Maintenance of Destruction Register
- Preparing DESS Bills (For termite control in Record Rooms of Egmore, George Town, and Saidapet Units)
- Receiving tapals from the Hon'ble High Court and other tapals
- Maintenance of Library
- Preparing library books bills and also sending library books for binding to Central Prison, Puzhal, through proper channel
- Distributing library books, like AIR and other law journals, to other units
- Making entries in the register maintained in the Record Room
- Stitching appeal records and also taking appeal records to the Appellate Courts
- Arranging the records year-wise and taking out the records whenever required by the office, courts and copyist section

## **VI CORRESPONDENCE SECTION ‘D’ SECTION**

- Handling correspondence
- Preparation of note for nomination of Magistrates
  - a) to record confession and statement u/s.164 Cr.P.C
  - b) to conduct test identification parade
  - c) to record tender of pardon
  - d) to record dying declaration
  - e) to hold prison adalat
  - f) to hold inquest
- Transfer of FIR cases
- Maintenance of files relating to Bar Association and Canteen

- Looking after power supply work
- Preparation work for Annual Inspection and Meetings
- Handling matter relating to training for special Metropolitan Magistrates
- Handling matter relating to Metropolitan Magistrates' quarters and van facility and police court orderly allotment
- Handling public toilet file in the compound of Egmore unit
- Handling matter relating to buildings
- Preparation and follow - up work relating to petitions under Right to Information Act
- Distribution of tapals
- Service of Summons and Notice, Execution of warrant , ect.
- Communicating the orders of the Hon'ble High Court, regarding vacation and holidays for courts and etc.

#### **VII PRESS SECTION – 'E' SECTION**

- Preparing statistical statements – monthly, quarterly, half-yearly and yearly
- Attending correspondence
- Filing of declaration regarding printing presses and Newspapers under Press and Registration of Books Act
- Receiving and maintenance of calendar extracts

#### **VIII CASH ROOM - 'F' SECTION (CASHIER)**

- The cashier, who furnishes cash security, is in-charge of cash room.
- Collection of fines, payment of batta to witnesses, disbursement of compensation, receipt of cash security, etc., of all courts.
- Signing of receipts and money order forms
- Preparation of chalan for remittance, etc.
- Delivery and receiving back of valuable property boxes of all courts
- Preparation of contingent bills, bills for office expenses, ect.
- Preparation of chalan for daily bank remittance

## **IX BILLS SECTION**

- Preparation of pay bills and other bills of entire establishment and officers
- Maintenance and handling of MTC- 70
- Preparation of Arrears bills
- Preparation of LTC bills
- Issuance of L.P.C.
- Maintenance of Appreciation Register
- Preparation of Medical bills for staff members
- Preparation of surrender leave salary bills
- Preparation of G.P.F. Temporary advance bills
- Preparation of Refund bills
- Preparation of Medical, Newspapers and other allowances bills of officers
- Preparation of Evening court bills
- Maintenance of Recovery Registers

## **X ACCOUNTS SECTION – ‘G’ SECTION**

- Preparation of Budget periodically
- Preparation of reply to Audit queries and maintenance of audit para file
- Handling matter relating to GPF Temporary Advance and Part Final withdrawal for Egmore staff members and 90% and 75% part final withdrawal for all staff members and Metropolitan Magistrates of all units
- Maintenance of Loans and Advances register
- Checking main fine accounts
- Maintenance of file relating to Computer - Judicial Service Center
- Maintenance and handling of Register of fines imposed, written off and refunded
- Register of fines uncollected
- Default Register of Fine imposed
- Register of witness batta deposited and paid
- Register of receipts and payments account of maintenance, compensation etc.

