

CHAPTER XII

LAW, ORDER AND JUSTICE

Early History.

DURING the time of the Rajas, the forms of judicial procedure in Coorg were very primitive. Custom and usage took the place of law. The enforcement of customary practices did not require any complicated system of police. The limited extent of the Coorg territory helped vigilant control over all the area. Intelligence of any criminal occurrence was conveyed with expeditiousness. Except on the known jungle paths, ingress and egress were prohibited. At all points of entry on the boundary of Coorg, a guard house or a check-post was established, where the travellers were subjected to scrutiny. A passport was considered absolutely necessary for entry into Coorg. The people of Coorg were under restrictions, none being permitted to go out without permission. Those who wanted to leave the country had to prefer a petition to the Government stating their reasons in the most explicit terms. If any person was permitted to leave the country, the members of his family in almost every case had to remain behind as a pledge for his return. Emigration was strictly prohibited. The commission of the crime was followed by a punishment that bore but little proportion to the guilt. It was indeed openly said by the inhabitants of neighbouring countries that Coorg in those days was a large prison from which there was no escape.

During the time of the Rajas, there was no organised police force. The peons at the different Government offices and guard houses performed all the duties of the police. In the Coorg country itself, tumults and disturbances were practically unknown, and the peaceful and orderly manner of the people rarely gave occasion for Government interference. The reverence for private possessions and property was indeed great and there arose no occasion for thefts or pilferages. Highway robbery was not heard of and the usual vices and social strife that were common in other parts were not common in Coorg. There was security of person and property to the ordinary traveller. Strangers to Coorg were looked upon with suspicion and they were excluded from all intercourse with the local population. In short, a suspicious and inquisitorial policy was observable and a strict surveillance

was exercised. Like the Nayars of Malabar, each raiyat was a soldier performing police duties. The Coorgs held their lands under a military tenure and in return were obliged to guard the inhabitants. They consisted of *Sarvakarigar*, *Karigar*, *Subedar* and *Jamedar*. The raiyats provided sufficient guards to do police work.

1. POLICE.

When the British took over Coorg in 1834, the old pattern of police administration in that principality was continued. Forty years after the annexation, very little change was observed. In the towns of Mercara and Virajpet, there was a small body of what may be termed regular police consisting of 26 men for both the towns, including daffedars and peons whose annual cost to Government amounted to Rs. 1,596. The *Jamma* raiyats of Coorg still continued to discharge the duties of a feudal police and for such a wooded and mountainous tract as Coorg, no better body of men could be found. In the Malnad districts of Mysore also which, in physical aspect, bear a resemblance to Coorg, it was found impossible to maintain a body of regular police on the same footing and pay as in other parts of Mysore, with any approach to efficiency. The system of police in Coorg in 1868-69, was analogous to the village system. It was felt that the increase in wealth and prosperity of Coorg generally, and of the towns in particular, required a more efficient and better organised system than was found in the rural parts. Though improvements were effected in all branches of the administration, the police did not figure in the reorganisation. The dacoities which occurred in Coorg in 1868 as noticed in the criminal administration report, partook more of the character of border raids than offences committed by professional gangs. A decade later, that is in 1878-79, the strength of the regular or town police consisted of 24 peons and two daffedars. The crime returns of 1878-79 showed a decrease of 25 per cent in the total number of offences as contrasted with the previous year, the figures being 713 as against 949. The number of murders reported was the same in both the years, namely, five.

The rural police or the village police force was under *Subedars* and *Parpathigars* and *Patels*. They were in charge of prevention of civil disturbances, assaults and other acts of breach of the peace. They were to apprehend and send to the *Daryaft Catcherry* any person who was accused of robbery. The patels of the village and the villagers conjointly protected their villages from depredations of robbers. From the proclamation of Colonel Fraser in April 1834, it is seen that he upheld the authority of the local officials, reserving to himself as the representative of the Governor-General, the prerogative of the Raja. On 30th August 1834, he issued rules for the conduct

of the district functionaries in Coorg. This order was superseded in judicial matters by the introduction in 1861 of the Penal Code and in 1862 of the Criminal Procedure Code.

