M.R.O. 1—77,006—8-6-31.

(1) Number of pages 16

(2) Date of repair 27-10-39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 60-61 Press / Mis.

96-98.

Dated 27-1- 1870.

96-98 9/9

Not to be folded or roughly handled

No. 96. Read the following letter from B. TEAGARAJA PILLAY, late Tahsildar of Ahtoor in Salem District, to the Chief Secretary to Government, Fort Saint George, dated Madras, 14th December 1869.

I have the honour to forward, herewith, a memorial, in triplicate, to His Grace the Right Honourable the Secretary of State for India, appealing against the decision of Government in the matter of my removal from my appointment as Tahsildar of the Ahtoor Taluq, and of my being placed on an annuity below that guaranteed to me by my service, and to request you will be so good as to submit the same to His Excellency the Right Honourable the Governor in Council.

2. In preferring this request may I venture to solicit your personal consideration of the facts and statements set forth in the memorial, and that you will call the particular attention of His Excellency the Governor and the other members of Government to the peculiar hardship of my case, and the grave and unprecedented injustice that has been done me.

To His GRACE the DUKE of ARGYLL, K.T.G.C.B.,
Her Majesty's Principal Secretary of State for India,
&c., &c., &c.,
London.

The humble memorial of B. TEAGARAJA PILLAY,
late Tahsildar of Ahtoor Taluq in the District of
Salem of the Presidency of Madras.

Respectfully Showeth,

That your memorialist having served Government thirty-four years, one month, and eight days, and having been pensioned after such service, contrary to the guarantee of Her Majesty, given to her servants in the Uncovenanted Service, on a sum less than a moiety of the average of pay drawn by him during the last five years of his service, Rupees 200, and not having obtained redress from the Local Government, is compelled to appeal to your Grace, and he trusts that the justice which has been denied him in this distant appendage of Her Majesty's territories will be granted by your Grace who is so near Her Majesty's throne from whence all her subjects of whatever class, creed, or colour have a certainty of assurance that impartial justice will be meted out to them.

2. That your memorialist now begs to submit the circumstances connected with this case, and solicits for the same the best consideration of your Grace.

3. That your memorialist entered the service as Javabneviss in the Ahtoor Taluq on a salary of Rupees 10-8-0 on the 27th of April 1832; that on the 22nd of April 1842 your memorialist was promoted to Taluq Gumastah in the same place; that on the 1st December 1843 your memorialist was placed in the Police Department and served at Salem and Darampoory as Police Gumastah; that while employed in the Police Department your memorialist apprehended Annavyangar, the notorious head of a gang of robbers in the Salem Taluq, who was the Zemindar of Rakeputty in that Taluq, and carried on predatory excursions for a length of time, and artfully eluded all endeavours on the part of the officials to effect his apprehension, on the occasion of Condalamputty and Salem of that Taluq being plundered by this bandit. In fact, that your memorialist's services were specially applied for, for this purpose; and as a reward for his gallantry and bravery your memorialist was promoted to the Sheristadarship of Darampoory. That your memorialist was accordingly afterwards, on the

(Translation of Takeed issued by W. E. Lockhart, Esq., *Collector of Salem.)*

To Teagaraja Pillay, *Police Royasem of Darampoory Taluq.*

Having learnt of the great zeal displayed by you in the case of the notorious offender Annavyangar in the robbery committed at Condalamputty and other villages, and your knowledge in revenue matters, and the deal of labour you take invariably, I am pleased, therefore, to appoint you to act in room of the Taluq Sheristadarship now vacant at Darampoory Taluq from the 1st instant. On the receipt of this order you will obtain the permission of the Tahsildar of Salem, and proceed to Darampoory and assume charge of your new appointment, and be guided by such orders as may be given you by your present superior, in conformity with the rules and customs both in the Revenue and Police Departments. On my learning the assiduity with which you perform your duties, I will take measures to comfirm you in the said post. Know this.

(Sd.) W. E. Lockhart,
Darampoory, 3*rd Nov.* 1846. *Collector.*

1st November 1846, promoted to Taluq Sheristadar on a salary of Rupees 28, and did duty in the Darampoory and Kistnagerry Taluqs ; that, on the 20th of October 1848, your memorialist's salary was increased to Rupees 100, and he did duty in the following Taluqs as Tahsildar :—

Tengarycottah.
Denkenicottah.
Sunkerydroog.
Ahtoor.