- Checking – Receipt book, Fine register, Collection register of all courts, Daily cash book, Monthly cash book, Miscellaneous register
- Preparation of proceedings for and payment of, telephone bills
- Preparation of proceedings for conveyance allowance
- Preparation of proceedings regarding Newspapers bills, Medical bills, Electricity charges, service postage and water charges
- Maintenance of C.M.M's car and handling matters relating of petrol bills for C.M.M's car and pocket allowance to the car driver
- Arrangement of phones for all units
- Handling matters relating to transfer grant to all transferee officers

#### **XI D.R.O. (DEPOSIT REFUND ORDER) SECTION/REMAND ASSISTANT**

- Refund of fine deposits
- All reconciliation work
- Receipt and expenditure statement
- Preparation of DCB Statement
- Preparation of Lapse Statement
- Remand Assistant : (Other than the work mentioned at 1 to 5 above)
  - a) Nomination of officer and staff members for remand duty
  - b) Nomination of officers and staff members for Evening court duty

#### **XII TYPING SECTION**

Attending to the fair copying of all correspondences and typing statements etc.

#### **XIII COPYIST SECTION**

##### **1) Copyist Superintendent**

- a) Maintenance of C.A. Register, CA Numbering Register, and Stamp Register
- b) Checking, signing and furnishing of copies u/s 207 Cr.P.C.
- c) Signing the copies prepared on copy application
- d) Preparation of xerox bills
- e) Overall supervision of copyists, examiners and xerox operator
- f) To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.



**2) Examiners:**

- a) Receiving relevant documents from the courts concerned on receipt of copy application
- b) Putting up the same for obtaining grant order from the officer
- c) Giving the documents of which copies are to be taken to the typist or to the xerox operator, for preparation of copies
- d) To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**3) Typist:**

- a) Preparation of copies on receipt of records from the Examiners
- b) To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**4) Xerox Operator:**

- a) Taking xerox copies of relevant documents for copy application
- b) Taking xerox copies of the files received from various sections of the office.
- c) To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**XIV DESPATCH SECTION:**

- 1) Receiving and delivery of tapals
- 2) Maintenance of Service postage stamp account

**XV NUMBERING SECTION:**

- 1) Assigning number to the cases having been taken on file
- 2) Maintenance of the register concerned.



## **SECTION-II**

# **COURT WORK**

### **1) BENCH CLERK GRADE- I / INTERPRETER**

- Calling cases on the file of the court
- Assisting the officer in court proceedings
- Marking exhibits and material objects, and getting signatures of the witnesses and the accusedd) Maintaining 'A' Diary, Affirmation Register, and No.7 and 8 Registers
- Signing subpoenas
- Checking case records for taking on file
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

### **2) INTERPRETER IN E.O.I AND II COURTS / BENCH CLERK GRADE – II AND III**

- Custodian of case records, including depositions and exhibits
- Maintaining Hearing Book, Fine Register, MP Register, Valuable Property Register, No.4 Register, and Consignment Register
- Preparation of committal warrant
- Handling correspondence relating to pending cases
- Preparing various statements
- Indexing and consigning the records of the cases disposed of
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

### **3) HEAD CLERK IN FTCs, SPECIAL COURTS FOR LAND GRABBING CASES (LGCs) AND XXIII MM COURT / HEAD MINISTERIAL OFFICER**

- In-charge of all administrative work
- Maintenance of service registers of the staff members

- Preparation of pay bill and all other bills of the officer and the staff members
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**4) ASSISTANT IN FTCs AND LGCs / BENCH CLERK GRADE-III IN XXIII MM COURT**

- Calling cases on the file of the court
- Assisting the officer in court proceedings
- Marking exhibits and material objects and getting signatures of the witnesses and the accused
- Maintaining 'A' Diary, Affirmation Register, No.4, No.7 and No.8 Registers, Hearing Book, Fine Register, MP Register, Consignment Register, and Valuable Property Register
- Custodian of all case records including depositions and exhibits
- Preparation of committal warrant, remand warrant, summons and subpoena
- Handling correspondence relating to pending cases
- Preparing various statements
- Indexing and consigning the records of the cases disposed of
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**5) STENO-TYPIST**

- Taking down dictation and transcription
- Preparation of Judgments as dictated by the officer
- Preparation of first questioning, charge framing, and questioning u/s 313 Cr.P.C, as dictated/instructed by the officer
- Forwarding extracts of property disposal orders as made in the judgments for every month to the 'B' Property Section, within the first week of succeeding month

- Sending calendar extracts
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**6) JUNIOR ASSISTANT IN XIX, XX, XXI AND XXII MM COURTS AND EGMORE AND CENTRAL RAILWAY SPECIAL MM COURTS**