The mode of punishment underwent rapid changes from one of cruelty during the Rajas' time to that of a civilised way of punishing the wrong-doer. During the rule of the Rajas, the ordinary culprit was corrected with the whip or the offender expiated his crimes by labouring for a certain time in the public works. It was only when the transgression was against the State that the criminal was treated with rigour. Punishments of a serious kind were inflicted only by order of the chief, who, it is said, had himself more than once descended to the office of the executioner when the individual had personally offended him. The ordinary way of punishing an offender was stated to be crushing to death by elephants or decapitation by the Kodagu sword. The secondary forms of punishment were dislocating the toes and fingers, suspending the offender by the ears, punching out his teeth, amputating his nose and lips or otherwise mutilating his person. These cruel punishments were abolished after the British took over. In the dispensation of criminal justice after 1834, the Gowda of a village was authorised to reprimand or admonish an offender for stealing vegetables or a few seers of grain. Other offenders were sent to the *Parpathigar*. The *Parpathigar* had powers to confine offenders for ten days. All other offenders deserving higher punishment were sent to the *Subedar* who had powers to confine the offenders for 30 days. The *Daryaft Cutcherry*, which was constituted as a court of punishment in the later part of the last century, had powers to sentence people for longer terms of imprisonment. With the promulgation of the Penal Code and the Criminal Procedure Code which were introduced in Coorg in 1861 and 1862 respectively, the mode of punishment underwent a radical change. Offences and the nature of punishment to be awarded were clearly specified. In the later years, the Chief Commissioner of Coorg was the ex-officio Inspector-General of Police. The actual police force was in charge of a European Assistant Superintendent of Police borne on the Madras Government Cadre. On 2nd January 1922, the post of the Assistant Superintendent of Police was Indianised. In 1924, a Deputy Superintendent of Police was posted to look after the police department. The District Magistrate of Coorg was appointed *ex-officio* District Superintendent of Police. In 1934, the post of Deputy Superintendent of Police was upgraded to that of the District Superintendent of Police. Again in 1954, the post of a Deputy Superintendent of Police was created.

**Organisation
of the
Police Force.**

For purposes of efficient police administration, the whole of the new Mysore State has been divided into ranges, Coorg district coming under the Southern Range, administered by a Deputy Inspector-General of Police who has his headquarters in

Mysore City. In Coorg, as in other districts, there are the local police and the Armed Police called the District Armed Reserve Police. The Deputy Commissioner of the district has control over the district police as far as maintenance of law and order is concerned. But the Inspector-General of Police who is the head of the Police Department in the State, guides, controls and supervises the recruitment, education, housing and equipment of the police in the district. The primary functions of the police include the prevention and detection of crimes, maintenance of order, the apprehension of offenders, guarding of treasuries, private or public property and the prosecution of offenders. But they also perform many other duties including the control of traffic, service of summons in criminal cases and the like. The Superintendent of Police in the district is the head of the police force. He exercises general control and supervision over his subordinates. Immediately under the Superintendent of Police, there is a Sub-Divisional Officer or the Deputy Superintendent of Police. Next in the police hierarchy are the Circle Inspectors, Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables. The Coorg district has been divided into three police circles, each of which is under the charge of a Circle Inspector. The police circles are Mercara, Virajpet and Somwarpet. Below the Circle Inspectors, there are the Sub-Inspectors who are in charge of police stations.

