

Edd (1915) Department.

Mis SERIES.

G.O. No. 912 Edd

DATED 18-8-15

22, 2nd

[Despatch Abstract.]

College of Engineering. Confirming the
despatch of a telegram to the Secretary of State
stating that temporary arrangements
have been made in the pending
recruitment of a Professor of Civil
Engineering.

EDUCATIONAL DEPARTMENT.

CN. 2387 of 2

Received



Registered 9.7 1915.

Subject.

ENCLOSURES

No. 2

Spare copies

No. 184-P.

Station Ootacamund, Dated the 8th July 1915.

From (Name) H.G. Stokes Esq., C.I.E., I.C.S.,

(Designation) Ag. Private Secretary to H.E. the Governor.

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

Sir,

I am desired to transfer to you for disposal by the Government the enclosed code telegram, dated the 7th July 1915, from the Right Hon'ble the Secretary of State for India, London.

I have the honour to be,

Sir,

Your most obedient servant,

A handwritten signature in dark ink, appearing to be "H. G. Stokes".

Ag. Private Secretary.

C.

X75

27

INDIAN



TELEGRAPHS.

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay.

Rs.

As.



Handed in at (Office of Origin).

Date.

Hour.

Minute.

Service Instructions.

Words.

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N. P.—The name of the Sender, if telegraphed, is written after the text.

Decoded a fax 3 info

3/4
Telegram from the Secretary of State for India to the Governor
of Madras, Educational Department, dated 7th July '15.

(R)

Your despatch dated 8th June. One Professor of Civil
Engineering. It is quite impossible to find any competent
man here at present. Cannot post be filled by deputation
of Public Works Officer.

J. & P.

Judicial and Public Department.

Copy Telegram sent to the Governor of Madras (Educⁿ Dept)



the

7th - July

1915.

From Secretary of State to Governor of Madras, Education Department, 7th July 1915.

2579

Your despatch of 8th June, No. 1. Professor of Civil Engineering. It is quite impossible to find any competent man here at present. Cannot post be filled by deputation of Public Works Officer?

[E. & L.]
3,000-15-2-22.



Educational

6

C. No. 237 From the P. S. L. No. 184 P, dated 8.7.1905.

SUBJECT.

Recruitment of Professor of Civil Engineering in the College of Engineering, Madras

M. R. R. P. V. Manickam Nayakar, Executive Engineer, P. W. D., who had acted for six months in 1914 as Professor of Civil Engineering during the absence of the permanent incumbent on leave, has again been appointed temporarily to act in the same place pending the arrival of a new officer from England. The Secretary of State now states that it is quite impossible to find any competent man at present and enquires whether the post cannot be filled by the deputation of a P. W. officer. Submitted that the D. P. D. may in the first instance be requested to offer his remarks.

Exo. no 260 R
1.7.14

Exo. no 198 R
25.6.15

page 3 of 4

By CA 10/7/15 D. P. S. L.

10/9/15

Madras for Dept.

Colo 2381-1

12.7.15



Notes in 12

There is no objection to M. R. R. P. V. Manickam Nayakar continuing in the College.

10/8.15

Educational Department

Submitted that the P. D. D. may be asked to state whether they agree to allow Mr. Manicka Nayakar to continue as Professor until the Govt of State is able to recruit an officer. ~~It cannot~~ cannot be said when the latter will be possible.

CA
3-8-15

'P'

I understand that Mr. Manicka Nayakar has not a particularly good record and, for the manner and matter of the petition now, I should doubt if he is a proper person to be an instructor of youth. ~~Should we~~ ~~could spare another~~ Would the P. W. D. kindly advise on these points and, if they think he should be replaced, say whether they can spare another officer or recommend a retired officer for the post?

GP

2.8.15.

PUBLIC WORKS DEPARTMENT
S. No. 977
D. 6.8.15

Col no 2381-2



P. W. D. u. o

9

8
P.W.D

~~Det~~
W

Mr James' report on Mr Manickam Nayakas for the period he later was employed as a Professor in the college ~~last year~~ is with W. This will show whether Mr Manickam Nayakas is suitable to continue in the position he now holds.

~~Attention is in this connection made to the annexure to letter N 1742 W dt 9.9.12.~~

2/ Cwing to the considerable shortage of officers at present it does not seem possible to spare ~~for the college~~ any other officer more of suitable for the college than Mr Manickam Nayakas. We have also no retired officer whom we can recommend for the post.

~~For~~
T.M.
9.8.12

Submitted for order
Wg/M.
10/8.

In his report Mr James says "Mr Manickam Nayakas appeared to be kindly & teaching work, and was attentive to his duties. He got on well with the students and the members

of the staff generally". This looks as if he
were properly placed as the college.
as an executive engineer he has not been
a success. I am afraid I cannot spare
any other officer or recommend a retired
officer.

P.O. No 977
DATED 11.8.1915

from
10/8/15

Educational



1.374

Educational Department

It is for consideration whether the
Secretary of State may be informed,
with reference to his cable of the 7th
instant, that pending recruitment,
temporary arrangements have been
made by post-graduate P.W. officer.
Subject to approval, the following
draft reply is submitted:—

Telegram dated
8th 16.8.15

From the Governor
of Madras to the
Secretary of State

Resumebant

Your telegram of
the 7th July

Soprenaba

Professor of Civil
Engineering

Xeraphim

pending recruitment
temporary arrangements

pending recruitment

Spalethra

have been made.

Ipergensia

18/6

[by deputations of - Deterrence
officers - officers
P.W.D. Madras - Perd Labo]

CA
12.8.15

We seem to have no alter-
native.

The last three words of the
cable may be omitted

8
13.8.15

H.E. the Governor.

P.
14.8.15.



A draft letter to the Under Secretary of
State (together with a fair copy) confirming
the above cable is submitted.

CA
17.8.15

CAH
18.8.15



10

11

EDUCATIONAL DEPARTMENT.

No. 912 EdC. Min.

From

The Hon'ble Mr. C.G. Todhunter, I.C.S.,
Acting Secretary to the Government of Madras.

To

The Under Secretary of State for India.

Dated Ootacamund, the 17th August 1915.

Sir,

I am directed to confirm the following telegram despatched to
the Secretary of State for India on the 16th August 1915:--

"Your telegram 7th July Professor of Civil Engineering.
"Pending recruitment temporary arrangements have been made."

Df to Hon
12-5-15
M.

I have the honour to be,

Sir,

Your most obedient servant,

O/C

for Acting Secretary to Government.

EdC
18.8.15

17.8.15

17.8.15

Copy to the P.D.
(with copy of Secy of States telegram)



TRICHINOPOLY,
Dated the 14th June 1915.

