

1945 (1945) Department.

My SERIES.

Close

G.O. NO. 226 Edn.

1/2 Subst

Dated 31/1/50

80

[Despatch Abstract.]

University - Madras - Election of a member to the Senate by the Gov. Bd.
Salem - Objection Petition by Sri T. V. Annamma Chellian a member of the Salem St Bd - Papers Referred

Back Papers.

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

Further Papers.

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



UNIVERSITY OF MADRAS.

TELEGRAMS: UNIVERSITY, MADRAS.
PHONE: 86914.

UNIVERSITY BUILDINGS,
CHEPAUK,

No. A6514.

Madras, 28 DEC 1949



From

THE VICE-CHANCELLOR,
UNIVERSITY OF MADRAS.

To

The Secretary to His Excellency the Governor of Madras
and Chancellor of the University of Madras,
Government House, Guindy, Madras.

Sir,

Sub: Election of One Member to the Senate by the Members
of the Salem District Board, under Section 14(a),
class III (6) of the Madras University Act - Objection
Petition.

I have the honour to bring to the notice of His Excellency
the Chancellor an objection that has been raised in regard to the
election to the Senate of one member by the Members of the Salem
District Board, and I am therefore referring this objection under
Section 2 of Chapter XIX of the Laws of the University which reads as
follows:

'If any question arises whether any person has been
duly elected as, or is entitled to be, a member
of any authority or body of the University, the
Vice-Chancellor shall refer it to the Chancellor
whose decision thereon shall be final'.

2. In October 1949, the Revenue Divisional Officer, Salem,
who was empowered by the Collector of Salem to do the duties of
Returning Officer for this election, was informed that an election
will have to be held to elect one Member to the Senate of this Uni-
versity by the Members of the Salem District Board and a programme
of dates for the election was sent to him. The Returning Officer
accepted the programme for the election and after holding the election
communicated the result in his letter Roc. 13648-49 dated 2-12-49
(copy enclosed).

3. Sri T.V. Anganna Chettiar, a Member of the Salem District
Board, who contested the election forwarded an objection petition
dated the 8th December 1949 (copy enclosed) wherein he has raised
certain objections as to the validity of the election. The Revenue
Divisional Officer, Salem, the Returning Officer for this election,
has communicated his observations in his letter dated Roc. 13648-49 B
dated 17-12-49 (copy enclosed) on the objections raised by Sri T.V.
Anganna Chettiar.

p.t.o.

- 2 -

4. From the facts stated in the report of the Returning Officer on the objections raised by Sri T.V. Anganna Chettiar, it would appear that the election has been conducted in accordance with the Laws of the University and that no irregularity is noticeable. I am therefore of the opinion that the conduct of the election is in order.

I request you to obtain the orders of His Excellency the Chancellor and communicate the same to me at an early date.

Yours faithfully,

Adnan Chai

VICE-CHANCELLOR

mks/2812.

Copy of letter No. Roc.13648-49 dated 2-12-49 from the Revenue Divisional Officer, Salem.

Sub: ELECTION - Election of One Member to the Senate of the Madras University from the Members of the Salem District Board - Results - intimated.

Ref: Your No. A. 5487 dated 24-10-49.

I send herewith a copy of my proceedings dated 2-12-49 about the result of the election.

STATEMENT SHOWING THE RESULT OF THE POLL

1. Number of votes who voted 52.
2. Number of ballot papers rejected
 - (a) for being sent in other than the prescribed ways. 19.
 - (b) for not enclosing the declaration 1.

PROCEEDINGS OF THE REVENUE DIVISIONAL OFFICER, SALEM.

present: Sri John A. Samuel, B.A.

Roc. 12648-49 dated 2-12-49.

Read: This office proceedings Roc. 13648-49 dated 15-11-49.

It was decided in the proceedings cited above to conduct a poll on 2-12-49 for electing a member to the Senate from among the Members of the Salem District Board. Ballot papers were despatched to the Members of the District Board on 21-11-49 with draft declaration form and letter of intimation containing instructions as to how the ballot papers should be returned. 18 covers containing ballot papers were received by REGISTERED POST not later than 4 p.m. on 2-12-49. 15 covers were deposited in the ballot box between 11 A.M. and 4 P.M. on 2-12-49. 19 covers were not received by REGISTERED POST nor were they deposited in the ballot box between 11 A.M. and 4 p.m. on 2-12-49 but they were received in other than the prescribed mode. The 19 covers received in other than the prescribed mode are rejected as invalid. Of the 33 covers received both by Registered post and deposited in the ballot box have been duly scrutinised. In one case the declaration form sent by the Returning Officer is not returned with the ballot paper cover. So it is rejected. The remaining 32 ballot papers are found to be valid. On counting Sri T.M. Kaliyannan secures 25 votes as against 7 votes secured by Sri T.V. Anganna Chettiar. Sri T.M. Kaliyannan, M.A., B.Com. is therefore declared duly elected to the seat in the Senate of the Madras University.