In Coorg, police stations are located in Mercara town, Mercara rural police station situated at Mercara town, Sanivarasanthe, Somwarpet, Kushalnagar Napoklu, Siddapur, Virajpet town and rural, Ponnampet and Srimangala. Attached to some of the police stations, there are police out-posts, which are manned by some constables and a Head Constable. Police out-posts are located in Murnad, Sampaje, Bhagamandala, Mundrote, Pollibetta, Makut, Gonikoppal, Tithimathi, Balele, Kutta, Madapur, Kodlipet and Suntikoppa. **Police Stations.**

Attached to the Coorg District Police, there is a District Armed Police consisting of one Reserve Sub-Inspector, two Assistant Reserve Sub-Inspectors, nine Head Constables and 59 Constables. This Armed Police is intended, as the very name indicates, to serve as a reserve force to be utilised to meet abnormal situations which the local police cannot tackle. **District Armed Police.**

The strength of the district police as on 31st January 1963 was one Superintendent of Police, one Deputy Superintendent of Police, four Police Inspectors, 16 Sub-Inspectors, one Assistant Sub-Inspector, 64 Head Constables and 294 Police Constables. **Strength of the District Police.**

The Special Branch attached to the Coorg district police deals with confidential information concerning political parties, trade unions, communal organisations, agrarian associations and **Special Branch.**

the like. Prior to 1927, the post of Special Branch Police Inspector was attached to South Kanara district. At present, the Superintendent of Police in Coorg is dealing with this branch. Special Branch Inspectors are working in Mercara and Virajpet. These police officers are required to collect confidential information and pass it on to the Superintendent.

**District
Intelligence
Bureau.**

A Sub-Inspector of Police looks after the district intelligence work. It is the duty of this bureau to gather information in respect of crime and habitual offenders.

Traffic.

At present, there is no separate traffic squad in the district. The regular police force is entrusted with the task of controlling traffic in all major urban areas. The Superintendent of Police has sent up proposals to the Inspector-General for organising a traffic squad consisting of one Sub-Inspector and two Head Constables with headquarters at Mercara.

Fire Service.

There are no fire service stations functioning in the district. No report of any loss of property on account of fire accidents came to the notice of the police in 1961.

**Village
Vigilance
Committees.**

As there is no village police in Coorg, vigilance work in the rural areas is being conducted by 22 village vigilance committees. The district police makes use of the services of these vigilance committees for detection and prevention of crimes, including prohibition offences.

**Welfare of
the Police.**

A fund known as "Mysore State Police Benevolent Fund" is in operation in the district. There is also a police officers' co-operative society functioning in the District Police office. The Superintendent of Police is the president of the society. Loans are given to members at a low rate of interest.

**Medical
Facilities.**

No special medical facilities are provided for police officers and men. However, reimbursement of medical charges incurred in respect of police officers and men and their families is admissible as per the Mysore Medical Attendance Rules.

Housing.

The Superintendent of Police has his official residence. Eleven Sub-Inspectors of Police, 30 Head Constables and 140 Constables have been provided with housing accommodation. During the plan period more housing accommodation will be provided.

Sports.

Police meets are conducted once in a year where the imperative need of public and police co-operation is stressed. The meets are presided over by the Deputy Commissioner.

The relationship between the police and the public as well as the police and the magistracy has been cordial and there was no occasion for any rift. **Police-Public Relationship.**

Offences are classified into five major categories, *viz.*, offences against the State, public tranquillity, safety and justice, against persons, against property alone, minor offences against person and minor offences against property. The following statement gives statistics of crimes under Class I to V during 1963 and the previous four years. **Incidence of Crime.**

Offences	1959	1960	1961	1962	1963
Class I—Offences against the State, public tranquillity, safety and justice ..	15	18	25	14	7
Class II—Serious offences against persons ..	106	109	154	150	109
Class III—Serious offences against person or against property alone ..	135	104	118	123	92
Class IV—Minor offences against persons ..	50	41	42	38	34
Class V—Minor offences against property ..	233	173	196	201	149

From the above statement, it is clear that there was a decrease in all classes of offences in 1963 as compared with the previous years.

The number of cases of grave crimes, *viz.*, murder, cattle theft, robbery, house-breaking and theft, and ordinary theft during 1963 and the previous four years are given below :— **Grave Crimes.**

	1959	1960	1961	1962	1963
Murder ..	11	8	13	12	11
Robbery ..	2	..	1	1	1
House-breaking and theft	98	94	94	100	88
Cattle theft ..	8	6	17	7	9
Ordinary theft ..	161	107	133	112	94

There was a slight decrease so far as murder cases are concerned, no variation so far as robbery cases are concerned, and the number of house-breakings and thefts was fluctuating.