To,

The Honourable the Chief Secretary,
to the Government of Madras,
OOTACAMUND.



and

To,

His Lordship,
The Chief Justice of the High Court,
MADRAS.

The humble petition of P. V. Manickam Naicker B. E., M. C. I. (London), son of Ven-
catasamy Naicker, Pagalpat, Salem District now camping in Andar Street, Trichinopoly.

Most Respectfully Shewth:—

Nature of
evidence.

1. The petitioner holds the rank of an Executive Engineer in the Madras
P. W. D. and is now on furlough for one year from the beginning of this year,
preparatory to proceed to England on deputation under the sanction of His
Lordship the Secretary of State for India, but is only detained by the 'War'
conditions in Europe. Docu-
mentary.

2. In the meantime the petitioner has been offered the acting post of the
Professor of Civil Engineering in the College of Engineering Madras from the
26th instant, when College reopens, for which he has signified his consent and is
awaiting orders of posting from Government. Do.

3. The petitioner is one of the parties in some litigation in the District and
various other Courts of Trichinopoly as well as in the High Court of Madras,
and so are D. B. Vedavalli Ammal, Sornathammal, K. Subramanya Mudaly
and some others. Do.

4. The life and liberty of the petitioner, that of the said Vedavalli Ammal,
an orphan unmarried girl of 20, and that of some other relations and servants have
been in peril, and such peril has considerably increased of late after the said
Vedavalli Ammal had succeeded in December last in obtaining a decree for posses-
sion of her father's Estate from the possession of one of Sornathammal's sons
under the control of the District Court, under circumstances which will be
stated hereunder. Sornathammal and her rowdy partisans freely and openly
express and challenge that they have the explicit private sanction of no less a
person than Mr. H. O. D. Harding the District Judge of Trichinopoly, to murder
or to implicate in some serious case which will take the petitioner and others, to
his Court, so that they may have decision in the only one way, that is in their
favour. Oral and
docu-
mentary.

- 2
- Nature of evidence.
5. Such allegation about Mr. Harding is incredible, but there is not the least doubt that Sornathammal and her rowdy partisans implicitly believe it, on account of, his relationship as a tenant under her, what would appear to be his personal interest in her success, and a large series of his official and judicial actions with a distinct bias in Sornathammal's favour more and more after the Estate has been decreed against her. Docu-mentary.
6. The humble prayer of the petitioner is that in the interests of law and justice, in the interest of the parties engaged in litigation in his Court, in the interest of public peace and order, and none the less in the interest of Mr. Harding's fair name his personal relationship with the parties in his court may be terminated by an administrative order at an early date. Do.
7. For a proper understanding of the case a brief account of the origin and progress of the litigation in question is indispensable. Do.
8. One D. Balasubramanya Mudaliar of Andar Street Trichinopoly died in January 1909 leaving an only natural born daughter who was then a minor and orphan as his wife predeceased him, and an estate fetching about Rs. 1000 a month. More than half of this Estate belong to charitable, religious and other endowments. The Estate was placed in charge of the petitioner and one P. Thangavelu Mudaliar brothers-in-law of the deceased, by the Revenue authorities on behalf of the said Vedavalli Ammal, and it was managed on her behalf for about 10 months. Do.
9. A few months after the death of the said Balasubrahmanya Mudaliar, one Sornathammal, wife of his deided brother, set up an adoption on behalf of the deceased in the person of her minor second son, Rajaratnam Mudaliar, and presented O. P. No. 323 of 1909 in the District Court Trichinopoly under the Guardian and Wards Act and the petition was ordered without opposition. The petitioner and the said Thangavelu Mudaliar were appointed guardians of the property and Sornathammal the guardian of the minor. Do.
10. The adoption set up, though socially acceptable, was legally questionable, and the only person who may be interested in questioning it was the said Vedavalli Ammal. The setting up of the adoption was considered by relations as an arrangement advantageous to both Vedavalli Ammal and the sons of Sornathammal the next reversioners, for certain reasons which appeared sound and hence the petition was not opposed. Oral and docu-mentary.
11. By the fact of the petitioner's appointment as guardian on behalf of the boy by the District Court, he became pledged to manage the Estate in the best interests of the boy. During his management, he applied the movables and profits in increasing the corpus of the Estate so that in 4½ years the annual income was raised by about Rs. 3000. Docu-mentary.
12. However, such management gradually involved the petitioner in personal liabilities of a serious nature to the said Vedavalli Ammal in the event of her questioning the adoption. Do.
13. A settlement between Vedavalli Ammal after her majority, and the guardians on behalf of the boy became more and more necessary both in the interests of the adoption set up and for the relief of the petitioner's liabilities aforesaid. Do.
14. After the adoption was set up Sornathammal came to live with Vedavalli Ammal in the latter's house and so Vedavalli Ammal who was ignorant of all the happenings connected with her Estate was entirely under the influence of Sornathammal till a rupture occurred on 16-8-1913. Oral and docu-mentary.

- 13
- Nature of evidence.
15. Thangavelu Mudaliar who had a scheme to marry Vedavalli Ammal to his son stoutly obstructed any settlement with Vedavalli Ammal in favour of the boy as regards the Estate. He came to Trichy on 15-8-1913 with his wife to perform the betrothal of Vedavalli Ammal to his son. Docu-mentary.
16. Fearing that such union without even a release deed from Vedavalli Ammal, would soon tend to set aside the adoption, Sornathammal took Vedavalli Ammal on 16-8-13 to the quarters of the petitioner and left her with his wife Thallammal who is also the paternal aunt of Vedavalli Ammal and solicited the petitioner to marry Vedavalli Ammal to avoid all trouble. He however declined for his own reasons. Do.
17. The next day Sornathammal decided to give Vedavalli Ammal to her step-brother one Varadaraja Mudaly, whom she treated as an outcast till then, and who has been described by Vedavalli Ammal in her deposition as a leper and drunkard, and asked Vedavalli Ammal to go back to her (Sornathammal's) quarters. Vedavalli Ammal declined and appealed in pious terms to her paternal aunt Thailammal not to drive her out to certain ruin and that she would prefer to remain even as a maiden with Thailammal till her death rather than marrying either Varadaraja Mudaly or Thangavelu Mudaly's son. Do.
18. Humanity demanded protection to the orphan girl, and the petitioner's position as guardian on behalf of the boy and the personal liabilities he had inadvertently incurred on behalf of the boy needed a release deed from Vedavalli Ammal, but the joint guardian would not allow one to be taken at all. In this critical stage of the affairs the petitioner found no other possible remedy for the complications than to propose to marry Vedavalli Ammal and probably in her desperation she readily accepted the proposal, and a betrothal ceremony was performed so that Thangavelu Mudaliar and Varadaraja Mudaly might give up their scheme. Do.
19. At this time a petition (C. M. P. No. 421 of 1913) for a sanction of Rs. 15,000 for the marriage expenses of Vedavalli Ammal was pending in the District Court, but as the petitioner's sense of honour demanded that no part of the Estate funds should go to what may appear to be his direct or indirect benefit he put in a statement as follows:— Do.
- "As subsequent to the presentation of this petition the daughter of the deceased exercised her choice in favour of the second petitioner and entered into a betrothal with him, the second petitioner is unwilling to put the Estate to any expenditure on account of the marriage."* Do.
- and got the petition dismissed. The petitioner decided under the circumstances to compensate Vedavalli Ammal from his own assets for the wrongs she had suffered.
20. Thangavelu Mudaliar and Varadaraja Mudaly then joined Sornathammal in misleading her to suicidal actions probably with the motive of wreaking their revenge both on the petitioner for their failure to get hold of Vedavalli Ammal and on Sornathammal herself who detested Thangavelu Mudaliar for his obstruction in getting a release from Vedavalli Ammal, and who detested Varadaraja Mudaly as a scamp. Varadaraja Mudaly is now harboured by Sornathammal far more dread of his defaming her unmarried daughter by further printed notices. Oral and docu-mentary.
21. Numerous abortive actions were taken by them merely to annoy the petitioner and Vedavalli Ammal. For instance, an injunction suit No. 332 of 1913 was filed in the District Munsiff's Court alleging that Vedavalli Ammal was (15) Docu-mentary.