4. That, while at Denkenicottah, a bridge which was erected over the Cauvery at Comarapollium, at a cost of a lac of rupees, had been washed away by the freshes in consequence of the materials with which it was constructed not being of the proper kind, and thereupon your memorialist was specially appointed by H. D. Phillips, Esq., the then Collector, for the duty of supplying materials for its reconstruction, and that your memorialist afforded the utmost satisfaction as will be seen by the certificate of Lieutenant-Colonel C. V. Wilkieson, hereto attached.

(*Takeed issued by* H. D. Phillips, Esq., *Collector of Salem.*)

To Teagaraja Pillay, *Tahsildar of Denkenicottah.*

By the letters of Civil Engineer that Kistna Row, Tahsildar of Sunkerydroog, was not able to supply all necessary provisions for the construction of the bridge over the Cauvery at Comarapollium in the Taluq of Sunkerydroog, therefore he was transferred to your Taluq and you to Sunkerydroog from the 26th instant : you are hereby requested to give over charge of your Taluq to Taluq Sheristadar, and taking receipt from him proceed to Sunkerydroog and take charge of that Taluq from Kistna Row, and render every kind of assistance for the bridge which is in construction, without giving room for any complaint ; and also be careful in your public duties.

Oossoor, 26*th August* 1850. (Signed) H. D. Phillips,
Collector.

Teagaraja Pillay, Tahsildar of Sunkerydroog, was under my orders during the construction of the bridge over the Cauvery at Bahvany. I have much pleasure in giving him this certificate to testify that I found him throughout most useful in giving me every assistance in procuring materials, &c., for the bridge, and as far as I can be allowed to judge I consider him a first-rate public servant in Maramut affairs.

(Signed) C. Wilkieson, Lieut.,
Sunkerydroog, 9*th July* 1851. *Engineer.*

5. That while your memorialist was stationed at Sunkerydroog, in the year 1852, a gang of robbers, who frequently carried on depredations throughout the district, on one occasion made their appearance in the village of *Kathateyoor*, and entered the premises of a respectable person, whom they murdered and robbed of all his property. These robbers your memorialist apprehended after much pains and trouble, and had them committed for trial to the Court of Sessions which awarded an inadequate punishment ; but the Magistrate, on a reference made to the Sudder Court, had them transported for life. This fact will be borne out by the certificate hereto attached granted to your memorialist by Mr. T. Conway, the then Sub-Collector.

To Teagaraja Pillay, *Tahsildar of Sunkery.*

I have received your several letters, but I have been so much occupied since my departure from Salem that I have unintentionally failed to reply to them. I think it due to you, however, to comply with your request for a testimonial to character, and I have much pleasure in stating that I entertain a very good opinion of you as a public servant. I consider that, as a Police Officer, your character stands very high, and in all the proceedings which came under my observation connected with the gang robbery which occurred in your Taluq just before my departure, that you showed yourself an able, active, and fearless public servant, desirous of bringing to justice notorious public offenders, and thereby securing the peace of the Taluq and protection to the property and lives of the inhabitants. I shall always be glad to hear of your welfare.

Kurnool, 9*th November* 1851. (Signed) T. Conway.

6. That, in the year 1854, the Zemindar or Moottadar of Alagapooram of the Salem Taluq, a notorious robber with a gang of forty-one men entered the house of a merchant at *Shevapett* in the Salem Taluq, and plundered property therefrom worth Rupees 24,000 ; this town was at the time in charge of Mr. Davidson, the Asistant Magistrate, who did his best to trace out the gang through

means of the Tahsildar. But this latter official, fearing to risk his life in the attempt to apprehend the marauders, shrank from the duty fearing lest they would murder him if he fell into their hands ; whereupon Mr. Davidson applied to Mr. Brett, the then Collector, for memorialist's services, and the above gang were successfully apprehended by your memorialist with the property stolen. The gang were subsequently tried and punished by the Court of Sessions with imprisonment for a term of fourteen years, as will be evidenced by the certificate granted to memorialist by Mr. Goodwyn, the Session Judge, as well as the Takeed issued to him by the Collector noted marginally.

Extract from the Proceedings of the Session Court of Salem, under date the 1*st September* 1854. *Read record in Session case No.* 21 *of* 1854.

Kokalumah, *versus* Chinniah Moodelly and 42 others.

The Sunkerydroog Tahsildar, Teagaraja Pillay, is entitled to great credit for the manner in which he has exerted himself in apprehending the prisoners, &c.

(True Extract.)
(Signed) T. W. Goodwyn,
Session Judge.

14*th November* 1854.

