

## APPELLATE CIVIL.

*Before Sir John Wallis, Kt., Chief Justice, Mr. Justice Sankaran Nair and Mr. Justice Oldfield.*

1914.  
March 20 and  
1915.  
April 16.

K. R. RAMACHAÑDRA AYYAR (RESPONDENT IN CIVIL MISCELLANEOUS PETITION NO. 585 OF 1914 ON THE FILE OF THE HIGH COURT), PETITIONER,

v.

THE PRESIDENT OF THE VAKILS' ASSOCIATION, HIGH COURT, MADRAS (PETITIONER IN CIVIL MISCELLANEOUS PETITION NO. 585 OF 1914), RESPONDENT.\*

*Appeal to the Privy Council—Power of the High Court to give leave—Letters Patent (Madras), cl. 10 and 39—Disciplinary proceedings under clause 10—right to give leave to appeal to Privy Council.*

Disciplinary proceedings under clause 10 of the Letters Patent are not appealable under clause 39; and the High Court has no power to give leave to appeal to the Privy Council from an order passed in the exercise of such jurisdiction.

*In re an Attorney* (1911) I.L.R., 41 Calo., 734, followed.

*G.S.D. v. Government Pleader* (1908) I.L.R., 32 Bom., 106 and *Tetley v. Jai Shankar* (1878) I.L.R., 1 All., 726, referred to.

*In re S. B. Sarbadhicary* (1906) 34 I.A., 41, explained.

PETITION praying that the High Court will be pleased to grant the petitioner a certificate to enable him to appeal to His Majesty in Council from the order of WHITE, C.J., SANKARAN NAIR and OLDFIELD, JJ., in *The President, Vakils' Association, High Court Madras, v. Ramachandra Ayyar*(1), and to exempt the petitioner from furnishing security as to costs.

An order was passed under clause 10 of the Letters Patent by WHITE, C.J., SANKARAN NAIR and OLDFIELD, JJ., suspending the petitioner—a High Court Vakil—from practice for a period of three months. Against that order, dated 20th March 1914, the petitioner applied for leave to appeal to the Privy Council.

*G. S. Ramachandra Ayyar* for the petitioner.

The respondent did not appear.

\* Civil Miscellaneous Petition No. 2602 of 1914.

(1) Civil Miscellaneous Petition No. 585 of 1914.

ORDER.—The petitioner relies upon the fact that leave to appeal was granted by this Court in a similar case *In the matter of Krishnaswami Iyer*(1), but on a further consideration of the question we agree with the recent decision, *In re an Attorney*(2), that disciplinary proceedings under clause 10 of the Letters Patent are not appealable under clause 39, and that we have no power to give leave to appeal to the Privy Council from an order passed in the exercise of such jurisdiction. This is also the view taken in *G. S. D. v. Government Pleader*(3). In *Telley v. Jai Shunkar*(4) also it was held that no such leave could be granted and though in the subsequent case from Allahabad, *In re S.B. Sarbadhicary*(5) it appears that leave was granted by the Allahabad High Court, the reports show that special leave to appeal was obtained from their Lordships before the appeal was heard.

The application is dismissed.

C.M.N.

RAMA-  
CHANDRA  
AYYAR  
v.  
THE  
PRESIDENT,  
VAKILS'  
ASSOCIATION,  
HIGH COURT,  
MADRAS.  
—  
WALLIS, C.J.  
AND  
SANKARAN  
NAIR AND  
OLDFIELD, JJ.

## APPELLATE CIVIL—FULL BENCH.

*Before Sir John Wallis, Kt., Chief Justice, Mr. Justice Abdur Rahim and Mr. Justice Seshagiri Ayyar.*

A. T. S. A. ANNAMALAI CHETTY AND TWO OTHERS (PLAINTIFFS),  
APPELLANTS,

v.

S. V. VELAYUDA NADAR (DEFENDANT), RESPONDENT. \*

1915.  
July 21 and  
30, August 5  
and October  
18 and 27.

*Limitation Act (IX of 1908), art. 80—Promissory note payable on demand—Agreement fixing time for payment—Suit by payee—Limitation, from the expiry of the period fixed.*

Article 80 of the Limitation Act is the article applicable to a suit by the payee on a promissory note payable on demand but accompanied by an agreement fixing a period for payment and time begins to run from the expiry of the period fixed in the accompanying agreement.

*Simon v. Hakim Mahomed Sheriff* (1896) I.L.R., 19 Mad., 368 and *Somasundaram Chettiar v. Narasimha Chariar* (1906) I.L.R., 29 Mad., 212, overruled.

(1) Civil Miscellaneous Petitions Nos. 595 and 596 of 1912.

(2) (1914) I.L.R., 41 Calc., 734.

(3) (1908) I.L.R., 32 Bom., 106.

(4) (1878) I.L.R., 1 All., 726.

(5) (1906) 34 I.A., 41.

\* Civil Revision Petition No. 308 of 1914.