4

a minor and O.P. No. 440 of 1913 in the District Court for the custody of Vedavalli Ammal, on the same ground were filed. These were finally dismissed with the finding that the allegation was false. C.M. P. No. 439 of 1913 was filed in the District Court for the removal of the petitioner from guardian ship.

The petitioner stood true to his obligation irrespective of all these undesrved annoyances, and avoided disclosing the fact that the adoption was only a social arrangement in his depositions, though he was taunted with very provoking questions. The risk the adoption was subjecting itself to was even united at by him when he deposed "I settled to marry her to safeguard the interest of the minor."

22. As there was no sign of any abatement in the provocations, the petitioner thought it fit to resign the Gaurdianship, and he did so in C. M. P. No. 476 of 1913 which was accepted. The petitioner was discharged and the security bond he had given was cancelled. One K. Subrahmanya Mudaly was appointed Temporary Custodian of the Estate by the District Court.

23. An ill-advised notice of Sornathammal sent through the District Court to Vedavalli Ammal on October 1913 woke her up to what had happened to her Estate and she filed O. S. No. 114 of 1913 in the Sub Court, Trichinopoly for the possession of her properties.

24. The Sub Court decreed the suit in favour of Vedavalli Ammal at the end of December 1914, proving abundantly thereby that the release deed sought by the petitioner from Vedavali Ammal, and the betrothal subsequently entered into on the failure of the release deed caused by the counter efforts of Tungavelu Mudaliar were in the best interests of the boy. It will be seen that the parties and courts that took a wrong view of the same were the very agencies by which the adoption came to be set aside.

25. In O. P. No. 440 of 1913 Mr. Thornton, the then District Judge, dismissed Sornathammal's petition for custody of Vedavalli Ammal and declared that she may live with the petitioner's wife Thailammal. Vedavalli Ammal after her separation from Sornathammal lived in the upper floor of her house along with Thailammal, whilst Sornathammal continued to occupy the ground floor. After the petitioner was discharged from guardianship he removed himself from his original rented quarters and went to live with his wife in the upper floor in the possession of Vedavalli Ammal particularly because Sornathammal and her partisans began to threaten the life of Vedavalli Ammal saying that if Vedavalli Ammal were done away with, the Estate would automatically revert to Sornathammal's sons, and also because humanity demanded protection to the orphan girl who got into these troubles for no fault of hers. The petitioner was also socially and morally bound to protect her life and honour after her betrothal with him.

26. The communication for the uppor floor with the road is a dark labyrinthine passage in the ground floor where any crime can be committed by Sornathammals partisans without possibility of easy proof as to who actually took part in it.

27. The obligatory relationship in which Mr. Harding is placed with respect to parties in his court and the personal interests that have accrued therefrom will be evident from the following :—

Nature of evidence.

Docu-
mentary.

Do.

Do.

Do.

Do.

Do.

Do.

14

Nature of evidence.

(a) The bungalow under the occupation of Mr. Harding belongs to the Estate which was originally reckoned to be that of Minor Rajaratnam Mudaliar son of Sornathammal, a ward under the control of the District Court and which has since been decreed to be the property of Vedavalli Ammal. If Vedavalli Ammal were to have the control over, or a voice in, fixing the expenditure on the building, she will not allow any large sums of money to be spent over it except for mere upkeep in a habitable condition, first for the reason that she has only a life estate in the property, and next that the primary title of the proprietor as per O. S. No. 20 of 1892, will lapse with the death of two very old widows who are not likely to live long. In treating the property as that of the minor boy, Mr. Harding has the entire scope of his will to spend any money on it through the Temporary Custodian, whose personal interest is to have such patronage of persons in power so that his appointment may prolong.

The Temporary Custodian in his letter No. 29 dated 7-1-14 to the District Judge reported among other things that, "The lady and gentleman complained re-compound walls and wanted to provide a kitchen &c, at a cost of Rs. 1000 and odd. On my representation that I would attend to urgent needs they were pleased to limit the work which costs Rs. 300 and I have given the work on contract after careful scrutiny to one Veerappa Maistry with direction to finish in a week. This requires your honour's approval." and applied for permission to barrow Rs. 2000 for spending, on buildings in general.

The "Lady and gentleman" referred to are Mrs. and Mr. Harding.

Mr. Harding passed exparte official proceedings No. 177/16-1-14, to the effect that "Houses without funds are useless as repairs must be done if rent is to be received. The jewels may be pledged for Rs. 2000 and Rs. 10 a month spent on petty repairs".

The sanction contemplates mere repairs but what the "Lady and gentleman" wanted was original works. The works carried out as per accounts are also original works, as will be seen below.

Extract from accounts.

"14-2-14 To Veerappa Maistry for having erected a fowl house in Pallathu Punglow as per receipt Rs... .. 300-0-0."

"15-6-14 To Veerappa Maistry for building store and kitchen room in Pallathu bungalow 900-0-0."

"19-6-11 Iron doors for pulluthu bungalow and 2 doors to Thatchavadi bungalow Rs. 23-1-9."

"25-7-11 White and colour wash, compound wall etc. Settlements of old accounts Veerappa Maistry Rs. 260-0-0."

