

Educational (191/) Department.

ORDINARY MS.

G.O., No. 324

DATED 29-5-1911.

[Despatch Abstract.]

Exemption from the examination rules.

Declining to exempt A. R. Subba-
Iaya Aiyar, Clerk of Munsifs Court,
Cholingur, from the civil just test and
the translation test, lower grade.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Stock Form No. 134.
4,000-10-10.

Educational
JUDICIAL DEPARTMENT.

SPC No 874
Agg 15. 4. 11

Received 191 Registered 191

By 96 28 22. 8. 10 am

Pub. Secy.
Sp. Test

Subject.

Forwarding the memorial with copies of testimonials from A. R. Subbaraya Aiyar, 2nd clerk, District Munsif's Court, Sholinghur, with a copy of the forwarding letter from the District Judge, North Arcot.

ENCLOSURES.

No. 3

Spare copies

R.O.C. No. 675/11

Station Madras, Dated the 12th April 1911. 191

DESPATCHED

12/PR 1911

From (Name) M.R. Ry. S. Tyagaraja Aiyar Ayl.
(Designation) Ag. Deputy Registrar, High Court

To The Chief Secretary to the Government of Madras,
Educational Department.

Hon'ble Sir,

I am directed to forward for the orders of His Excellency the Governor in Council the memorial dated 16th February 1911, from A. R. Subbaraya Aiyar, 2nd clerk, District Munsif's Court, Sholinghur, praying for exemption from passing the Civil Judicial Test and the Translation Test (Lower grade) prescribed for Head clerks in the District Munsifs' Courts with copies of his testimonials and a copy of the District Judge's forwarding letter.

2/
-2-

that the Hon'ble the Judges are not prepared to express an opinion as to whether the District Court Sheristadar's test in Travancore is equivalent to the Civil Judicial Test and Translation Test.

I have the honour to be,

Sir,

Your most obedient servant,

J. Chappin

Ag. Deputy Registrar.

22K
12/11/11
P.S.

3/

Copy of letter No.683, dated 25th February 1911
from Raja K. C. Manavedan Raja, District Judge, North
Arcot to the Registrar of the High Court of Judicature
Madras.

I have the honour to forward herewith a --
Memorial to His Excellency the Governor in Council,
dated the 16th instant, from A. R. Subbaraya Aiyar,
2nd clerk of the District Munsif's Court of Sholinghur
praying to be exempted from passing the Civil Judicial
Test and the Translation Test (Lower grade) prescribed
for Head Clerks in the District Munsif's Courts and
declared qualified for such posts and another petition
to the High Court of the same date, praying that his
case may be considered in the circumstances therein
stated and his Memorial to Government forwarded with
the High Court's special recommendation; and to --
state that I have nothing to add to what I have re-
marked in my letter No.2013, dated the 25th July last.

Sholinghur.

16th February 1911

To

His Excellency the Governor in Council,
Fort St. George, MADRAS.

Through

The District Munsif of Sholinghur.

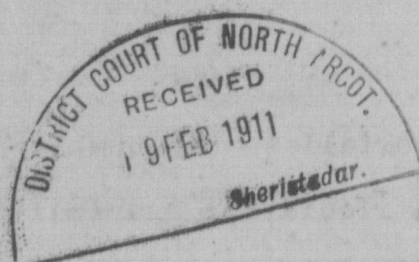
The humble memorial of A.R. Subraya Iyer, 2nd clerk of the District Munsif's Court of Sholinghur most respectfully sheweth:--

That your memorialist most humbly begs to state that he has passed the Matriculation examination and Hand-Writing test and has put in a service of more than 18 years as a clerk of this court and that prior to his entertainment in this court he was serving in the civil courts of the Travancore State for a period of 5 years.