The following figures indicate the classification of murders according to motives for five years.

<i>Motives</i>		1959	1960	1961	1962	1963
Sexual Causes ..		1	1	3	3	3
Gain ..		2	2	1	1	..
Family Quarrels ..		3	1	1	4	4
Other causes ..		5	4	8	4	4
Total ..		11	8	13	12	11

Infanticide

Only one case of infanticide was reported in 1961. There was no case of this kind in 1963.

Riots and Disturbances.

A total of 22 cases under rioting were registered during 1961 as against 16 in 1960. Of these, seven cases inclusive of a false case, were due to communal clashes between Malayalees and Coorgs in Srimangala limits. The tense situation was, however, brought under control by timely preventive action. No major cases of this kind occurred in 1963.

House-breaking and Theft.

There was a fall particularly under this head and the crime position was not alarming. Eighty-eight cases of house-breaking and theft were reported during 1963 as against 94 in 1960.

Cattle Thefts.

As regards cattle thefts, there was a decrease in the incidence. In 1961, 20 cases were reported as against nine in 1960 and eight in 1959. In 1963, the number of cattle thefts reported was only nine.

Ordinary Thefts.

There were 133 cases of ordinary thefts during 1961 as against 107 in 1960 and 161 in 1959. This was only 94 in 1963.

Counterfeiting

In Mercara town police station, a case of counterfeiting of 100-rupee currency notes was registered during 1961. Since then no cases have been reported.

Rape.

There was only one case of rape reported during 1963. It was three in 1962 and one in 1961.

Unnatural deaths.

The break-up of figures under the category of accidental deaths is given below:—

		1959	1960	1961	1962	1963
Accidental drowning ..		21	16	22	25	30
Suicidal drowning ..		9	15	15	19	8
Suicidal hanging ..		12	19	18	17	22

	1959	1960	1961	1962	1963
Wild beast ravage ..	2	..	1	3	2
Burns	2	1	..	3
Fall from height ..	7	11	7	6	14
Crushed by weight ..	3	7	10	1	3
Gun shot accidents ..	9	9	7	6	7
Poisoning ..	12	15	7	9	4
Other causes ..	22	26	36	20	16

During 1961, a total of 127 post-mortem examinations were done including 13 cases of murders, seven cases of fatal accidents, one case of gun-shot wound, as against 130 cases in 1960. During 1963, 110 cases went up to post-mortem including 11 murders and 9 cases under Section 304 I.P.C. **Post-mortem Examinations.**

The district is practically free from dacoity cases since 1959. **Dacoity.**

In respect of offences under special and local laws, there have been variations from year to year. The following table indicates the incidence. **Offences under special laws.**

	1959	1960	1961	1962	1963
Arms Act ..	3	1	9	5	6
Gambling Act ..	45	52	44	50	41
Indian Police Act ..	157	119	108	110	111
Caste Disability Act ..	1	..	2	1	..
Motor Vehicles Act ..	2,402	1,927	2,491	2,285	1,948

A new Mysore Police Act as passed by the Mysore Legislature in 1962 has been made applicable to the district.

As the district is free from brothel houses and houses of ill-fame, there was practically no occasion for the enforcement of the Immoral Traffic in Women and Girls Act of 1956, except the detection of one case in 1962. **Immoral Offences.**

Total prohibition was introduced in Coorg in 1956. In 1963, 1,635 prohibition cases were put up. The enforcement of prohibition laws has been made very strict. **Enforcement of Prohibition.**

The enforcement of traffic rules is the duty of the district police. A total of 2,491 cases of violation was reported in 1961, as against 1,927 in 1960, and 2,402 in 1959. The offences in this category include over-speeding, use of dazzling head lights, use of defective lights, violation of route permits, overloading and non-payment of vehicle tax. **Violation of Traffic Rules.**

Motor Accidents.

