

Educational (1913) Department.

MISCELLANEOUS.

G.O., No. 170

DATED 24. 2. 13.

[Despatch Abstract.]

Exemption from the examination rules

Informing the Chief Justice of the High Court of Judicature
Madras, that the Government have exempted the ^{Translator, B. School, Baramba, Coimbatore} K. V. Ananthamurayana
Aiyar from the Civil Judicial test until the publication of the results
of the examination to be held in October 1913.

287. C. No. 3824
2.6.2.13.

To

His Excellency The Governor in Council
Fort Saint George.



May it Please Your Excellency,

The South Malabar District

Court a typical Court formerly graced by experienced Judges ripe enough to the High Court Bench, Judges like Mr. Wilkinson, Mr. Benson, Mr. Davis, Mr. Moore, Mr. Russell, Mr. O'Sullivan, Mr. Miller and Mr. Munro all of whom previous to their elevation to the High Court graced this important court, has now become a court of farce owing to the capricious manner of administering justice for want of experience for the Judge thereby resulting in great hardship to the client population. This in turn ruins many families who could not avoid litigation and thus brings misery to the state such families being reduced to poverty. A careful perusal of some of the judgments of the present Judge will support this vehement statement and it is time for South Malabar District Court to get an experienced Judge.

Coming to the internal administration, many a heart burning is created owing to the whimsical ways of the Judge in making appointments, transfers etc. While there are B.A.s and F.L.s and persons otherwise fully qualified to hold ^{appointments} ~~positions~~ in the same court and in the same District, the Judge imports outsiders and recommends to the High Court and to the Government the ~~exam~~ men from examination qualifications and thus frustrates the C.S.R and the University. Lately a clerk who has not passed the Judicial Test a very simple and necessary test for this Department was recommended to the Government for permanent exemption and when the Government rightly refused the exemption, the Judge recommended him to the High for exemption

*Wickham
K. D. D.*

for one year. That Honorable Court granted the
The Judge, it is said after one year again wrote to the
Court to exempt that clerk for one more year but the
Court Judges refused this. We hear that the Judge
addressed the Government to exempt this clerk when the
Government has once refused to do so. Why these extra-
ordinary courses should be adopted when there are any number
B.As and D.As and many others fully qualified to hold the
appointment and some who are even qualified to be District
Munsifs. We are told that the Judge wants to appoint
this clerk as his Sheristadar and thus block the way to others
because this clerk has no chance of further promotion.
It seems that the Judge appointed this clerk as Sheristadar
when the High Court gave him one year's exemption. Now
that one year is over, the Judge wants to exempt him again.
The High Court refused this and the matter is taken to the
Government. Why this special favoritism should be shown to
no one knows except the Judge himself. It is not because
the State would suffer, certainly, because there are many
B.As and D.As and others to hold the Sheristadar's appoint-
ment, but the Judge does not want them but wants to block
the way of competent men by thrusting this unqualified man
with the help of the Government. Of course it is very
doubtful whether the Government would accede to such un-
reasonable proposals. On the whole at a place where
Justice ought to reign, injustice is now reigning and it is
hoped that the Government will redress all these.

Justice.

Copy to
His Excellency the Governor, the Hon'ble Members
of the Council, the Chief Secretary etc.

*The petition is anonymous
& may be 'Logged'*

8/12/13 CA 14/13

610
1911

EDUCATIONAL DEPARTMENT

✓ 4
C-18.0413

R.F.D.-803.

Received..... 2 FEB 1913 191 , Registered..... 18/2/1913

Subject.

Forwarding for the orders of Government a memorial from
K.V.Anantanarayana Iyer, Translator, District Court, South
Malabar, praying for temporary exemption from the Civil Judicial
Test.

*This man came to
see me - add a two cc, I think*

ENCLOSURES.
No.
.....
Spare copies.....

R.O.C. No. 412/13.

Station Madras Dated the 27th February 1913.

From (Name) Arthur Davies Esquire,
(Designation) Deputy Registrar, High Court,
Appellate Side.
To the 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 a memorial from
K.V.Anantanarayana Iyer, Translator, District Court, South
Malabar, praying for temporary exemption from the Civil Judicial
Test till the publication of the results of the next examination
to enable him to obtain temporary promotion.