Copy of letter No. Roc. 13648-49 B dated 17-12-49 from the Revenue Divisional Officer, Salem.

Sub: Election - Election of one member to the Senate of the Madras University from among the members of the Salem District Board - Objection-petition of Sri T.V. Anganna Chettiar.

Ref: Your letter No.A. 6350, dated 14-12-1949.

Sri T.V. Anganna Chettiar was one of the two contesting candidates for the election of one member to the Senate from among the members of the Salem District Board. He was present on 2-12-1949 when the ballot papers were scrutinised and he did not raise any such objection as he has now put forward, at that time (*) His objections are :-

- (i) That the election was one sided and not voluntary.
- (ii) That 53 votes were tendered while the number of members of the Salem District Board is only 52.

2. As regards the objection No.(1) he has referred to the relationship of the other candidate, Sri T.M. Kaliyannan with the President of the Salem District Board and the staff of the District Board Office. He has also stated that the members of the District Board did not send the ballot papers by post from their respective places but despatched them from other stations. In addition to these allegations he has further stated that ballot papers were filled in by the President of the District Board or his assistants. This objection is baseless as nothing could be made out from the ballot papers as they contain only the X marks against the name of the candidate for whom the members had voted. The declaration papers received along with the ballot papers ~~were~~ ~~by the respective members and the objection petitioner was duly signed~~ ~~show each declaration paper in order to satisfy himself that it was not signed by any one else than the member.~~ The petitioner very carefully scrutinised the papers and he did not raise any objection but he was immensely satisfied that 20 votes of the rival candidate were declared invalid -- 18 for being sent in other ways than by prescribed mode and 1 for not enclosing the declaration.

3. As regards the objection No. (11) I invite a reference to my proceedings dated 2-12-1949 wherein I have mentioned that 18 covers containing ballot papers were received by registered post, 15 covers ~~XXXXXX~~ were deposited in the ballot box and 19 covers were neither received by registered post nor were they deposited in the ballot box on 2-12-1949. On the whole only 52 covers containing ballot papers were received because only 52 declaration papers were numbered and sent. The objection petitioner who was present at the time of the scrutiny could have questioned if there were 53 covers. As there were only 52 covers, he did not raise any objection then. I invite reference to the statement furnished in my proceedings dated 2-12-1949. What the petitioner now stated that 52 votes were tendered while 52 votes were counted is not correct. It is false. The other objections are frivolous and vexatious.

4. As already mentioned above, the objection petition has been sent by the defeated candidate only to delay proceedings and it deserves to be rejected as containing false and frivolous statements.
(*) His present objection petition is presumably to delay the proceedings

mks/2812.

From

T.V. Anganna Chettiar,
Member, District Board, Salem,
Pappireddipatti,
Harur Taluk. (Salem District).

To

The Registrar,
University of Madras,
University Buildings,
Madras.

Sir,

Sub: Election - Senate Member - University of Madras - Salem District Board - Voting - Irregularity - Objection.

An election was conducted by the Revenue Divisional Officer, Salem, (Returning Officer); on 2-12-49 to return a member to the Senate from among the members of the District Board, Salem. I take objection to the above election on the grounds detailed hereunder and request that pending disposal of this petition the publication in the Fort St. George Gazette of the candidature of Sri T.M.Kalianna Goundar may kindly be withheld.

- (1) The election was one-sided and not voluntary.
- (2) 53 votes have been tendered during the election against 52 seats, the strength of the Salem District Board.

2. Sri K.S. Subramania Goundar, the President of the Board, took a very leading part in canvassing votes through interference. He has, thus, restricted the scope of free voting of the members in a normal way. This is evident perceptibly when he got himself appointed as election agent to the said Sri T.M. Kalianna Goundar. Instead of his remaining neutral, he has taken sides and influenced voting through domination, promising members of his help in his capacity as President in due course.