All this amounting to Rs. 1483-1-9 was spent either over-looking, or without enquiring into, the title of the proprietor. If that point was considered the expenditure could not have been allowed. If the order was not exparte, if the application was treated as a regular petition, as was the practice previously, the respondents would surely have put in their objection.

(b) The said proceedings No. 177 was passed by Mr. Harding in its order but before any expenditure could be incurred thereon, the Subpointment of a dated 31-1-14, in M. P. No. 11 of 1914, an application for than was appointed neutral Receiver under that court, the Temporary Custody went on applying Receiver. After this order, the Receiver K. Subramany

Do.

6
for sanction of all expenditure which were not likely to be objected to by Vedavalli Ammal, hoodwinking that court to believe that he was entirely acting under its orders, but meanwhile went on expending on new constructions for Mr. Harding's residence, and also incurring expenses which were beneficial to Sornathammal but wasteful to the estate and irrespective of the fact that they formed the grounds of the application for a neutral receiver.

(c) While three quarters of the sanctioned Rs. 2000, was being spent till July 1914 for one building and that not for work in the nature of salvage, the income out of which building being less than 1/10th of total monthly receipts from all buildings of the Estate, another bungalow fetching a higher rental of over Rs. 1000/ a year viz, "The Mess House" was going to ruins as will be apparant from the enclosure dated 3-9-14 to the tenants requisition, an extract from which is below,

"On inspecting the roofing I find that it is in a dilapidated condition and it may fall down at any moment.

The tenant had to vacate the building causing great loss to the revenue. This is a building in which the proprietor has perfect title according to O. S. No. 20 of 1892.

The humble petitioner does not want to insinuate that Mr. Harding was instrumental to the neglet of this important emergent work but only begs to impress that the neglet, whose so ever it may be, was entirely due to the obligatory relationship of Mr. Harding with the parties and K. Subramanya Mudaly's interest to please Mr. Harding by doing original works for his residence to the detriment of emergent repairs, for other buildings.

(d) It is stated that works to an extent considerably in excess of those shown in the accounts were carried out by K. Subrahmanya Mudaly but the expenditure was shown against other buildings. This is hard to prove, for apparent reasons. There is neither certainty that that report is true, but the fact remains that the obligatory relationship between the judge and a party leads to such reports, and apprehensions.

(e) The rent of his residence has been raised from Rs. 70 to Rs. 85 after the additional constructions as per accounts, but no record is available showing by whom and on what data the increase has been determined. After deducting the actual interest due for the amount borrowed by pledging jewels the trifling balance will be too little to cover the cost of annual deterioration of the new construction and much less adequate to recover any part of the capital expenditure before the old women die. The building is sure to fetch a rent of at least Rs. 100 per month and the petitioner himself is prepared to take up the bungalow for that rent for a period of 3 years for his family to reside during his absence.

(f) It is stated that Mr. Harding was much concerned to obtain a pipe line for his residence, that he applied for one to the Municipality, that the Council that cannot sanction under a strict G. O. had to recommend the sanction however, of that Government refused to sanction and that Mr. Harding applied for a copy of that order which too was refused.

The building is one of the very best in the matter of sanitation design and Mr. Harding is in close proximity with the District Court and the Club. Naturally comforts for his own to retain the building which he has improved to suit his Vedavalli Ammal whom; but there is the plain fact for his consideration that damages to her Estate in suffering great hardships and privations and large him to continue in the households of Mr. Harding is not the least likely to allow because the building can fetch she gets possession of her Estate particularly at Rs. 100 if let to others.

Nature of evidence.

Docu-mentary.

Do.

Do.

Do.

Do.

Oral.

Docu-mentary

Oral.

Oral and docu-mentary

15
Nature of evidence.

28. Mr. Harding's extra judicial and private touch with the party to a litigation in his court cannot but create serious apprehensions in the mind of the opposite party as to the fairness of justice at his hands. The greatest practical difficulty for the litigant parties lies in the dread of witnesses to speak before any Court in Trichinopoly such truths which may be adverse to the party believed under circumstances to be in the favour of Mr. Harding the District Judge and in their endeavour to avoid giving evidence altogether.

On account of the above fact Vedavalli Ammal in her suit O. S. No. 114 of 1913, was much handicapped in getting witnesses to appear at all. Had it not been for the fact that the truths revealed by her opponent's witnesses in cross-examination and some unquestionable records from some Government Offices were more than abundantly sufficient for the case to be decided in her favour, she would have been placed at a very great disadvantage.

In fact out of the small number of Vedavalli Ammal's 7 witnesses, 2 were officials who had to prove their own records and hence could not avoid giving evidence, one was Vedavalli Ammal herself, another a family priest of very ancient lineage whose piety and habits obliged him to speak the truth, 2 others, servants of the Estate who had to prove their records mostly and one more temple servant. The hundreds of the rest who could speak to the truth of Vedavalli Ammal's case would not appear at all.

They were quite right in their apprehensions as it will be seen from the fact that the 2 Estate servants above mentioned as well as one whose name found a place in the list of Vedavalli Ammal's witnesses in the above suit were afterwards removed from Estate-service with Mr. Harding's sanction passed ex parte.

It is stated that Sornathammal had occasional and K. Subrahmanya Mudaly very frequent private interviews with Mr. and Mrs. Harding and that most of the official orders were obtained personally by the said Subrahmanya Mudaly in the residence of Mr. Harding even without the previous papers being called from the office.

Sornathammal's interview will be difficult to prove or, may be even untrue, but that of Subrahmanya Mudaly who represents Sornathammal's and her son's interests and who alone is conducting her litigation in all courts cannot but be unquestionably true. Subrahmanya Mudaly had carried out extensive works in the compound and residence of Mr. Harding for all the year and a half he had been in charge of the Estate during which time he should have had naturally numerous interviews, and he had at least once written that the "Lady and gentleman" (referring to Mrs. and Mr. Harding) wanted certain works costing Rs. 1000 and odd.

It is also learnt that during the vacation the said Subrahmanya Mudaly had telegraphic calls from Mr. Harding to see him in the Nilgiris, that Subrahmanya Mudaly responded to the call and during the interview, matters of great consequence affecting the petitioner and Vedavalli Ammal were decided with the natural result that copies of such actions could not be available for seeking any remedy before the perpetration of the injuries and that after the deed no substantial remedy would be available on account of the cover of judicial sanction coupled with Subrahmanya Mudaly's practical insolvency.

A crop of some ten such important disposals is mentioned, the main gist of them being firstly to isolate Vedavalli Ammal for purposes to be mentioned later on and next that in the event of her finally getting possession of the Estate, she may get the mere shadow of it.

Oral and docu-mentary.

Docu-mentary.