- In-charge of all administrative work
- Discharge of duties as that of Bench Clerk in other courts
- Collection of fine
- Preparation of various statements
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**7) JUNIOR ASSISTANT – FIR CLERK**

- Custodian of FIRs
- Receiving FIRs
- Attending to the work from the stage of receipt of FIR till the final report is filed, like handling-
  - \* Remand work
  - \* Bail applications
  - \* Surety papers
  - \* Applications for interim custody of property
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**8) TYPIST**

- Typing depositions in open court
- Typing statements and letters of correspondence
- All other typing work
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**9) RECORD CLERK**

- Preparation of warrant, summon, and subpoena
- Stitching and handing over of records of the cases disposal of
- Assisting the Bench Clerk to arrange case records date-wise
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.

**10) COMPUTER OPERATOR**

- Data Entry
- Making entries of the particulars of case records at every stage
- Co-ordination on matters for maintenance and upkeep of computers
- Maintenance of Registers concerned
- To attend all other work as assigned by the Principal Judge / Presiding Officer / Chief Metropolitan Magistrate then and there by means of Office Order or by means of Oral Order.



## PART-III

### LIST OF REGISTERS MAINTAINED IN THE CRIMINAL COURTS

The registers reflect the proceedings of cases/matters, both judicial and administrative, in a concise manner. There are many number of Registers maintained by individual staff members and section as a whole. The list of registers maintained are detailed as follows:-

R. No.	Name of the Register	Section maintaining the Register
1	Register of Appeal Cases	Criminal Filing Section
2	Register of Revision Cases	Criminal Filing Section
3	Register of Miscellaneous Cases	Criminal Filing Section
4	Register of Results of Cases (Old No.7)	Bench Clerks
5	Register of Punishments (Old No.8)	Bench Clerks
6	Register of Appeal Cases: Disposed of	Bench Clerks
7	Register of Revision of Cases: Disposed of	Bench Clerks
8	Diary Register (Sessions and Magistrate Courts)	Bench Clerks
9	Register of Court Fees and Process Fees received (Old No.12)	Filing Section
10	Hearing Book	Bench Clerks
11	Register of Referred Charge Sheets	FIR Clerk
12	Register of Case Properties	Property Section
13	Register of Unclaimed Properties	Property Section
14	Register of Calendar Received Chief Judicial Magistrate Courts)	(Sessions Court & Statistical Clerk
15	Register of Refund Certificate	Cash Section
16	Register of Fines	Cash Section
17	Register of Witness Batta Collected from Parties	Cash Section

R. No.	Name of the Register	Section maintaining the Register
18	Register of Witness Attendance in Criminal Courts	Bench Clerks
19	Register of Batta and Traveling Allowances to Witness	Cash Section
20	Register of Long Pending Cases	Bench Clerks
21	Record Destruction Register for Criminal Courts	Record Keeper
22	"A" Cash Book	Cash Section
23	Criminal Process Register	Record Clerk
B1	Register of Calendar and Preliminary Cases	Criminal Filing Section
CR.74	Record Issue Register	Record Keeper

The description of some other registers are briefly explained as follows:-

**1) F.I.R. Register:**

This register is maintained by the Head Clerk or FIR Clerk of the Judicial Magistrate Court. Entries relating to the receipt of the FIR should be made by him immediately on receipt of the FIR, after obtaining the date and time entry and initials of the Judicial Magistrate.

**2) Sessions Filing Register (C.R.C. No.1):**

This register contains 12 columns. The Case number with name of the Committing Magistrate and the P.R. number of the Magistrate Court with Crime number will be entered. The description of the accused, nature of the offence, date of commitment, receipt of the records, commencement of trial and close of trial, the result of the Judgment will be entered. The date of Consignment of the case will find a place.

The number of appeals, if any, filed and the D. No. and the date on which the records were submitted to the High Court and the result of the appeal will be entered in this register.

**3) Disposal Register (C.R.A4):**

This register is the Disposal Register. It contains 26 columns. Entries relating to the disposal of cases, both convicted and acquitted cases, duration of the case, the number of accused persons and the total number of witnesses examined have to be made in this register. The number of adult and Juvenile, male/female are to be entered in this register, in conviction cases.