3. Sri T.M. Kalianna Goundar took a very active and leading part on his (Sri K.S. Subramania Goundar's) behalf during his candidature for the presidency of the Board. It is but natural that the sympathies of the President should be on the side of Sri T.M. Kalianna Goundar in the way of gratitude. Moreover, he is related to him. Besides the President, Secretary and Superintendent of the Board are related to one another. So, there is ample opportunity for them to collude and impose their will on the members. They are per force bound together in supporting the candidate. It would be seen that the members did not send their ballot papers by post from their respective places of residence, but despatched from other stations. Curiosity is further aroused when 53 ballot papers were tendered against the total strength of the Board of 52. It is in itself a strong ground to question the validity of the election and to request for its being set aside. The very reason that 20 votes have been rendered invalid will be an additional ground to exhibit the ignorance of the members of the rules and regulation governing the election and the mode of presenting their voting papers. It will go to show how far the members would have, out of their free will, voluntarily exercised their votes.

4. A careful scrutiny of the ballot papers would reveal that the members did not fill up the forms themselves. But done by the President for his assistants. This is an additional proof

P.t.O.

2.
to show that the President dominated and influenced his authority in securing votes on behalf of Sri T.M. Kalianna Goundar, whom the President wanted to support with all resources at his command.

I can argue that if all the invalidated votes are counted in my favour I will be in a majority by two votes as shown below:

Deposited in the Box ..	15	Votes casted in favour of Sri T.M.Kalianna Goundar	25
Received by Regd. Post..	18		
Presented by Sri T.M.Kalianna Goundar after time & invalidated ..	20	Votes casted in my favour	7
		No. of votes invalidated.	20
Total	53		52

In the end, I submit that the election conducted on 2-12-49 cannot be held as valid for the above reasons and request that it may kindly be set aside and a re-election ordered.

8-12-49,
Pappireddipatti. I

Yours faithfully,
(Sd.) T.V. Anganna Chetty, D.B.M.
Pappireddipatti.

(True Copy)

927/48-1 (4) gr
3.1.50 Governor's Secretariat. 7

SECRETARY, EDN. AND P.H. DEPT.
8 JAN 1950 U.O. Note.

Sub: University- Madras Election of one member to the Senate by the members of the Salem District Board under section 14(a), Class III(6) of the Madras University Act- Objection petition by Sri T.V. Anganna Chettiar- PP 58 ank

Ref: Letter No.A.6514 dated 28th December 1949 from the Vice-Chancellor University of Madras- PP 1-2 ank

ASST. SECRETARY TO GOVERNMENT
4 - JAN 1950
EDUCATION AND PUBLIC HEALTH DEPT.

640 The above letter with its enclosures may be sent to E&PH Dept and they may be requested to examine the objections raised by the petitioner in consultation with the Legal Department and to circulate the file to H.E. through H.M.(Edn).

Nourndan Nair

G.S.

E&PH Dept u.o.

(6) 9
Guindy,
22nd January 1950.

From The Secretary to H.E.the Governor,
To The Vice-Chancellor,
University of Madras.

Sir,

University- Madras- Election of member to the
Senate by the members of the District Board,
Salem- Objection petition by Sri T.V.Anganna
Chettiar-

Ref: Your letter No.A.6514 dated 23th Dec.1949.

I am to say that His Excellency the Chancellor
has examined the objection petition from Sri T.V.Anganna
Chettiar and agrees with you that the conduct of the
election was in order. His Excellency considers there-
fore that there are no grounds at all to set aside the
election and desires you to communicate his decision to
Sri T.V.Anganna Chettiar.

Yours faithfully,

P. Govindan Nair
(P.Govindan Nair)
Secretary to H.E.the Governor.

Copy for Secretariat file.

University - Madras - Election of member to the Senate -
by the members of the District Board, Salem - Objection
petition by Sri T.V. Anganna Chettiar.

C.No. 640/50.

From the Vice-Chancellor, University of Madras, No.A.6514
dated 28.12.1949.

From the P.S.G., u.o. No.927/49-1 dated 3-1-1950.

P23 of the Madras
University Calendar
1948-49, Vol I.