2. That, while in the service of the Travancore Government the memorialist passed the test prescribed for the District Court Sheristadars in Travancore which qualified him for the post of Sheristadar in the District Courts of that State (a copy of the gazette sheet wherein the memorialist was declared to have passed the above test was already submitted along with his previous memorial for this same purpose) but owing to adverse circumstances and the distance from his native District, South Arcot, he was obliged to give up the Travancore service before he could avail himself of the advantages afforded by the success in the above test.

3. That at the time when the memorialist was entertained in this Court and for a long time after, the rule

which

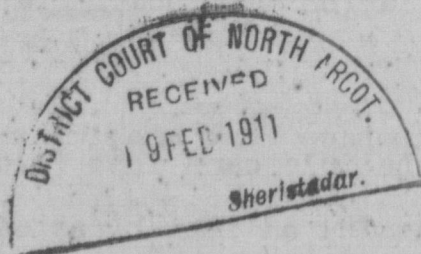


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-E-
in 1894

which has now made the passing of the Civil Judicial test and the Translation test (Lower grade) a necessary qualification for the post of Head clerks in the District Munsifs' courts was not in force and the memorialist was therefore not very particular about passing the same especially when he had passed a test which to all intents and purposes could be regarded as equal to the Civil Judicial test and the Translation test Lower grade of the Madras Government.

4. That even after the rule came into force the memorialist made an unsuccessful attempt by appearing for the examinations, Civil Judicial Test and the Translation Test (Lower grade) but was prevented from making any further attempts to appear again on account of hard and heavy work in this court such as clearing off large arrears in execution records as will appear from the copy of testimonial (submitted with the previous memorial) of M.R.Ry., T.S. Krishna Aiyar Avergal, the then District Munsif of this Court.

5. That the memorialist submits that his experience in this Court and in the Travancore State coupled with his passing the test prescribed for the District Court Sheristadars in Travancore has enabled him to understand the details of ministerial work in all the various branches of the department and that barring the technical disqualification above referred to, there can be no impediment to his being entrusted with the work of the Head clerk of a Munsif's Court. (copies of testimonials from superior officers under whom the memorialist served which were already submitted with the previous memorial bear ample testimony to the same.)



6. That the memorialist further submits that it is now too late for him to think of applying for the above examinations and that he has no other course left open to him than to throw himself on the mercy of Government.

Under the above circumstances the memorialist prays that the Government will be graciously pleased to re-consider the memorialist's humble submissions made above and to exempt him from passing the tests and declare him qualified for the Head Clerk's posts in the Munsif's courts.

For which act of kindness and charity the memorialist shall as in duty bound ever pray.

Copies of testimonials are here with submitted

AR Subramanyam Esqr
16-2-11

In Cur. No. 6257/19



TESTIMONIALS.

I.

District Court, Quilon,

11th Thye 1067

23rd January 1892.

A.R. Subbaraya Iyer has been a clerk in this Court for nearly 2 years and has discharged his duties very satisfactorily. He is intelligent, willing to do any work that may be given to him and hard working.

(Sd) W.T.A. COSBY

District Judge.

II.

The Endorsement made by the District Munsif of Sholinghur on the application put in by A.R. Subbaraya Iyer on 7th April 1900 for a promotion in the District Munsiff's Court at Arni.

Forwarded for favourable consideration. The clerk is an intelligent, honest and willing servant. He is able to do lot of work quickly and intelligently and is very useful. He deserves promotion.

(Sd) T.S. Krishna Iyer

7th April 1900.

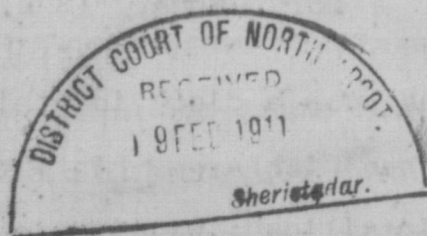
District Munsiff

III.

The Endorsement made by the District Munsif of Sholinghur on the application put in by A.R. Subbaraya Iyer on 16th July 1900 for a promotion in the City Civil Court Madras.