**4) Register of Punishments (C.R. A.5):**

This register contained 45 columns. In this register all the cases entered in conviction alone will be entered. The substantive sentence and the fine if any, imposed will be entered in this register.

**5) Fine Register (C.R. A.16):**

The fines imposed in the cases concerned are entered in the Fine Register. The demand as well as the collection of fine amount have to be entered. This register contains 23 columns, contained the date of imposition of fine, amount of fine imposed and the collection of the fine amount.

**6) Fine Receipt Book:**

On receipt of the fine imposed from the accused, the same is entered in the fine receipt book and fine receipt is given to the accused concerned.

**7) Challan CrI. Misc. 72 Form Register:**

All the amounts collected as fine are to be remitted into the State Bank on the next day of its receipt. If it happens to be a holiday, the amount has to be remitted on the next day to the holiday.

**8) Witness Register (C.R. A.18):**

This register contains 12 columns. In this register all the witnesses for whom summons are issued are to be entered. After the examination of the witnesses, the Judge has to pass orders in this register for payment of batta or issue of court certificate as the case may be, to the witnesses appeared.

**9) Register of Batta and T.A. to Witnesses (C.R.A.16):**

This register contains 14 columns. The batta to the witnesses ordered to be paid by the Judge in C.R. 18 register, are to be paid to the witnesses. Entries to that effect are to be made in this register. The Judge has to sign this register daily.



**10) Register of Witness Batta collected from the parties (Private Witness Batta Register) (C.R. A.17):**

In this register entries related to the witness batta ordered to be paid by the parties are to be made. The batta to the witnesses has to be paid to the witnesses and necessary entries to that effect has to be made in this Register. The balance amount, if any, has to be returned to the counsel for the accused.

**11) Hearing Book (C.R. A.10) :**

The cases that were taken on file and posted to various dates will be entered in this Hearing Book. The cases disposed of on date of hearing should be rounded.

**12) Diary (C.R. A.8):**

The diary shall show the time at which the criminal proceedings of each day are commenced and the time at which they ended and shall indicate clearly the progress made on the hearing of each case, which was taken up, in the order.

**13) Cr.M.P. Register (C.R. A.3):**

The miscellaneous petitions that were taken on file and numbered are entered in this register as Cr.M.P. It contains 10 columns.

**14) Criminal Appeal Register (C.R. A.1):**

This register contains 10 columns. The name of the Court with case number, name of the appellant, the sentence awarded by the lower court with the law under which it was passed and the result of the appeal are entered in this register. The date on which the records were submitted to the High Court with D.No. should also be entered. The result of the Revision if any are also entered in this register.

**15) Register of Revision Petitions (C.R. A.2):**

This register contains 8 columns. The number of the case. Name of the Revision petitioner, the order and name of the Court against which the Revision petition is filed and the nature and date of disposal should be furnished in this register. The result of the appeal, if any, preferred in High Court will be entered in this register.

**16) CrI.Appeal Disposal Register (C.R. A.6):**

This register contains 11 columns. The number of appeals disposed of and the number of appellants whose cases were disposed of, and the duration of the case should be entered.

**17) CrI. Revision Petitions Disposal Register (C.R. A.7):**

The number of Revision petitions disposed of, the name of Revision petitioner and duration should be entered. nature of disposal of cases should also be mentioned.

**18) Register of Refund Certificate (C. R. A.18 ):**

This register contains 8 columns, viz. the month and the date of certificate of voucher, name of the court which imposed fine, the number of the case and date of Judgment in appeal, the name and residence of the individual to whom the refund is granted, the amount of refund and the D. No. and date on which refund certificate is issued should be entered in this register.

**19) Register of Enforcement Register (C.r. 8-A):**

This register contains 16 columns. In this register conviction (remand) particulars are detailed with the case number and the number of accused till the disposed of the appeal.

**20) Arrears of Fine amount – 30 A Register:**

In this register, the fine amount which were imposed but not collected from the concerned accused, are entered after the lapse of that month. Action will be taken to recover the fine amount.

