

*Judgment of the Lords of the Judicial Committee  
of the Privy Council on the Appeal of Mathusri  
Umamba Boyi Saiba and others v. Mathusri  
Deepamba Boyi Saiba and others (ex parte),  
from the High Court of Judicature at Madras,  
delivered 14th November 1895.*

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Present :

LORD HOBHOUSE.

LORD MACNAGHTEN.

LORD MORRIS.

SIR RICHARD COUCH.

[*Delivered by Lord Macnaghten.*]

THEIR Lordships are of opinion that there is no ground for this application, and that the Appeal fails. They think that the decree of the 8th of May 1868 is in accordance with the judgment pronounced and with the practice of the Court. The judgment of the Court declares that the matter for their consideration was “the future preservation and management of the whole property with a view to the interests of all parties”: the portion of the Decree which is objected to was in the opinion of their Lordships necessary for the security and preservation of the property. There is nothing in the Decree to prevent the Appellants, if they think fit, applying for the discharge of the receiver and manager, and there is nothing to prevent the Court putting the senior widow living in the management of the property if the Court is satisfied that she is a fit and proper person to manage it on behalf of all the persons interested.

Their Lordships will therefore humbly advise Her Majesty to dismiss the Appeal.



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