In all, there were 54 motor accidents during 1961, as against 72 in 1960, and 60 in 1959; 61 persons were injured due to motor accidents in 1961, as against 96 in 1960 and 84 in 1959. The number of persons actually killed due to motor accidents on the roads during 1961 was six as against fifteen in 1960 and seven in 1959. During 1963, 45 persons were injured in motor accidents. The number of persons who actually succumbed to accidents was seven.

Detection and Prevention of Crime.

The following table shows the percentage of detection of cognizable crimes.

1959	..	58 per cent
1960	..	49 per cent
1961	..	35 per cent
1962	..	39 per cent
1963	..	45 per cent

Property lost and recovered.

The value of property lost and recovered during 1963 is given below.

Lost	..	Rs. 83,910
Recovered	..	Rs. 34,117

Sessions cases.

During 1963, 14 cases were committed to sessions and 15 cases were pending from 1962 in the court. Of this, 15 cases were disposed of, eight cases ending in conviction and seven in acquittal.

Habitual Offenders.

There were 79 history sheets for known depreddators in the district at the beginning of 1961. This number increased to 85 at the end of the year. There were in all six rowdy sheets maintained in 1961. In 1963, there were 39 history sheets and 62 rowdy sheets.

Law and Order.

The district was free from any major disturbance. Strikes and lock-outs of a serious nature were unknown. There was no occasion to promulgate Section 144 of the Criminal Procedure Code. The police had no occasion to open fire on mobs, nor were there any lathi charges. The labour situation remained on the whole peaceful. The law and order situation has been quite satisfactory except for some incidents *i.e.* at Napoklu and Goni-koppal.

Cost of the Police.

The total cost of the district police in 1963 was Rs. 7,11,599 as against Rs. 4,89,330 in 1960. The increase in the cost is attributed to the revision of pay scales in 1961 and to the purchase of vehicles for the armed reserve.

2. JAILS AND LOCK-UPS.

There is nothing on record to show where the central prison was located in Coorg during the Rajas' time. It was probably located inside the fort. After the British occupation also, the only jail that served as lodging house for convicted prisoners was at the Mercara Fort. In 1868, the medical men who were administering the jail and the engineers who maintained the building, wanted a separate site for a new prison house. But they differed in opinion on certain points regarding the site of the new jail. The Deputy Inspector-General of the Government of India Medical Department was requested to visit Mercara and report on the subject. Dr. Orr who was deputed for the purpose visited Mercara and after making certain enquiries intimated his preference for the site selected by the Superintendent and the Civil Surgeon to that chosen by the Chief Engineer. The Chief Commissioner of Coorg also favoured the new site. It was found that the jail located inside the fort was defective in many respects. The space was limited and only 94 prisoners could be lodged. On the orders of Government, dated 26th August 1868, a few convicted prisoners were for some time placed in temporary buildings on the site selected for the new jail at Mercara in order to test the healthiness of the spot. The experiment revealed that the new site was decidedly unhealthy. The prisoners placed there were suffering much more from illness than those in the old jail. Again, a new site was chosen. But on financial grounds the proposed building was indefinitely postponed. Meanwhile, the old jail at the fort was improved and enlarged sufficiently to allow of modern requirements in respect of sanitation. The bulk of the jail population was confined in the Mercara District Jail, the taluk lock-ups being reserved for under-trial prisoners and others sentenced to short terms of imprisonment. In 1904, for the first time, women convicts were accommodated separately in the Mercara Jail. The daily average strength of prisoners in the Mercara Jail in the beginning of the present century was 68. In 1924, the Madras Jail Manual was adopted for the administration of Coorg jails. At that time, besides the Central Jail at Mercara, there were four sub-jails located in various parts of Coorg. In later years, upto the time the State was merged with the new Mysore State, Coorg had one central jail at Mercara and one sub-jail at Virajpet, and 19 lock-ups in the various police stations. Prisoners of Coorg domicile sentenced for 10 years or less were retained in the Mercara jail and others were sent to Cannanore. The women convicts were sent to Vellore in North Arcot District. In 1954-55, the accommodation available in Mercara jail was 129 prisoners of all classes. The daily average was 59. The State Medical Officer of Coorg was the *ex-officio* Superintendent of the Mercara Jail and the Subedar of Virajpet taluk was the *ex-officio*

Superintendent of the sub-jail at Virajpet. The Chief Commissioner of Coorg was the *ex-officio* Inspector-General of Prisons. The sub-jail at Virajpet was closed from 1st April 1956.

