

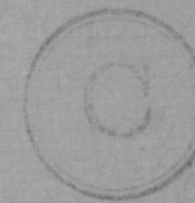
Educational (1903) Department.

ORDINARY MS.

G.O., No. 5

DATED 12-1-03

INDEXED.



[Despatch Abstract.]

Exemption from the Ex. rules

Declining to exempt from the prices-test
J. V. Venkataswala aiyar, head clerk,
district munsif's Court, Chowghat.

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. 127
2,000-1-5-02.

Educational (1902) Department.

CURRENT No. 1988



From

[Name] A. I. Hammay, Esquire, I.C.S.,

[Designation] Registrar of the High Court of Judicature,

Madras.

[Station]

Ref. on Cvt.

No. 2677 of 1902.

Received 20.12.1902

Dated 19th December 1902

Enclosures 5

Registered 22.12.1902

SUBJECT.

Forwarding a memorial from T.V. Venkatachala Aiyar, Head Clerk of the Dist. Munsif's Court of Chowghaut, praying that he may be exempted from passing the Precis-writing Test.

BACK PAPERS.

G.O. 680 of 31-10-50

FURTHER PAPERS.

To

The Secretary to Government,
Educational Department.

Sir,

I am directed to forward for the orders of His Excellency the Governor in Council, a memorial from T.V. Venkatachala Aiyar, Head Clerk of the District Munsif's Court of Chowghaut, praying that he may be exempted from passing the Precis-writing Test, together with a copy of the District Judge's letter (and enclosures) forwarding the memorial.

I have the honour to be,

Sir,

Your most obedient servant,

A. S.
Registrar.

A. S.

Copy of letter No. 2505, dated the 9th December 1902, from the District Judge of South Malabar, to the Registrar of the - High Court of Judicature at Madras:-

I have the honour to request that the High Court ^{may} ~~will~~ be pleased to address Government with a view to exempt M.R. Ry. T.V. Venkitachala Aiyar, Head Clerk, District Munsif's Court, Chowghaut, from passing the Precis-writing Test (Higher Grade) so that he may be eligible for promotion to appointments carrying a salary of Rs. 60 and upwards per mensem under the Public Service Notification.

2. M.R. Ry. T.V. Venkitachala Aiyar's petition (enclosed) sets forth fully and correctly the facts of his case. His case is similar to that of A.R. M.R. Ry. A.K.W. Choyi, Head Clerk, Principal District Munsif's Court, Calicut, who was recommended by me for exemption from passing the Precis-writing Test (vide my letter to the High Court No. 2023, dated 9th October last). He has been Head Clerk for 12 years and has no prospect of promotion. It is true that he was suspended for six months in connection with certain loose practice in the custody of records (vide High Court Proceedings No. 4, dated 4th January 1898, a copy of which is herein enclosed), but except in this one instance he seems to have done good work as will be seen from the copies of testimonials granted to him by those under whom he has -- directly served.

3. Copy of Chowghaut District Munsif's letter forwarding the above petition is also enclosed.

4.12.02
K
W

To

His Excellency

The Governor of Madras

in Council, Fort St. George.

The humble memorial of T. V. Venkitachala Iyer, Head Clerk, District Munsif's Court, Chowghat, South Malabar.

Most respectfully sheweth,

That your Excellency's humble memorialist is now the Head Clerk of the District Munsif's Court, Chowghat, on a salary of Rs. 50 and that he has got a total service of 25½ years in the Judicial Department, during the 12 years of which he has been drawing the present salary of Rs. 50.

2. That under the examination rules that came into force in 1897 he is required to pass the Precise Writing test to enable him to get any further promotion in the Department and that he tried his best to pass that test by perseveringly appearing for the examination not less than 5 times; but he has not had the fortune to pass it.

3. That your Excellency's humble memorialist is now more than 45 years of age and he has no hope of getting through the said test in his present advanced state of life.

4. That though he has put in more than 25 years service and has been drawing Rs. 50 for more than 12 years, as already represented, he could not get a lift to any of the appointments on Rs. 60 or Rs. 100 for want of the above qualification, though he is otherwise fully eligible for promotion.

5. That unless your Excellency's humble memorialist be excused from passing the said test, he has in the ordinary course to pass about 10 years more in the present state before retiring on half pension under the rules, notwithstanding the fact, that he has ^{already} been in the present state for over 12 years.

6. That your Excellency's humble memorialist humbly begs to add that he has rendered complete satisfaction to his superiors in the discharge of his duties and begs to annex copies of testimonials obtained from them.

In view of the above fact your Excellency's humble memorialist prays that he may be exempted from passing the Precise Writing Test.

For which act of kindness and charity your Excellency's humble memorialist shall as in duty bound ever pray.