Forwarded for favourable consideration. The applicant has been in charge of the execution work since I

assumed



8
-2-
A

assumed charge about one year ago. This Court is the heaviest of all the Courts I presided and the work in the execution department is more than double of any of the other courts. The clerk did his duties promptly without keeping any arrears and has been able in addition to rectify the confused state of affairs that previously existed and has brought successfully everything to order and system. He is an intelligent smart man and I believe his character good. He will be a very useful clerk in the Ministerial Establishment. He possesses fair knowledge of the Acts and Laws that are necessary in checking the applications. It appears he was also doing duty as trial clerk and so he is able to manage that work also well.

16th July 1900.

(Sd) T.S. Krishna Aiyar
District Munsiff.

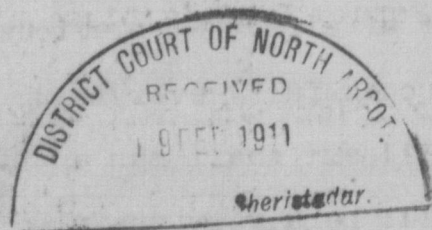
IV.

A.R. Subbaraya was doing execution business during the time I was Munsif of Sholinghur. I found him an active intelligent and painstaking clerk, and has had taken great pains to study the High Court Rules of Practice which was of considerable help to me in seeing that the new Rules were all followed strictly. He is one of the efficient clerks of the Court and I had the satisfaction of seeing him promoted in my time. I had got him appointed as Deputy Nazir and during the time he did work as Nazir I was much impressed with his systematic habits and fitness for the place. He is well deserving of encouragement and has my good wishes for further progress in his career.

14th July 1906.

(Sd) A. Rajagopalier.

A. R. Subbaraya
16-2-11



v

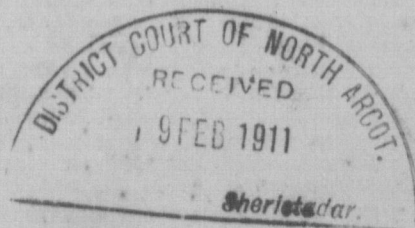
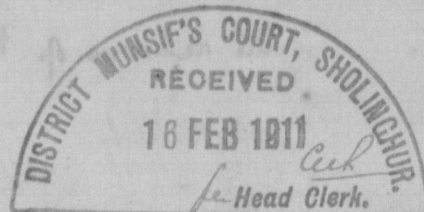
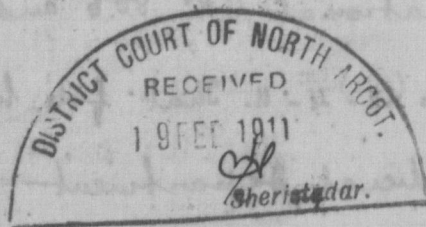
The Endorsement made by the District Munsif of Sholinghur on the application put in by A.R. Subbaraya Iyer on 11th July 1908 for the Deputy Nazir's place at Tirupati.

The applicant is efficient and hard working.

(Sd) F. Subbiah. 11-7-08.
District Munsif.

A. Subbaraya Iyer
16.2.11

In Cur. No. 675/11



E. & L.
2,000-15-3-09.

10

Educational DEPARTMENT.

C. No. 874 From the Dy Registrar, High Court No. 675/11, dated 12-4-1911.

SUBJECT. Exemption A. R. Subbaraya Aiyar, Clerk
St. Munsif's Court, Sholinghur, from the Civil
Judicial test and the Translation test, Lower Grade.

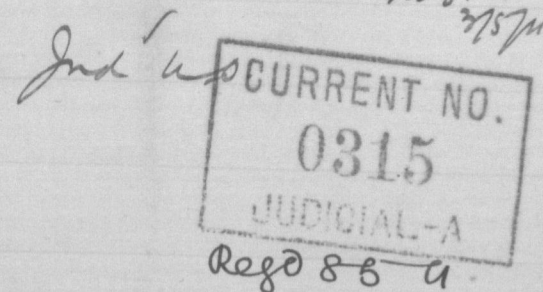
H. Gons. 496 Edl dy 22-8-1910 in which a previous appli-
cation from Subbaraya Aiyar on the same subject was disposed
W. of was put up with Educational CR. 806 and sent to the
Judicial Department on 12-4-11. That file has not yet
been returned by the Judicial Department and therefore
H. Gons. 496 Edl dy 22-8-10 is not available. Submitted that
the return of the file from the Judicial Department may be
awaited.