**21) Register of Court Fees and Process Fees received (C.R. A.9):**

All the petitions received are entered in this register. It contains the receipt of the process fees and court fees. The total amount of process fees and court fees received are struck down every day. The Magistrate has to sign in this register daily.

**22) Property Register (C.R. A.12):**

Register of Case Property. The Head Clerk of the Magistrate Court has to make necessary entries regarding the properties received from the investigating agency in respect of the case concerned. The valuable properties are to be kept in the valuable box and the said box is sent to the Sub Treasury for safe custody.

**23) Cash Book (C.R. No.A.25(a):**

The cash like fine, salary and other amounts relating to the establishment are to be entered in this register daily.

Destruction should be made only after the expiry of the period prescribed under the Rules. A list of cases that are to be destroyed has to be prepared and submitted to the Chief Judicial magistrate, and on sanction by the Chief Judicial Magistrate, notification of the destruction of the case records has to be issued in the Gazette. On receipt of the notification, destruction of the records will have to be made.



## **PART-IV**

### **BASIC LEGAL AND PROCEDURAL ASPECTS FOR STAFF WORKING IN THE CRIMINAL COURTS**

Enumerated below are the important points on law and procedure to be taken note of and to keep in their knowledge, for the day-to-day work of the staff members concerned. It may be noted that what is set out in this part is not inclusive of every situation they would face. The staff members are required to go through the procedure as and when required and where a situation is unusual and is not handled earlier, before initiating the first step, they shall seek the guidance of the officer.

#### **I. FIRST INFORMATION REPORT**

- To verify, on receipt of FIR, that it is accompanied by the complaint (in case the complainant is the investigating officer, complaint would not accompany FIR, when the offences alleged are under Copyright Act, Chennai City Police Act, Tamil Nadu Prohibition Act, etc.)
- To place before the officer, after verification as at Sl. No.1 above
- To place it before the Presiding Officer for his endorsement regarding the date and time of receipt of the same in the court.
- To make entry in the FIR Register
- To put up FIR along with the applications whenever filed

#### **II. REMAND OF ACCUSED IN JUDICIAL CUSTODY**

##### **1. When the accused is brought for remand, verify whether the following documents are filed:-**

- a) FIR, if not already sent
- b) Complaint, if not already sent
- c) Arrest Card
- d) Arrest Memo
- e) Documents, like statement u/s.161 Cr.P.C., confession of the accused, etc. connecting him with the accusation, if the name of the accused is not mentioned in the FIR

- f) Seizure Mahazar, wherever applicable
- g) Form 95 with property, wherever applicable
- h) Any other relevant document

**2. To prepare the Warrant as per the order of the Judicial Magistrate and if the accused is aged from 18 to 21 years then as per the order of the Judicial Magistrate the Warrant has to be forwarded to the Borstal School, for detention.**

**3. Juvenile:**

In respect of cases with regard to the Juvenile in Conflict with Law, the following aspects are to be looked into while perusing the records.

- a) The document in respect of the date of birth of the Juvenile in Conflict with Law
- b) FIR, if not already sent
- c) Complaint, if not already sent
- d) Documents pertaining to apprehension of the Juvenile in Conflict with Law and intimation to the relatives of the Juvenile in Conflict with Law
- e) Documents, like statement u/s.161 Cr.P.C., confession of the Juvenile in Conflict with Law etc. connecting him with the accusation, if the name of the Juvenile in Conflict with Law is not mentioned in the FIR
- f) Seizure Mahazar, wherever applicable
- g) Form 95 with property, wherever applicable
- h) Whether the Probation Officer has been intimated
- i) Any other relevant document

To prepare the Warrant as per the order of the Principal Magistrate enabling the police persons to keep the Juvenile in Conflict with Law in the Government Observation Home for Boys and Girls as the case may be.

**4. Surrender of accused before the court other than the jurisdictional court during investigation:**

Whenever an accused, apprehending arrest by the police, surrenders before the court which is not the Jurisdictional Court, the Judicial Magistrate may remand the accused and thereafter

- a) As per the orders of the Judicial Magistrate the surrender petition and other connected papers are to be sent to the Jurisdiction Court along with a covering letter of the Judicial Magistrate.
- b) As per the orders of the Judicial Magistrate warrant shall be prepared mentioning interalia that in the next hearing for remand extension the accused shall be produced before the jurisdictional Court.
- c) As per the orders of the Judicial Magistrate an intimation about the surrender and remand should be sent the same to the Jurisdiction Police Station forthwith.