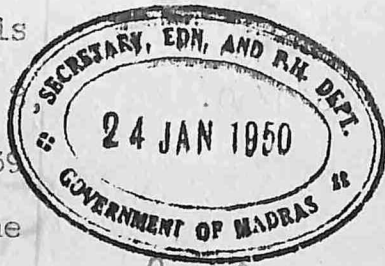
According to Section 14(a), ~~Class~~ Class III(6) of the
Madras University Act, the members of each district board
shall elect from among themselves one member to the Senate
of the Madras University. The election of a member to the
Senate by the ~~Salem~~ members of the District Board, Salem,
was fixed on 2-12-1949. The Revenue Divisional Officer,
Salem, was appointed ^{as} the Returning Officer to ^{conduct} the election.
Two candidates, Sri T.M. Kaliyanna ^{founder} and Sri T.V. Anganna Chettiar
contested ~~for~~ the election. The former was declared elected.
The total number of votes polled was R 52, of which 20 were
declared invalid and rejected. Of the remaining 32 valid votes
Sri T.M. Kaliyanna ^{founder} secured 25 votes as against 7 votes secured
by Sri T.V. Anganna Chettiar.

2. The unsuccessful candidate, Sri T.V. Anganna Chettiar
^{has} filed an objection petition to the Registrar of the Madras
University on 8-12-1949, objecting to the election of Sri
T.M. Kaliyanna ^{founder} and stating that the election was one-sided
and not voluntary and that 53 votes were tendered during the
election against 52 seats, the strength of the Salem District
Board. He ^{has} therefore requested the Registrar to declare
invalid the election of Sri ^{Kaliyanna founder} and to order
a fresh election. A copy of his ^{petition} is found on p.p.5-6 of

3. The R.D.O. Salem, the Returning Officer, has offered
his remarks on the objections raised by the petitioner - vide
~~his letter~~ copy of his letter to the Registrar on p.4 c.f.
He states that the objections of the petitioner are not valid,
that they are frivolous and vexatious and that the petition
should be rejected as it has been sent ~~merely~~ by the defeated

candidate merely to delay proceedings.

4. The Vice-Chancellor of the University has referred the above objection petition to H.E. the Chancellor for his final decision in the matter, with reference to Section Chapter XIX of the Laws of the Madras University (on p.139 of the Madras University Calendar, 1948-49, Volume I) The Govt's Secretary has forwarded the V.C.'s letter, together with the copies of the objection petition and the remarks of the R.D.O. Salem, for examination in this Department in consultation with the Legal Department. The Vice Chancellor's view is that the conduct of the election was in order - this seems to be acceptable - The objections of the petitioner do not appear to be valid and the petition may be rejected. Legal may kindly offer their remarks on the objections of the petitioner.



P7cf
PP1-6cf

1/2cf
m
7-1-50

VS
5/1/50
7-1-50

m
7-1-50

S/9/ Legal

Dpno
9/1

LEGAL DEPARTMENT.

The objections are frivolous and are disproved by the facts as disclosed by the Revenue Divisional Officer who was the Returning Officer. The Vice-chancellor's view that the conduct of the election was in order was correct.

M
12-1-50.

E+PH (92)



Legal No. 393/81
12-1-50.

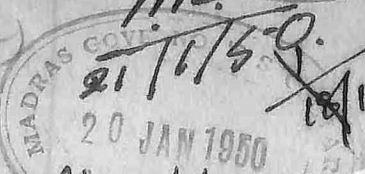
The case may be circulated to HM (EdL) and HE, with reference to the Govt's Secy's note on p 7 of

16/1/50
17-1-50

S/15/

H.7 (EdL)

It is an outrageously fantastic frivolous rejected



Samis for...
73
22-1-50.

P9cf

Gr. S. A copy of the letter rejecting the petition is placed below.

M
21/1/50

Please see the P.S. & note above and the copy of P.S. & letter to Rev. C. Madras University, on p. 9 of the papers may now be

Order (MS 226) Sent - 31-1-50

Recorded.

RS
24/1/50

M
24-1-50

m
25/1/50

Abstract:-
University -
Madras - Election
of members to
the Senate by
the members
of the Dr. Board
Salem. Election
petition by Sri
T.V. Angama
Chettiar, a member of the Salem Dr. Board.
Papers - Recorded.

24/1/50

M
24-1-50

$\frac{15}{100} = 15\%$
 $100 - 15 = 85$

I have seen the 7.2.2's date above
and the copy of 7.2.2's letter to Mrs. C.
Mason University and P. F. B.
I have many more

3 sent

02-1-18-Jan-23 d L.S. 4M (2023)

2000

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[The page contains faint, illegible handwriting, likely bleed-through from the reverse side.]