Do.

Oral and docu-mentary.

Easily verifiable.

Do.

One order is said to be for mortgaging the estate for a large sum, a second is to pay Sornathammal sums from the estate funds for performing charities, a third to pay Sornathammal some lump sum on some excuse, a fourth to prosecute or sue somebody whose name appeared in the list of witnesses of Vedavalli Ammal, a fifth for the grant of some special recurring allowance to Subramanya Mudaly while the cost of establishment maintained under Mr. Harding's sanction already, bears a ratio of one sixth of the net ^{rent}, a sixth to let Sornathammal live in the estate house from which she was removed by the Sub court in the proceedings of a regular suit, a seventh eight and ninth of a similar nature, and the tenth to bring the humble petitioner summarily under some penal provision so that Vedavalli Ammal the decree holder who finds security of life by the residence of the petitioner's wife with her, and the frequent presence of the petitioner in her residence may be isolated.

Easily verifiable.

The last item of the above has been immediately verified by the receipt by the petitioner of a postal registered notice from Mr. Harding's Office during the middle of the vacation, calling the petitioner to show cause why proceedings for contempt of court for disobedience of some order passed and duly executed a year and a half ago, recognised by Mr. Harding himself as having been executed already, should not be taken.

Documentary.

This with its attendant unique circumstances of its issue has very much alarmed the petitioner, that Mr. Harding is very likely to be so rash as to bring disgrace to the petitioner who holds a position in life, though a belated remedy may be sought in the distant High Court, but that too only after suffering the wrong. This will be reverted to later on.

Do.

30. The humble petitioner's complaint about Mr. Harding's extra judicial and private touch with parties is not a solitary instance and at least one more easily verifiable instance is a matter of public talk. The Zamindar of Odayarpollum is a litigant in Mr. Harding's Court. Mr. Harding, it seems, paid a visit to Odayarpollum for the most laudable purpose of collecting funds for the War relief. Some party opposed to the Zamindar in Mr. Harding's Court who feared that Mr. Harding might be disposed to be unduly familiar with the opposite party warned Mr. Harding by a telegram addressed to Trichinopoly, not to visit the Zamindar in his residence; but before the telegram reached Mr. Harding, he left Trichinopoly. It is stated that Mr. Harding did pay a visit to the Zamindar in his residence for over 4 hours from 4 P. M. whereas the Deputy Collector and the Tahsildar who came all the way from Jayankondasholapuram specially to visit Mr. Harding waited in vain and left the place, that during the interview with the Zamindar certain papers were sent for from the Zamindar's office that a hunting excursion in the Zamindar's forest was arranged for the next morning, that on Mr. Harding's return to his camp, he saw the telegram on his table redirected from Trichinopoly and that he left Odayarpollum the next morning without the hunting excursion.

Easily verifiable.

A Judge may or may not be biased by such familiarity with a party but the fact remains that the opposing party will be seriously prejudiced thereby.

31. The following instances of Mr. Harding's actions are humbly submitted for the benign consideration whether they do not distinctly show a strong bias in favour of parties with whom he has obligatory relationship as aforesaid, personal interest to an appreciable extent and undue familiarity and frequent extra judicial and private touch.

(a) In O. S. No. 332 of 1913 in the District Munsiff's court referred to in para 21 supra, M. P. No. 817/13 was presented for a temporary injunction against the petitioner. The Munsiff in hearing the petition went into evidence in detail and dissolved the injunction by an order covering many pages. In appeal against the

Documentary.

order Mr. Harding restored the injunction declining to go into the merits and transferred the suit to another court. The other court after trial decided in favour of the petitioner with costs.

(b) In the above suit Sornathammal gave evidence and perjured at every step. She stated that even the name Vedavalli is not genuine and the person is another, though Sornathammal gave the name of the girl as Vedavalli in previous records on the file of the District court. Sanction for prosecuting Sornathammal for perjury was applied for, and Mr. Harding passed a summary laconic order without even notice to Sornathammal that "he is not prepared to sanction prosecution of a mother by her daughter."

Do.

To call Sornathammal as mother of Vedavalli Ammal is not only opposed to fact but is ironical when applied to a person with the most villainous and murderous motives and attempts on the life of Vedavalli Ammal.

The High court has admitted the appeal against the above order and it is pending disposal.

Do.

(c) The petitioner went to reside temporarily with his wife in the upper floor of the house which has been and is in the possession of Vedavalli Ammal, after his complete discharge from guardianship; but on Sornathammal's motion Mr. Harding passed proceedings No. 28/6-1-1914 directing the petitioner to vacate the house of which he was not in possession on the ground that he was no longer guardian, the very ground on which the judge should have considered that he had no jurisdiction over the petitioner under the Guardian and Wards Act. All remonstrance that the helpless girl's life was at serious stake was of no avail.

Do.

(d) The petitioner however obeyed the above said order by removing himself to another house, leaving the females and servants quite at the mercy of the occupants of the ground floor. By the series of petty assaults and serious intimidations continuously kept up by Sornathammal's rowdy partisans, the petitioner's wife and Vedavalli Ammal had serious nervous prostration, and the Doctor who attended wrote to the petitioner that his wife was in a critical state of health.

Oral and documentary.

The petitioner thereupon paid a visit to Vedavalli Ammal's residence on 27-1-14. Sornathammal's partisans locked the petitioner in and caused much disturbance. The Police came and went away recording that the matter of dispute was of a civil nature.

Documentary.

On Sornathammal's letter dated 30-1-1914, Mr. Harding passed Ex parte orders dated 3-2-1914 for prosecution for trespass.

The petitioner and Vedavalli Ammal's whole establishment were prosecuted in C. C. No. 93 of 1914. After Mr. Harding's orders to prosecute, the Police changed their attitude and charged all the accused. The Sub Magistrate had to proceed with the prosecution, and after a protracted enquiry discharged all the accused on the main ground that so long as Vedavalli Ammal's right for residence was recognised no person who went to her residence without any objection on her part could be prosecuted.

Do.

This ground was not for the first time, discovered from the evidence of prosecution witnesses, as the fact was admitted by the complainant himself and yet Sec. 203 of the Cr. P. C. was not available to the Magistrate to throw out the complaint for reasons too plain to mistake.

Do.

(e) Before the same Sub Magistrate a M. P. No. 18 of 1914 was filed to bind over the rowdies and it was shelved without disposal though the complaint and prosecution evidence in C. C. 93/14 clearly admitted their aggression and the locking up of the petitioner and others in the house.

Do.