PP
2-5-11

Well Judicial kindly take out G.O. No. 496 Edl
dated 22nd August 1910 from the other file and return
it to this department; if it is not ~~present~~

Encl. 874-1
35/5-11

RD
2-5-11



Judicial Dept.

For the H.S.

G.O. 496 Edl. 22.8.10 has been removed
from the other file and has been put up in this file.
The file may, it is submitted, be returned to the
Educational Dept.

To avoid a further reference from SD.

CA.
8-5-11

Judl

H
It is now going back
to SD's Dept.

Jud. may perhaps express their opinion on the merits of the case now

Wm
8/5/11

Perhaps it w^d be better if Educ^t could first ~~offer~~ give us some information about the Travancore test referred to in the Registrar's letter

Sr
11/5

Educ^t w^d

Educational Department

I really cannot see how Educ^t is in a better position ^{for information} ~~to express an~~ opinion than Judicial. If a search of the Travancore Almanac or Gazette does not show what the test is, it will be necessary — if Jud^t really does not know — to get the facts through Police & the Resident.

Jud^t Co. 10/5/11

The case has already been disposed of in G.O. 496 of 22.8.10, and it is submitted that Judicial cannot support the application.

H

Educational Department

CS

Sr
17/5
24/5

For the pet^r.
Para XIII (3) of C.
Pet^r. Rules. &
24.5.11

~~I decline to offer any opinion at~~
G.M./5

Jud: G.O. 315 A-1



Sl no. 876-2
Df 16.5.11
16/5

CURRENT NO.
0315

NOTES.

Page 13/12

K. Para. XIII (3) of the old "C. Petition Rules" corresponds to para. XIV (3) of the latest rules published in the Fort St.

Q. George gazette of 4th April 1911.

2. As the reply has to go to the petitioner through the High Court a draft letter is submitted for approval.

PP
25.5.11

AD
25.5.11

Done

25/5/11

✓

14
Note for the Deputy Registrar.

Two or three days ago I dealt with a petition from a District Munsiff's clerk who applied for exemption from the Civil Judicial Test on the ground that he had already passed a similar test in Travancore. The case went to Judicial and on its return I noted instructions to give the petitioner paragraph XIII(3) of C. Petition Rules. When so doing I overlooked the fact that the petition had come with a covering letter from the High Court. I have not seen the file again, but should like to do so in order to satisfy myself that the reply to the Registrar is suitably worded and is not a mere endorsement to the petitioner.

J
26.5.11

For Secretary

Please see file placed below.
The order has not yet issued.

AD
26.5.11

Revised slightly.

J
26.5.11

W
26/5

[No. 324 visd 29-5-11]

” ” ” ” , ” 181

C. No. 874, From the Dy Registrar, High Court, No. 67574, dated 12-4-1911

” ” ” ” ” ” 181

" " " " " " 191

No. 324, dated 29 5 1911

7.

The Hon'ble the Chief Justice of the
High Court of Judicature at Madras,
Hon'ble Sir

With reference to the Ag. Dy Registrar's letter R.O.C No. 675/4 d^y 12th April 1911 I am directed to ^{request} ~~state that~~ ^{that} the memorial from A.R. Subbaraya Aiyar, 2nd Clerk, Dt. Munsif's Court, Sholinghur, has been rejected under para XIV (3) of "C. memorial Rules."

PP
25.5.11

25.5.11

I have to

2654

may be informed that his
Memorial proving for a
consideration of his case

Desks
29.5.11

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

191

READ AGAIN G.O., No. 191

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy Heading only.