



Municipal Corporations Act 1882

1882 CHAPTER 50

PART XII

LEGAL PROCEEDINGS.

225 Quo warranto and mandamus.

- (1) An application for an information in the nature of a quo warranto against any person claiming to hold a corporate office shall not be made after the expiration of twelve months from the time when he became disqualified after election.
- (2) In the case of such an application, or of an application for a mandamus to proceed to an election of a corporate officer, the applicant shall give notice in writing of the application to the person to be affected thereby (in this section called the respondent) at any time not less than ten days before the day in the notice specified or making the application. .
- (3) The notice shall set forth the name and description of the applicant, and a statement of the grounds of the application.
- (4) The applicant shall deliver with the notice a copy of the affidavits whereby the application will be supported.
- (5) The respondent may show cause in the first instance against the application.
- (6) If sufficient cause is not shown, the court, on proof of due service of the notice, statement, and copy of affidavits used in support of the application, may, if it thinks fit, make the rule for the information or mandamus absolute.
- (7) The court may, if it thinks fit, direct that any issue of fact on an information be tried by jury in London or at Westminster.
- (8) The court may, if it thinks fit, direct that any writ of mandamus issued shall be peremptory in the first instance.