(f) After the appointment of the receiver in O. S. No. 114 of 1913 in the Sub Court became known to Mr. Harding on 9-2-14 and till the decree in the said suit was pronounced in the Sub Court in favour of Vedavalli Ammal recognising her title to the estate on 21-12-1914, there was a lull in the one sided proceedings of Mr. Harding as will be evident from the following orders.

i. Order on Temporary Custodian's letter No. 45 of 9-2-14:—

"The Temporary Custodian is informed that he should accept the appointment as Receiver." Docu-mentary.

ii. Order dated 23-3-14.

"The matter is in the hands of the Subordinate Judge of Trichinopoly who has appointed the Temporary Custodian as Receiver."

iii. Order in C. M. P. No. 215 of 1914.

"I will pass no more orders in this matter. It is before the Subordinate Judge's Court of Trichinopoly in a regular suit, and all disputes are being settled there."

The successful party Vedavalli Ammal presented an application in the beginning of January 1915 in the Sub Court Trichinopoly for the removal of K. Subrahmanya Mudaly from Receiver and for recovery of several thousands of rupees from him for the waste out of the mesne profits of the Estate caused by Subrahmanya Mudaly's acting upon Mr. Harding's orders while he was a Receiver under the Sub Court and that such orders were ultra vires.

Do.

The large expenses incurred in Mr. Harding's residence were also sought to be recovered from Subrahmanya Mudaly.

It seems that the Sub Judge perceived for the first time that he had to sit in judgment over certain actions of his own official superior, Mr. Harding, in respect of the above matters.

Whatever may be the cause, after the above application, there was a sudden change of policy in Mr. Harding and an endeavour on the part of the Sub Judge to free himself from the awkward position. It may be observed that the petitioner has no concern and causus belli in these matters but it is humbly submitted that the immediate weight of Mr. Harding's wrath is dumped on the humble petitioner.

Do.

The following order of Mr. Harding dated 17-1-1915 on K. Subrahmanya Mudaly's letter No. 118 of 13-1-1915, that is, after the decree in favour of Vedavalli Ammal and before the discharge of Subrahmanya Mudaly from Receiver stands in contrast and contradiction with the three orders quoted already.

Do.

"Order:—The Temporary Custodian of the Minor's property retains that position till the successful plaintiff executes her decree and takes possession. The Minor is still owner of the property under this court till possession is legally handed over and no illegal interference with him will be tolerated."

Do.

That Mr. Harding who had control of the property in mere petition proceedings under the Guardian and Wards Act which too had ceased after the appointment of the Receiver, should have passed such orders in favour of the defeated party even after the passing of a regular decree instead of respecting such decree pronounced in a regularly instituted original suit speaks for itself.

Do.

Nature of evidence.

(g) In January 1915 Sornathammal and her partisans had been expressing that Mr. Harding, not approving the Judgment of the Sub Judge, had a personal talk with him in a private interview and that he had sent to the High Court an unfavourable annual qualification report about the Sub Judge. All this talk is too silly to be noticed but the fact that Sornathammal and her party should have room to use Mr. Harding's name so familiarly even in their threats is worthy of consideration.

Docu-mentary.

(h) In compliance with an order of the Sub Court passed in Execution proceedings the upper floor of the house had to be vacated by Vedavalli Ammal. Most of the things had been removed on the 23rd and 24th January. On the 25th Sornathammal's partisans collected about a hundred rowdies, made a sudden attack on the men removing the things and seriously assaulted one of Vedavalli Ammal's servants, stopped the further removal of things and the crowd armed with sticks and sabers (called bichvas) attempted to storm Vedavalli Ammal's quarters and came up the steps leading to the upper floor. On being warned that the consequences will be too serious if they rushed in, they had the prudence to stop there, but did not disperse for several hours.

Documentary

For many days crowds of varying strength were collecting in the road-side verandah and common passage in the ground floor; and all possible communication with the authorities were thereby cut off and the occupants of the upper floor were utterly helpless. The Police and the Subordinate Magistracy evaded action entirely in spite of the open and unfettered lawlessness and breach of the peace on the part of Sornathammal's partisans. Sornathammal's partisans openly said, that they had Mr. Harding's sanction for the act. The petitioner believes that this allegation whether true or false with the antecedents, sufficiently explains the evasive attitude of the Police and the Subordinate Magistracy.

Oral.

(i) In the course of the above rowdism on the 25th and when they failed in their attempt to do violence to the petitioner and others, a terrible noise of breaking doors in the ground floor and a yell and cry that the petitioner had broken the head of somebody, was heard to the dismay of the petitioner who was confined within the strongholds of the upper floor consoling the ladies in hysterics; and soon after, the broken door shutters were taken out to the road and there dis- played for several hours as the spoil of the petitioner's house breaking but it seemed the scheme of implicating the petitioner availed only till the inanimate doors were broken but no broken head was forthcoming. It is a matter for consideration whether they would have acted so recklessly in broad day light with immunity in the principal street of a town, had they not counted rightly or wrongly on the favour of Mr. Harding.

Oral and docu-mentary.

Eventually the broken shutters were restored to their places. The humble petitioner subsequently heard Sornathammal's partisans proclaiming that they have reported against the petitioner to Mr. Harding and got the usual exparte sanction of Rs 50 for putting up fresh doors. The information has to be verified from the District Court records.

Docu-mentary.

(j) On Sornathammal's report dated 27-1-15 to the effect that the petitioner had stolen the things referred to in sub para (h) above from the upper floor Mr. Harding passed the usual exparte order dated 1-2-15 for prosecution and sent it to the Sub Judge.

Do.

The petitioner has not yet been prosecuted on this count for some unknown reason which may be revealed from the subject of the correspondence and personal interviews said to have taken place between Mr. Harding and the Sub- Judge in connection with the above. The petitioner now sees that Mr. Harding

Oral and docu-mentary.

has taken the club in his own hands and has issued notice to the petitioner under proceedings for contempt of court which will be reverted to later on.

(k) Mr. Harding's intermeddlings with the control of the Estate by the Sub-Court ended in the passing of a labour order staying execution by Vedavalli Ammal, and the transfer of the Estate itself to the control of the District Court on behalf of the defeated party. Docu-mentary.

(l) On the 29th January 1915 or thereabouts, that is a few days after the rowdysm already referred to in sub para (h) Moulvi Syed Marthuzah Sahib Bahadur, the Vice President of the Trichinopoly Taluq Board, and a late member of the Madras Legislative Council came with half a dozen Mahamedan gentlemen to see the petitioner to consult about the Islamiah School buildings with which subject the petitioner once dealt with in his official capacity, at about 5 P. M. and departed after a couple of hours. Some time after they left, a head constable and three more constables entered the upper floor of the house as stealthily as cats and their presence was perceived by a thundering call in Tamil, "All persons stop still in their places" with the natural results in a quiet home. Oral and docu-mentary.