**5. Production of Accused on P.T. Warrant**

- a) To verify whether the particulars of crime number and the Police Station and the Prison/Jail, in which he is presently detained, are mentioned in the requisition.
- b) To verify whether the particulars of the accused in the requisition and in the records of the case in which he is sought to be remanded, tallies.

**III. REMAND OF ACCUSED IN POLICE CUSTODY**

- To verify whether the application is filed within the first remand period of 15 days
- To verify whether the petition, along with the affidavit of the Petitioner / Investigating Officer duly attested by the competent person, is filed
- To furnish a copy of the petition and the affidavit to the accused
- To furnish a copy of the order passed by the Court to the petitioner / Investigating Officer, Public Prosecutor and the accused
- To forward a copy of the order to the Chief Metropolitan Magistrate
- To obtain acknowledgment from the police with date and time on the office copy of the order that the accused is handed over to police for escort to Jail or Police Station

#### **IV BAIL APPLICATION**

- To verify whether the crime number and the name of the police station are mentioned in the application
- To verify whether the offences alleged against the accused are bailable or non- bailable and that appropriate provision, i.e. Section 436 or 437 Cr.P.C., is mentioned
- To verify whether any Order of bail was granted already
- After numbering the application, endorse the following particulars and put up the same for hearing :-
  - a) Crime number
  - b) Name of the Police Station
  - c) Date of Remand
  - d) Offences
  - e) Details of similar application filed earlier
- If the application is filed u/s.167(2) Cr.P.C.
  - a) To see that the provision, viz. 167 (2) (a) (i) in case the offence is punishable with death, imprisonment for life, and imprisonment for a term of not less than ten years (where detention period is not less than 90 days) or 167(2)(a)(ii) in case it relates to any other offence (where the detention period is not less than 60 days), is specifically mentioned
  - b) To verify whether final report has been filed and if the final report has been filed, then the petition u/s. 167(2) of Cr. P.C. has to be returned.
  - c) If final report is not filed, endorse the following particulars and put up the same for hearing.
    - i) Date of first remand
    - ii) Total number of days the accused has been in detention till the previous day of the application

#### **V. APPEARANCE / SURRENDER OF THE ACCUSED ON ANTICIPATORY BAIL**

- To verify whether the anticipatory bail order has been received in the Court
- To verify whether, along with the application, copy of the order granting anticipatory bail is produced

- To verify whether the particulars of the person who appears/surrenders and that in the records are one and the same.
- To verify whether the particulars of the crime number, police station, and offences as mentioned in the anticipatory bail order and that in the case records are one and same.
- To verify whether the accused appears/surrenders before the court within the time as directed in the order.
- To verify that the identification marks of the accused are found mentioned in the application.

## **VI. SURETY PAPERS**

- To verify whether the surety is solvent for the amount of the bond as ordered.
- To verify whether the document, like family card mentioning the address of the surety, and the document showing the solvency of the surety, are filed.
- After sureties are verified by the Court, to see whether they have been accepted; if accepted, to prepare bail bond clearly mentioning the amount and the condition as specified in the bail order.
- Get the bond executed by the sureties.
- To forward the bail bond to the Superintendent of the Prison / Jail concerned in case of bail.
- In case of anticipatory bail, to file the bond along with the case records.
- When the bail bonds are received back from the Prison/Jail authorities, to file the same along with the case records .
- As per the orders of the Judicial Magistrate the surety papers have to be immediately sent to the jurisdictional court, if the case is not on the file of the court, where the sureties are verified.