After Coorg became a district in the new Mysore State, the Mercara Jail was retained and the District Surgeon was appointed *ex-officio* Superintendent of the Jail. The capacity of the jail at present is 129. The average number of prisoners of all classes confined in the jail during 1963 was 75.31 as against 96.32 in 1962. The jail has special accommodation for women, and there is a woman warder. The jail is looked after by a jailor assisted by warders. There are six separate cells where prisoners are lodged. Prisoners are given a breakfast in the morning consisting of rice cakes and coffee, a midday meal and a meal in the night. Each male prisoner is given two blankets, two *jubbaz*, two knickers and plates and vessels for eating purposes. A radio has been provided for the recreation of prisoners. There is a separate barracks for prohibition offenders. A Visitors' Board consisting of officials and non-officials looks after the welfare of prisoners. Only short-term prisoners and under-trial prisoners are lodged in the Mercara jail. Those who are awarded long terms are transferred to Mysore and Bangalore jails. The total cost of the maintenance of the Mercara Jail in 1963 was Rs. 43,248 and the total cost per prisoner per annum came to Rs. 574.

3. ADMINISTRATION OF JUSTICE.

Early History.

The judicial pattern at the time of the Rajas was one of distributive justice which ran evenly except when interrupted by the caprices of the king. There were no written laws. The customary laws had all the force of authority. The king who sat on the throne administered justice in person. The subordinate officers had powers of judicial decision to a certain extent. Disputes of a serious nature and questions involving property to any amount were determined only by the Raja to whom, in all cases, there lay an appeal. On the assumption of the Government of Coorg by the British, the existing judicial organisation of the country was not interfered with. The Patels were empowered to hear, try and determine on their own responsibility upon oral evidence such suits as were referred to them. If the parties were dissatisfied with the decision of the patels, they could appeal to the *Parpathigars*. The *Parpathigars* were hearing appeals against the decision of the Patels. On their own responsibility they were deciding causes not exceeding Rs. 50 on the strength of written evidence. All causes in excess of Rs. 50 and not exceeding Rs. 100 were decided by a specially convened panchayat. Appeals against the decision of the *Parpathigars* were filed in the *Subedar Cutcherry*. The *Subedars* were settling causes up to Rs. 100 on their own responsibility. But in cases where the sum in litigation exceeded Rs. 100, they constituted special panchayats to settle

them. In trying and determining suits, the *Subedars* were assisted by the *Sheristedars* and the *Gumasthas* in actually writing the proceedings of the enquiry. Above these judicial tribunals, there existed a higher court called the *Daryaft Cutcherry* consisting of three men. The *Daryaft Cutcherry* heard all appeals against the decisions of the *Subedars*. It had original powers to determine causes from Rs. 200 to Rs. 1,000 upon recorded evidence. All causes above Rs. 1,000 and not exceeding Rs. 3,000 were determined and settled by a panchayat convened by the *Daryaft Cutcherry* as distinct from the other panchayat convened to try small cause suits. On the criminal side, the *Gauda* of a village was authorised to reprimand or admonish an offender for petty offences. He had powers to apprehend the culprit and handing him over to the *Parpathigars*. The *Parpathigars* had powers to detain any culprit up to 10 days. The *Subedar* had powers of granting bail.