Chauhan
4th December 1902

J V Venkateswara

PROCEEDINGS OF THE HIGH COURT OF JUDICATURE AT MADRAS.

4th January 1898.

-----oXo-----

Read the following papers from the District Judge of South Malabar:--

Letter No.2023, dated the 8th November 1897, forwarding, with remarks, a petition from T. V. Venkitachala Aiyar, appealing against the orders of the District Judge dated 16th March and 16th and 17th August 1897, reducing him from the post of Head Clerk of the District Munsif's Court of Betutnad on Rs50 to that of Head Clerk of the Vayitteri District Munsif's Court on Rs40, and again to the post of 2nd Clerk of the Principal District Munsif's Court of Calicut.

Letter No.2283, dated the 8th ultimo, forwarding, with reference to High Court's Reference on Cur. No. 2506, dated the 23rd ultimo, the explanation of the petitioner T.V. Venkitachala Aiyar together with a copy of the District Munsif's report and his (the District Judge's) remarks thereon.

The High Court does not consider that it can be held that any dishonesty has been brought home to the Head Clerk in connection with the travelling expenses of the peon. The general arrangement was under the sanction of the District Munsif, and the particular sum to be paid to the peon for each trip was settled by the vakils for whose benefit the arrangement was made. There is nothing to show that the whole sum was not, on each occasion, at once paid to the peon, as stated by the Head Clerk. The failure, under these circumstances, to keep an account of the sums paid, -- though irregular, does not indicate dishonesty.

As regards the loose practice in the custody of records, the High Court cannot acquit the Head Clerk of responsibility, but the long previous existence of the same system or want of system may be taken to go in mitigation of punishment.

2. The High Court is of opinion that the Head Clerk would be sufficiently punished if, after six months in his present reduced post from the date of the order of transfer from Betut

he be restored to a Head Clerkship or other post on Rs 50.
The District Judge is requested to modify his orders accordingly.

(True Extract).

Sd. D.W.G. Cowie,
Registrar.

C. No 2677 of 1/12

(True Copy)

x *W. R. K.*
Ag. District Judge.
9 - 12 - '02.

No. 1368.

District Munsif's Court,
Chowghat, 4th December 1902.

From

The District Munsif,
C h o w g h a t.

To

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

Sir,

I have the honour to forward herewith an application from -
T. V. Venkitachala Aiyar, Head Clerk of this Court, for exemption
from Precise Writing Test, for your favourable consideration.

From the several testimonials produced by the applicant it
will be seen that he is an able hand. He was Central Nazir of
Palghat Sub Court when I was the District Munsif of Palghat about
7 years ago and I have known him since that time. He is an offi-
cer of ability and experience and deserves promotion. He has
earned a service of 26½ years.

But his failure to secure a pass in the aforesaid examination
stands as a great bar to his future prospects. He states that he
appeared for the examination not less than five times and I think
after such repeated failures and in his present age it is almost
hopeless for him to secure success in the examination.

I request you will kindly take these circumstances into your
consideration and recommend him for exemption from the Precise
Writing Examination.

I have &c.,

Sd. V. Kelu Bradi,
District Munsif.

(True Copy).

W. R. K.
Ag. District Judge.

W. R. K.
V. R. K.

In C. No 2677 / 12

Copies of Testimonials of T. V. Venkitachala Aiyar.

1. From the letter to the District Judge by Mr. V. P. de Souza, District Judge, recommending T. V. Venkitachala Aiyar for promotion.

"T. V. Venkitachala Aiyar has heavy duties to perform. He is in charge of Miscellaneous work both original and small causes and he has discharged those duties to my entire satisfaction. He is a Matriculate and has a service of 12 years and I think his claim to be appointed to a higher post are entitled to consideration."

(Signed) V. P. de Souza.

2nd February 1887.

2. From the letter to the District Judge by Mr. V. P. de Souza, District Judge appointing T. V. Venkitachala Aiyar to the post of 2nd clerk.

"T. V. Venkitachala Aiyar is one of the most hard-working clerks on my establishment. He is in charge of the whole Miscellaneous work and discharged his heavy duties single-handed from April 1884 to March last, when he was allowed an assistant. His claims were brought to my notice by Mr. Wilkinson who was pleased to intimate by (Proceedings dated 3rd February 1887) No. 12 that they would be taken into consideration on the occurrence of the next vacancy."

(Signed) V. P. de Souza.

1st April 1888.

3. From the letter to the District Judge of Mr. V. P. de Souza, District Judge, recommending T. V. Venkitachala Aiyar to the post of Head Clerk.

"I enclose for your favourable consideration an application from the 2nd clerk of my Court, T. V. Venkitachala Aiyar for the post of Head Clerk in your Court. He is in charge of the whole Miscellaneous work, both original and small causes and has discharged his duties to my satisfaction. His conduct has been satisfactory and he bears a good character. I think him well qualified for post of Head Clerk."