## **VII. INTERIM CUSTODY OF PROPERTY**

- Prepare up a note indicating the interest of the applicant in the property.
- In case of vehicles,



- \* To verify whether the applicant's name is found mentioned in the Certificate of Registration of the vehicle
- \* To verify that the registration number, engine number, and chasis number of the vehicle is in accordance with the records furnished by the prosecution.
- Prepare a note in case of valuable properties, like gold jewels or cash, whether the applicant is the owner of the properties.
- In case more than one person are the owners of the property and the application is filed by any one person, letter of 'No Objection' from the other owners to be filed
- When surety papers are filed, to follow the instructions, as necessary, as mentioned at VI above
- When the Property is handed over to the Claimant in pursuant of the order of the Court, due acknowledgment shall be obtained from him and his signature shall be attested by his counsel as well as by the responsible Officer, if any and then to place the same before the Presiding Officer.

## **VIII. DISPOSAL OF CASE PROPERTIES**

- ❖ The term "Property" includes any kind of document or article regarding which an offence appears to have been committed, or which appears to have been used in the commission of any offence.
- ❖ Whenever any article / property is seized, in the course of investigation into an offence, the investigating officer shall report the same to the Magistrate concerned. Submission of seizure mahazar or a special report with details of the articles seized is sufficient for the purpose.
- ❖ On such reporting the Magistrate may make appropriate order, including interim order, regarding its custody / disposal, even though the property / articles are not physically produced before him. Ref: Section 457(1) CrPC.
- ❖ Section 451 CrPC is repository of the criminal courts' power to direct custody of the property during enquiry or trial. That's pending disposal of the case.
- ❖ Wherever possible, the Magistrate may, on the basis of the evidence the prosecution collected and any other piece of reliable material, entrust interim custody to any rightful person with conditions suitable to the context.

- ❖ Whenever cash is recovered and produced, xerox / photo copies thereof may be taken, and the amount may be deposited in a nationalized bank. Else interim custody may be granted. Copies of such currencies may be safely kept with the records.
- ❖ On the property being disposed in any one of the above stated manners, the Headclerk / Staff concerned shall make appropriate noting under the relevant entry in the Register of case properties with the acknowledgment of the party concerned.

## **IX. CLOSURE OF F.I.R.**

- 1) In summons cases, if the investigation is not concluded within 6 months from the date of arrest of the accused, further investigation could be stopped (Refer to Sec.167(5) Cr.P.C.)
- 2) Such FIRs to be identified from time to time and the same has to be placed before the Judicial Magistrate for appropriate orders

## **X. LIMITATION FOR TAKING COGNIZANCE OF CERTAIN OFFENCES (Secs. 468 and 469 Cr.P.C.)**

- 1) The period of limitation is –
  - a. six months, if the offence is punishable with fine only
  - b. one year, if the offence is punishable with imprisonment for a term not extending one year
  - c. three years, if the offence is punishable with imprisonment for a term extending one year and not exceeding three years
- 2) Commencement of period of limitation:-
  - a) The period of limitation commences on the date of offence
  - b) Where the commission of offence was not known, the date commences on the first day on which such offence comes to the knowledge of such person or to any police officer, whichever is earlier.
  - c) Where it is not known by whom the offence was committed, the limitation commences on the first day on which the identity of the offender is known to the person aggrieved by the offence or to the investigating officer whichever is earlier.
- 3) In computing the period of limitation, the day from which such period is to be computed should be excluded
- 4) Such FIRs to be identified from time to time so as to reduce pendency of FIRs

## XI. FINAL REPORT

The Investigating Officer will lay a final report before the Jurisdictional Court. The FIR Clerk should forthwith place the same before the Presiding Officer

- a) To obtain endorsement on all papers and for consideration.
- b) When the report is taken cognizance then number has to be assigned such as.
  - i) Calender case (C.C.), in case the offences are triable by Magistrate Court
  - ii) Preliminary Registration Case (P.R.C.), in case the offence are triable by Sessions Court.

Secondly if the investigation does not reveals the commission of any cognizable or non cognizable offence then the Police Officer will lay a report by mentioning any one of the following categories

- i) "Action dropped"
- ii) "Mistake of fact"
- iii) "Mistake of Law"
- iv) "Civil in nature"
- v) "Undetected"

The FIR clerk shall place the same before the presiding officer for issuance of notice to the de facto complainant.



Tamil Nadu State Judicial Academy has always striven for achieving excellence in the acquisition of judicial skills.

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