They then made a search of all the nooks and corners of the upper floor and finally told the petitioner that the Station Officer received an urgent telephone message from the Superintendent of Police to the effect that he received an urgent wire from Sornathammal's party stating that the petitioner had mustered 100 rowdies in the upper floor and unless they were arrested at once murders were apprehended. The search found two servants who were known to the Police to be in the service of Vedavalli Ammal for over a year whereas in the ground floor verandah there were a number of sturdy fellows who slipped out one after another on the appearance of the Police. The indignity of the search in a house where women observe a sort of gosha system was little before the actual attempt at murder by Sornathammal's men. One of them it seems visited Mr. Marthuzah Sahib the next morning and told about their scheme to murder the petitioner and Vedavalli Ammal and Mr. Marthuzah Sahib's letter of warning received by the petitioner quoted hereunder will shew the dastardly projects of Sornathammal's party and how much use they make of Mr. Harding's name probably in view to cow down the minor authorities and to muster rowdies round their banner. In both they have indisputably succeeded immensely but not in the accomplishment of murder yet for the reason that the humble petitioner, seeing that all instruments of law and order will be quite inert unless and until Mr. Harding ceases to have the obligatory relationship he has with Sornathammal's party and the control of the Estate is out of his hands, had decided to remain entirely indoors till the matter is taken up by the High Court and for nearly 5 months till now he has not stirred out of the house. All this time one Ratnasapapathy Mudaly a near relation of Sornathammal and a process server in the District Court, known as 'The Andar Street Phayilwan' a rowdy character took leave from his office and is at the threshold of the house in question assembling other rowdies. Mr. Marthuzah Sahib's letter runs thus:—

"The next day after my interview with you Varadaraja Mudalyar came to me and asked me as to what had brought me to you. I told him that I had been to you in connection with the proposed building of our School. Then he began to use highly objectionable expressions against you and the lady (his own niece) adding that the District Judge was on his side and if you would not act up, to the terms dictated by him, the lady and yourself had no other alternative but to be doomed. He further remarked that but for my presence in your place on the previous night there would have been serious consequences leading to fatality. I pacified him saying that he should not take law into his own hands because he had the official support, but the best course for him to adopt was to resort to court."

Do.

Do.

"Though I have my own doubt about the truthfulness of his statements such as your lives being in danger, yet I deem it desirable that both of you should be cautious enough. Because Saadi the well known Persian writer says that the enemy however powerless he may be should never be ignored. Please therefore be always on the alert."

Several others have also warned the petitioner to the same effect, and some threatening postal communications, the hand writing in which ~~is~~ identifiable irrespective of an attempt to alter, have been received. Do.

No stretch of reasoning of even the sorely injured mind of the petitioner can make itself believe that Mr. Harding could at his worst associate himself with such ideas of murder and implication in serious cases, but he believes there is solid truth in Sornathammal's party taking undue advantage of Mr. Harding's relationship as tenant, and the very large number of unfortunately partial orders he has passed, to use his name indiscreetly for the purpose of cowing down minor authorities and making bold to scheme murders. Docu-mentary.

(m) The servant of Vedavalli Ammal who was assaulted by a number of men and was seriously hurt, presented a complaint before the same Sub Magistrate for whom Section 203 Cr. P. C. was not available in the case mentioned in para 31. (d) ~~and he~~ dismissed this complaint for rioting and hurt under Section 203 Cr. P. C. though supported by a strong wound certificate. Docu-mentary.

(n) If it is true that the ten disposals of Mr. Harding during vacation referred to in para 28 were in favour of Sornathammal, the unfairness of such administration while the decree stands against his ward need not be commented upon, and further the petitioner's interest is mainly in the tenth disposal which resulted in a notice as follows:—

"Whereas you were ordered by this court in January 1914 to vacate the Estate house and whereas you have disobeyed that order, you are hereby directed to show cause on the reopening of the Court i. e. 21-6-1915 why you should not be punished for cotempt of court." Given under my hand and seal of the Court the 29th day of May 1915." Do.

The original order as stated in para 31 (c) was that the petitioner should vacate the upper floor while Vedavalli Ammal was in possession. He did vacate and Mr. Harding recognised more than once that the order had been obeyed. His most distinct recognition of the petitioner's having obeyed the said order will be seen in the following order passed by him in C. M. P. No. 215 of 1914 dealing with the same subject once before. Do.

"Respondent has been transferred to Madras, so he has vacated the house now— if not before. No orders are required from this court now." Do.

But after the decree against Sornathammal, on the presentation of a third petition on the very same subject Mr. Harding has deemed it fit to issue such a notice as quoted already. Do.

The following points are submitted for benign consideration.

All the circumstances pertaining to the presentation of the petition and the special motion for notice and other particulars are not yet available as the District Court is closed, but those few that gleam out are enough to convince any, of Mr. Harding's bias and injustice and that they can be the outcome of nothing else than his obligatory relationship and its development already alluded to. Oral and Docu-mentary.

i. The petition C. M. P. No. 227 of 1915 seems to have been presented or heard at Nilgiris as one of the crop of 10 disposals referred to in para 28 supra, overlooking all rules and usage of practice. Do.

ii. There was apparently no great emergency to constitute a vacation court at Nilgiris in respect of a petition pertaining to Trichinopoly.

iii. It is certain that Sornathammal did not make the special motion in person at Nilgiris and it seems also that no advocate appeared on her behalf.

Oral.

iv. It is learnt that some telegraphic communication passed between Mr. Harding and K. Subrahmanya Mudaly and that the latter thereafter proceeded to Nilgiris. It seems further that it was K. Subrahmanya Mudaly who is not a licensed advocate, who made the special motion for notice on behalf of Sornathammal in the matter of the above petition.

Oral and documentary.

v. The notice was issued through Registered post on H. M. S. as a very special case in the middle of vacation contrary to the usual means of service.

Documentary.

vi. There was not apparently any public interest at serious stake by the petitioner's presence in the house which is in the recognised and lawful possession of Vedavalli Ammal, to call for exceptional procedure.

vii. Evidently there was neither any private interest at stake to warrant such exceptional procedure during the vacation.

viii. The extreme bias of Mr. Harding exhibits itself not only in the above but in the body of the notice itself. On a petition apparently making allegations, that the petitioner had disobeyed the District Court's orders passed one and a half years ago, the natural course for an unbiased judge would be first to proceed with the enquiry to satisfy himself whether the allegation is true or not, but the notice asserts that the order had been disobeyed and directly proceeds to the extreme step of punishing for contempt of court.