I have the honour to be,
Hon'ble Sir,
Your most obedient servant,

Art Davies
7-2-13
Dy. Registrar.

R.G.

7 FEB 1913

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

Thro,

The Honourable the High Court of Judicature,
M a d r a s.

Thro,

The District and Sessions Judge of South Malabar,
C a l i c u t.

The humble memorial of Kalpathi V. Ananthanarayana
Aiyar, Translator, District and Sessions Court of South
Malabar,

Most respectfully sheweth:--

That Your Excellency's petitioner has put in a total
service of 23 years and three months and he has been the
Translator of the District and Sessions Court since the
19th June 1905.

2. That though your petitioner has passed the First-
in-Arts Examination, the Criminal-Judicial test (Higher
Grade) Translation Test (Higher Grade) and Precise-writing
test, his failure to get through the civil judicial test
examination has operated as a bar to further promotion in
the service.

3. That the hard work which has invariably fallen to
the lot of your petitioner in the various situations that
he held during his official career, while it gave his --
official/superiors abundant opportunity to judge of his
character and capacity for work, afforded him but little
leisure for study. Even in his present situation as the
Translator of the District and Sessions Court he has very
little chance of getting the requisite leisure and oppor-
tunity to prepare himself for the examination.

4. Throughout his official career the ^{aim} ~~object~~ of
your petitioner has been to discharge the duties of his
office conscientiously and efficiently. That the endeavour

of your petitioner in this direction has not been wholly in vain will be manifest from the following extracts taken from testimonials given by the distinguished officers whom your petitioner has had the good fortune to serve *under*.

5. The Honourable Mr.N.S.Brodie under whom your petitioner served at the beginning of his career was pleased to certify in 1890 that your petitioner "showed himself an exceedingly smart and industrious hand", and to add that "he is very clever and ought in time to do very well". The same officer when he was the District and Sessions Judge of South Malabar nearly thirteen years later was kind enough to certify again that your petitioner "has confirmed the opinion which I formed of his abilities when he was only just entering the service" and to express his hope and trust that your petitioner "will rise higher".

6. The Honourable Mr.Justice Munro and the Honourable Mr.Justice Miller have both during their tenure of office in South Malabar borne testimony to your petitioner being "a very efficient clerk, quick and willing" and being "deserving of promotion".

7. Your petitioner respectfully submits that the several Indian Judges under whom he has served were also satisfied with his capacity for work and character. The late Rao Bahadur O.Chandu Menon was pleased to observe in 1898, "of all the Bench clerks that I have had for the last 25 years or so, none have been so highly industrious, none so devoted to work and none so painstaking..... He is a highly intelligent and capable clerk. As a Translator he will be an acquisition to any Court." Diwan Bahadur Venkataramana Pai and the late Mr.K.Krishna Rao have also certified as to his capacity for work and recognised his claim for promotion.

8. Mr.L.G.Moore, I.C.S., the late acting District Judge of South Malabar in recommending your petitioner for

the post of a Bench Clerk in the High Court had also occasion to testify to your petitioner's "high character and the excellence of his work."

9. That your petitioner begs to state that he applied to Government in July 1911 for permanent exemption and that his prayer was refused by Government as communicated by the High Court in their Proceedings R.O.C.No.1851, dated 6th September 1911.

10. That your petitioner further begs to state that under the temporary exemption from the civil judicial test granted by the High Court in Dis.No.190 dated 31st January 1913, he acted as the Sheristadar of the District Court of South Malabar on three occasions in all for a period of four months and twenty two days. But though he appeared for the said test held in October last, he unfortunately failed in the examination.

11. That having regard to the long service put in by the petitioner, the good work done by him and other circumstances set forth above, Your Excellency's humble petitioner most respectfully prays that Your Excellency may be graciously pleased to sanction his exemption from the civil judicial test until the publication of the results of the next examination so as to enable him to obtain temporary promotion.

For which act of grace, Your Excellency's humble petitioner shall ever pray.

31st January 1913.