In 1868-69, the introduction of the Coorg Courts Act (Act XXV of 1861) and the consequent abolition of the *Daryaft Cutcherry* was an important landmark in the judicial history of Coorg. The Chief Commissioner at that time did not regard with any sentimental regret the abolition of this old court, although it had performed its work fairly satisfactorily. After the promulgation of the Coorg Courts Act, only two *Subedars* out of six had first class jurisdiction on the civil side. On the criminal side, all appeals against the decisions of the Magistrates were preferred to the Judicial Commissioner. The *Parpathigars* or *Naib Subedars* were invested with powers to try suits for money or moveable property not exceeding Rs. 50. Appeals went from *Subedars* to Assistant Superintendents, and from Assistant Superintendents to Superintendents and finally to the Judicial Commissioner.

Later
Changes.

This judicial pattern underwent changes to suit the requirements of the situation. Coorg, so long as it continued as an independent entity, had no High Court of its own. Originally, the Chief Judge of the old Chief Court of Mysore exercised the powers of the Judicial Commissioner of Coorg. In 1884, the Government of India ordered that the judicial work arising in Coorg and in the Civil and Military Station, Bangalore, should be performed by the Chief Commissioner of Coorg who was also the British Resident of Mysore. Accordingly, he exercised the powers of the High Court. Revision petitions arising out of the orders of the Judicial Commissioner were transferred to the Madras High Court. This arrangement continued up to 1936. On a representation made by the Coorg Bar Association, the Government of India issued orders appointing the District and Sessions Judge of Chittoor district, in Madras State (now in Andhra Pradesh) as Additional Judicial Commissioner of Coorg in addition to his own duties. Under this arrangement, the District and Sessions Judge, Chittoor, visited Bangalore once a month as Additional Judge of the Court of the Resident and exercised the powers

of the High Court, sitting as a single judge. The Chief Commissioner of Coorg sat with him only in referred trials and in appeals against death sentences. This arrangement continued till the retrocession of the Civil and Military Station in 1947. Thereafter, the Madras High Court functioned as the High Court of Coorg. According to the orders conveyed by the Government of India, the Coorg Legislature passed an Act in 1948 (Act II of 1948) extending the territorial jurisdiction of the Madras High Court to Coorg. After the popular ministry took charge in March 1952, the Coorg Government considered the desirability of bringing the State under the Mysore High Court on grounds of language. Eventually, with the concurrence of the Mysore Government, the Coorg Act, No. I of 1953 was enacted. Coorg in judicial matters came under the High Court of Mysore. Up to the end of June 1940, the Commissioner of Coorg was the District Judge. After this, a regular post of District Judge was created. Under the Coorg Courts Act of 1948, the District Court had jurisdiction to hear and determine any suit on original proceedings without restriction as to the value. It was the principal civil court of original jurisdiction for the State. The Munsiffs' Courts at Mercara and Virajpet had jurisdiction to hear and determine any suit of original proceedings, the value of which did not exceed Rs. 2,500. Up to the end of June 1954, the two Munsiffs' Courts were entrusted with the disposal of all cases arising within their respective areas. This work was found heavy. To give some relief to the Mercara Munsiff-Magistrate, the Sheristedar of the District Court was appointed as a special Magistrate with second class powers. A post of Special Magistrate with first class powers with jurisdiction over the whole State was created with effect from 1st July 1955. The Munsiffs and the First Class Magistrates continued their criminal work trying only cases coming under the Indian Penal Code. The Virajpet First Class Magistrate exercised first class powers.

Benches of Special Magistrates in Coorg were first constituted in 1920 under Section 15 of the Criminal Procedure Code in Mercara, Somwarpet, Virajpet and Ponnampet. They are not functioning at present.

Civil Justice.

The District Judge, Coorg, is the highest judicial authority in the district and he presides over the District Court which is the principal court of original jurisdiction in the district. The State Government, in consultation with the High Court, makes the appointment of the District Judge. Subordinate to the District Judge are the Civil Judge's Court and the Munsiffs' Courts. The jurisdiction of the District Court and the Civil Judge's Court extends to all original suits and proceedings of a civil nature. The jurisdiction of the Munsiffs' Courts extends to all original suits and proceedings of a civil nature, of which the amount or value of the subject matter does not exceed Rs. 10,000. According to the

provisions of the Code of Civil Procedure, 1908, the original suits and proceedings, the value of which does not exceed Rs. 10,000, have to be instituted in the Munsiffs' Courts. All other original suits and proceedings have to be instituted in the Civil Judge's Court.