(Signed) V. P. de Souza.

2nd June 1888.

District Judge.

4. Venkitchala Aiyar, now a clerk in the Palghat Sub Court, was for about 3 years a clerk under me while I was in charge of Punalom Munsiff's Court. His conduct during that time was uniformly good. He discharged his duties to my entire satisfaction. I brought his good services to the notice of the District Judge and I am glad he was promoted as a clerk in the Sub Court. He is a deserving public servant and I wish him every success.

(Signed) B. Narayan Pillai.

22nd June 1891.

St. Punsif Chooriat.

5. From the letter to the District Judge, Mr. P. de Souza, Sub Judge, appointing M. Venkitchala Aiyar for the post of...

6. Venkitchala Aiyar's claims were brought to my notice in a letter dated 10th April 1890 for 20th. During the last two months he acted as Mazir and he acquitted himself very creditably. He is possessed of sufficient nerve for the exercise of efficient control over the Amias and peons.

(Signed) P. de Souza.

12th February 1892.

Sub Judge.

7. M. Venkitchala Aiyar has been acting as Mazir since December 1891. He has the "faculty of organisation" and possesses all the qualities necessary for the efficient discharge of his various duties which he has performed to my satisfaction.

(Signed) P. de Souza.

24th October 1892.

Sub Judge.

8. M. Venkitchala Aiyar, Head Clerk, District Munsiff's Court, Punalom, has discharged his duties satisfactorily during the time he presided over the Court.

(Signed) K. Govindar Pillai.

1st March 1893.

District Munsiff.

9. From the letter to the Sub Judge of Palghat by the District Judge of Punalom, dated 10th January 1893 of the...

10. M. Venkitchala Aiyar's services are testified by the...

So Judge Mr. V. P. deFozario, the faculty of organization and administrative ability in an eminent degree and these qualities are always calculated to make him an efficient head of any department requiring vigilant supervision and effective control.

(Sd) A. C. Kannan Aiyar,
District Munsif.

9. T. V. Venkitachala Aiyar was the Head Clerk of this Court from 23rd June to 4th September 1897 during which period he discharged his duties with ability and conducted himself to my entire satisfaction.

Wavital, (Signed) J. F. Pereira,
4th September 1897. District Munsif.

10. Extract from the letter from the District Munsif of Bellary to the District Judge of North Malabar dated 19th March 1897 No. 100.

"During the last 3 years I have been in charge of this Court there was no complaint, either from the parties or vexatious or any irregularity on the part of the Head Clerk and that I had found no reason to find fault with him for any laxity of practice or conduct."

(Signed) A. C. Kannan Aiyar,
District Munsif.

11. "T. V. Venkitachala Aiyar was Head Clerk of this Court during the three and a half years I presided over it. During this time I always found Venkitachala Aiyar diligent and attentive to his duties. He is an able hand and does his work well and in addition he is honest and straightforward. He has given me entire satisfaction in the discharge of his duties."

Chowhal, (Signed) V. Rama Menon,
26th June 1902. District Munsif.

(True Copy)
V Venkitachala Aiyar

C. No. 1988.

SUBJECT.

Exemption from the precise test.

The district judge of South Malabar recom-
mends the exemption from the precise test of
J. V. Vinkibachala Shjar, head clerk of the
district munsifs court of Chonghat and
says that this case is similar to the one
sanctioned in G.O. no. 630 Est. of 31st. Oct. '02.
But in the latter case the High Court recom-
mended the exemption: whereas they were
forwarded the ^{present application} ~~for~~ for orders. ^{Should they} ~~perhaps~~
~~the~~ ^{now} requested to state whether in
their opinion the exemption applied for should
be granted? Their reply may almost be anticipated.
He has appeared for the examination five times and
failed: he was also under suspension for six months.
He does not therefore seem to deserve any exceptional treatment.

Reject.

Y. J. S. S. P.
9.11.12

The draft placed below may issue.

A. T. P.

12/1/13

24/1/12

27/1/12

C. No. 1988, From the Registrar, High Court, No. 2677, dated 19th Dec. 1902.

Letter
~~ORDER~~

No. 5, dated 12-1-1903

This

20

The Hon'ble the Chief Justice
of the High Court of Judicature
Madras.

Hon'ble Sir,

With reference to Mr. Hannay's letter no. 2677 dated the 19th Dec. '02, I am directed to state that the Governor in Council does not see ^{no} sufficient reasons for exempting J. V. Venkatachala Iyengar, ~~head clerk of the district munsiff's Court at Channarayana~~, from the provisions of

9/1/13

W. B.

10. 總計

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

190

READ AGAIN G.O., No. _____
 190

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

A = Copy in full.
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