W. Anantavargyan
Translator,
District & Sessions Court,
Calicut.

Encl-1
to
C.O. 1413 28/18

Copy of letter from the District Judge of South
Malabar, dated 31st January 1913, No.439.

I have the honour to forward herewith a
memorial addressed to Government by K.V.Anantanarayana
Iyer, Translator of this Court, praying that he may be
given temporary exemption from the Civil Judicial
test until the publication of the results of the next
examination and to recommend that in the circumstances
stated his request may be granted. During the time
that he has acted as Sheristadar he has given satisfaction

K.V.V.

hwp
31/1/13

In Cur. No. 412 10/13

7
9

ES. C. 408
8-2-13



Calicut
1st Feb 1913

Dear Davidson,

Please listen to
the tale of woe of the
bearer of this note,
K.V. Ananta Narayana Aiyar,
translator of my
Court & sometimes acting
Sheriff, who can
no longer act because

SKP

(Laid)
 I have not passed the
 judicial test. He wants
 to get a temporary
 Exemption until the
 results of the next
 Examination are known.
 I hope he may
 get it.
 Yours sincerely
 Arthur Edgington

5/4/22

Please attach this to
a letter now on its way
from the High Court
forwarding the Translation
applicⁿ for temporary
exemption.

I have since then a
leaving body.

LD
F. 2. 13

5/1/13 ✓

10

C. No. 413. From the Registrar of the High Court No. 413/13, dated 7.2.1913.

SUBJECT.

Temporary exemption of K. V. Anantanarayana Aiyar, Travancore, District Court S. Malabar, from passing the civil ~~and~~ judicial test.

In July 1911, K. V. Anantanarayana Aiyar applied for permanent exemption from the Civil judicial test. Both the District Judge & the High Court recommended the application. But the Govt. refused the exemption.

(V) vide letter No. 610 G.O., 31st September 1911. K. V.

Anantanarayana Aiyar now applies for temporary exemption from the examination test till the publication of the results of the next examination to be held in October 1913. The temporary exemption may perhaps be granted. The judicial Dept. may be consulted as.

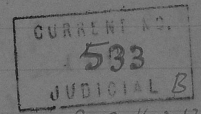
8K. A. J. S.
12.2.13. P. J. S.

13.2.13

Judicial a.o.

(App. anonymous petition relative to this case can be referred to the District Judge below)

It comes under the
from an enemy or a
civil candidate for
the post



Regd. 14.2.13

Ed. No. 413-1
14.2.13.

The temporary exemption may be granted, on
 the understanding that K.V. Anantaraman Iyer
 appears for the next Test. If he fails then,
 no further exemption can be granted, and he
 will have to be content with his Translatorship.

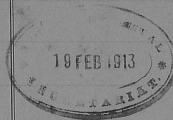
Sd/-
 15/2

I agree

17 13

Sd/- a o

Just u.o. 533-1
 17-2-13



SK
 Handwritten
 a
 9/2

Col Deptt

Draft letter is submitted for
 approval.

SK, CR
 19.2.13

Ld.
 21.2.13

READ AGAIN G.O. No., dated 191

READ ALSO:—

C. No. 413, From the High Court No. 412/10, dated 7. 2. 1913.
+386.

Letter
~~ORDER~~
Miss

No. 170 ^{his}, dated 2-2-1913

20

The Honble the Chief Justice of
the High Court of Judicature at Madras.

Hon'ble Sir

With reference
~~concerning~~ to the Mr Registrari
letter R.O.C No 4129/13 of 7th February 1914

I am directed to state that the Gov^t ~~are pleased to~~^{has} exempted K. V. Anantmarayane Aiyar from the civil judicial test until the publication of the results of the examination to be held in October 1912.

~~I am not in doubt if the water~~
~~overruns & overflows from in~~
~~this examination he will not be~~
~~finding any further evidence.~~ Have you
22.2.02

Dep 5.
25-2-13
NA

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 $\frac{22}{24-213}$
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When given for copying _____
 When copied _____
 When examined _____
 When signed _____

191

READ AGAIN G.O., No.
 101 .

. DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

AGREEMENT WITH DETO.

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V.B.—

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