Appeals from the decrees and orders passed by the District Court, when such appeals are allowed by law, lie to the High Court. Appeals from the decrees and orders passed by the Civil Judge, when such appeals are allowed by law, lie (1) to the District Court when the value is less than Rs. 20,000 and (2) to the High Court in other cases. Appeals from the decrees and orders passed by the Munsiffs lie to the Court of the Civil Judge. There is no Additional District Judge's Court in Coorg. In the years 1957 and 1958, 33 and 37 original suits, respectively, were filed in the District Court. Out of these, 11 and 16 respectively, were money suits and the rest were property suits. All these suits have been disposed of. Under the orders of the High Court of Mysore, original suits are required to be disposed of within one year from the date of institution and civil appeals and other miscellaneous matters are required to be disposed of within six months from the date of institution. There are no long-pending cases in the District Court.

The Munsiffs at Mercara and Virajpet are also Magistrates having first class powers. They function as Munsiff-Magistrates in their respective jurisdiction. During 1960, the Munsiff's Court at Virajpet disposed of 189 original suits and 430 small cause suits, the money value of these suits being Rs. 1,26,164 and Rs. 35,501, respectively. The Mercara Munsiff's Court in 1960 disposed of 238 original suits and 392 small cause suits, the money value being Rs. 1,88,705-06 and Rs. 15,430, respectively.

The scheme of the separation of judiciary from the executive was introduced in Coorg from 1st December 1959, and a Judicial District Magistrate was appointed with effect from that date. After the introduction of this scheme, there are two categories of Magistrates in the district *viz.*, executive and judicial. The Judicial Magistrates are the District Magistrate and the Magistrates who are stationed in Mercara and Virajpet. The Executive Magistrates are the executive officers of the Revenue Department in whom is vested the responsibility for the maintenance of law and order. The Deputy Commissioner is also an Additional District Magistrate.

Under the Criminal Procedure Code, the functions of a Magistrate are many and they are enumerated in the several clauses. For instance, the Magistrates have to handle unlawful assemblies, issue licences for fire arms, and try criminal cases. The allocation

of powers between the judicial and executive Magistrates proceeds upon the principle that matters which are purely police or administrative in their nature are dealt with by the Executive Magistrates, while those which are judicial in nature are within the purview of the Judicial Magistrates. As officers of the Revenue Department, the Executive Magistrates are under the control of the Government, while the Judicial Magistrates are under the control of the High Court.

The District Magistrate is the principal magisterial officer of the district and as such, he has general administrative superintendence and control over all Judicial Magistrates.

**Organisation
of Criminal
Courts.**

The Sessions Court is the principal court of original criminal jurisdiction in the district and it is presided over by the Sessions Judge who is also the District Judge. The Sessions Judge tries criminal cases which are committed to his court by the Judicial Magistrates after preliminary enquiry. The Sessions Judge can pass sentences authorised by law, but any sentence of death passed by him is subject to confirmation by the High Court. There is no Additional Sessions Judge's Court or Assistant Sessions Judge's Court in Coorg. During 1961, 21 cases were committed to sessions and two cases were pending disposal from previous year. Of these, 14 cases were disposed of, 11 ending in conviction, and three in acquittal. Nine cases were pending at the close of 1961.

There were two Magistrates' Courts, one in Mercara and the other at Virajpet in 1961. During 1961, in these two Magistrates' Courts, 478 cases were launched and out of these, 166 ended in conviction. One more Criminal Court of the status of a First Class Magistrate has been established in Virajpet.

**Location of
Courts.**

Some three decades ago, the law courts in Mercara were situated in a small building in the town. Later, the courts were shifted to a portion of the District Office which was once the palace of the Coorg Rajas.

**Legal
Practitioners.**

There were about 50 legal practitioners in the district in 1961. Bar Associations are functioning both in Mercara and Virajpet. Each Bar Association has a president and a secretary.