Do.

ix. The administration of the Estate was transferred by the Sub Judge to the District Court on 27-3-15 in a stay order which will expire on the filing of an appeal by Sornathammal in the High Court against the decree of the Sub Court and the last day for filing the appeal is so early as the 12th July 1915. Thereafter it is a matter for the High Court to decide whether the decree holder Vedavalli Ammal should get possession of the Estate at once and if not with whom the control of the Estate should lie. At all events, after the filing of the appeal, the High Court will automatically become the supreme authority in the matter of the administration of the Estate. In the very short space of time left before the 12th July Sornathammal is trying through the agency of the District Court to make hay while the sun shines as the favour of Mr. Harding could be of no avail after the High Court takes up the matter into its hands.

Do

x. The immediate effect of this notice on Sornathammal's party was that they became elated enough to post their rowdies again at the threshold to obstruct at random any body and everybody going to the upper floor.

Oral and documentary.

All business people who have to come to the upper floor were effectively stopped; Vedavalli Ammal's agent who conducts her litigation was stopped; petty assaults were committed on Vedavalli Ammal's servants and agents; the Gumastha of Vedavalli Ammal's Vakil who called on Court business was stopped; and finally last week Vedavalli Ammal's Vakil Mr. Krishnasamy Iyengar who came with his Clerk to settle matters as the courts were to re-open shortly was also stopped at the threshold. However one of Vedavalli Ammal's servants who went down to escort the Vakil succeeded in bringing him upstairs after some tussle with Sornathammal's men; but after the Vakil left the place and when that servant was returning to the upper floor he was assaulted severely at the entrance with a heavy stick so that he came upstairs with a ghastly wound near his eye and blood splashed all over his face and flowing, and with some other injuries. He has filed a complaint with a strong wound certificate, and it is a

Do.

fact that the lawlessness and intimidation are increasing very rapidly, immunity.

32. In conclusion the petitioner humbly begs to state that he has sufficiently shown:—

i. How Mr. Harding's simple relationship of a tenant to one of the parties in his court, gradually developed personal interests in him;

ii. How he used his judicial powers to sanction large expenses for carrying out new works in his residence to the detriment of more important works of the nature of salvage to other buildings, overlooking the fact that he is authorizing expenses for a building the proprietor's title to which would not warrant such expenses;

iii. How an undue extra Judicial and private touch between Mr. Harding and the party resulted thereby;

iv. How even after the transfer of the Estate to the administration of the Sub court, works were carried out in Mr. Harding's residence without the sanction or knowledge of the Sub Court, for the purpose of earning Mr. Harding's favour for Sornathammal's party;

v. How Mr. Harding, who, after the appointment of Receiver in the Sub Court went on directing to the Sub Court all complaints received in his court till the decree was pronounced, changed his policy immediately after Vedavalli Ammal put in a petition in the Sub Court for the removal of the Receiver and for the recovery of thousands of rupees wasted out of the mesne profits on account of Mr. Harding's intermeddling including the large amounts spent for Mr. Harding's residence, and issued administrative orders showing his mind to treat the Estate as under the control of his court and thus effectively staying execution for possession by Vedavalli Ammal;

vi. How the Sub Judge to get himself out of the awkward situation of having to sit in judgement over the actions of his own official superior, Mr. Harding, had to pass an order transferring the Estate regularly to the administration of the District Court on behalf of the defeated party;

vii. How in the very short interval before the filing of an appeal in the High Court of Madras due on 12-7-15 (the last date for filing) a crop of ten disposals of great consequence affecting the interests of the petitioner and the decree holder was rushed in during the vacation frustrating all possibilities of timely remedy;

viii. How a very long and unbroken series of one sided and ex parte orders affecting the petitioner and Vedavalli Ammal has been passed by Mr. Harding with a distinct bias in favour of Sornathammal's party;

ix. How Mr. Harding's unjustifiable and extreme bias against the petitioner and in favour of Sornathammal resulted in the consummate endeavours to bring the petitioner to disgrace by criminal actions, while the petitioner had all along maintained a passive attitude, first by sanctioning prosecution by Sornathammal's party for trespass for the petitioners visit to Vedavalli Ammal's residence, a very unique procedure in any clime, next by suggesting to the Sub Judge by an administrative order to prosecute the petitioner for theft of articles which were in the possession of Vedavalli Ammal, which were decreed in her favour and which she removed to another place in pursuance of an order of the Sub Court, and lastly when all attempts to bring the petitioner to disgrace through the subordinate authorities failed, by taking up the club himself and issuing a notice in the middle of the vacation contrary to all usage and procedure, calling the petitioner to show cause why he should not be punished for contempt of court committed in the alleged disobedience of an order which he himself more than once expressly recognised to have been obeyed even one half years ago.

the obligatory relationship already goldened Sornathammal's party now and Vedavalli Ammal by a number of petty and agents but also to scheme the most dastardly and odious consequences enumerated molestation of the petitioner

Vedavalli Ammal using freely for all these purposes and for cowing down the Police and the Subordinate Magistracy the name of Mr. Harding as their support; evidencing their statement by quoting his partial disposals so favourable to Sornathammal's party as was detrimental to the petitioner and Vedavalli Ammal.

xi. How the instruments of law and order entirely clogged and failed to operate on account of Mr. Harding's name being associated with the actions of Sornathammal's party;

and xii. How perpetrators of serious hurt went unscathed even without a notice to them and the petitioner and others only escaped murder or implication in any serious criminal case till now by patiently and prudently putting up with all troubles and insults and confining themselves within the house for about five months as to which the high and low of the town will bear testimony.

33. The humble petitioner with the same patience tried to avoid complaining against Mr. Harding's relationship with the parties in his Court, for the whole time, hoping and praying for the approach of the time viz. the 12th July 1915 when the benign High Court will take up the whole affair in its hands, and trusting in the unfailing justice dealt out universally to all parties by that court, for a relief in the usual course of law when the petitioner will be free from such molestation.

34. In the meantime just when the petitioner was counting days at his finger's ends for relief in the High Court, Mr. Harding's notice already referred to, was received like a bolt from the blue and hence he has been driven much against his will to the necessity of submitting the matter to the authorities.

35. The humble petitioner therefore respectfully prays that (1) Mr. Harding's relationship as a tenant to a party in his court may be terminated by an administrative order in the interests of law and justice, in the interests of parties engaged in litigation in his court, in the interest of public peace and order, and none the less in the interests of Mr. Harding's fair name, (2) a detailed enquiry into the matter may be instituted and (3) that more specific stipulations may be introduced in the rules regulating the conduct of public servants regarding obligatory relationships of Judge and parties in the interest of the administration of public justice.

For such act of grace the humble petitioner will ever pray.

He begs to remain,

Your Honour's and Your Lordship's,

Most obedient servant,

Meenichay

Spare copy
Meenichay

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