(True Copy.)
(Signed) T. W. Goodwyn,
Session Judge.

(*Takeed issued by* H. A. Brett, Esq., *Collector of Salem.*)

To Teagaraja Pillay, *Head of Police of the Tengaracottah Taluq.*

In the fourth paragraph of the Extract received from the Session Court of Salem, dated 1st September 1854, it having been brought to my notice the great vigilance and zeal taken by you in bringing the offenders concerned in the daring robbery committed at Shevapett at Salem Taluq on the 28th May 1854, and their eventual conviction for the amount stolen to the extent of Rupees 24,000, comprising gold and silver articles, much credit and praise were accorded to you in the said case by Session Court in your duty while presiding in the Taluq of Sunkerydroog. This I think it but fair to make you aware of. Know this.

(Signed) H. A. Brett,
Collector.
Oossoor, 23*rd October* 1854.

7. That Lieutenant Ouchterlony, on his return to this district in 1854, inspected the bridge work done under your memorialist's supervision over the Cauvery river, as already stated, and finding the work done by him to be much below the estimated sum, and also that it had been proceeded with, with great celerity, and that it had been completed with greater despatch than he expected, expressed his appreciation of your memorialist's services generally in the Maramut Department, and recommended to the Board of Revenue that in the event of sanction being accorded for the Nerinjipett Anicut over the Cauvery he would account it a guarantee

To R. R. Teagaraja Pillay.

I enclose you an extract from a report which I have sent in about the Nerinjipett Anicut relating to yourself.

The estimate of the work, both anicut and channel, comes to Rupees 1,45,000. I have sent a copy of the report to Mr. Brett, and I hope early sanction will be given for it and for the channel to be commenced immediately.

I shall be at Sunkerydroog about 3rd June, and if there are any tanks which require Maramut work executed which requires inspection, pray make a list and keep it for me ready.

Also I wish you would have the cut stones in the Droog counted, and a list made showing the length, breadth, and thickness of each, and remarks saying if they are cut smooth on the top or only rough.

Your friend,
Salem District, 17*th May* 1854. (Signed) J. Ouchterlony.

Extract from a Report on the restoration of the Nerinjipett Anicut made to the Board of Revenue.

24. The Tahsildar of Sunkerydroog Taluq also attended and evinced his usual zeal and intelligence ; and I would take permission to remark that, in the event of sanction being eventually granted for the work recommended, I should account it a guarantee for its being properly executed both as to time and cost, if this energetic Revenue officer were charged with the subordinate control of operations.

(Signed) J. Ouchterlony,
Civil Engineer, 5th District.
Salem District, 15*th May* 1854.

for its being properly executed, if your memorialist, whom Lieutenant Ouchterlony is pleased to describe as an energetic Revenue officer, were charged with the subordinate control of operations.

8. That, in 1855, a gang robbery was committed in Darampoory, and your memorialist was again specially sent for to trace and apprehend the robbers, and once more, in 1858, when a gang robbery attended with grievous hurt was committed in Salem your memorialist was again specially sent for, for the purpose of apprehending the robbers. That all these facts will be proved by a reference to the certificates, &c., entered in the margin. That your memorialist's salary was, on the 6th December 1860, increased from Rupees 100 to 200, which he drew for five years, five months, and twenty-six days; and that on his being placed on the pension list he was by the rules of the service entitled to Rupees 100 per mensem, or a moiety of the last pay drawn by him for the last five years of his service; that after the good service rendered by your memorialist during a period extending over more than a third of a century, your memorialist feels aggrieved at the decision of the Madras Government which denies to him the boon that has been *guaranteed* to all good and faithful servants of the State.

(*Takeed issued by* H. A. Brett, Esq., *Collector of Salem.*)

To Teagaraja Pillay, *Tahsildar of Tangaracottah.*

After closing the examination of the murder case now under trial you will proceed to Darampoory as ordered in the Takeed, No. 4, dated 12th January 1855, and render necessary assistance in the case of the gang robbery committed in the house of Sooba Row, the Taluq Gumastah of that place on the 13th idem, and strive to bring the perpetrators to light, and conform to the usual rules and restrictions.

(Signed) H. A. Brett,
Collector.

Salem, 15*th January* 1855.

(*Takeed issued by* G. H. Smith, Esq., *Joint Magistrate of Salem.*)

To Teagaraja Pillay, *Tahsildar of Ahtoor.*

In the case of robbery attended with grievous hurt in the house of Vencataramniah, Taluq Munsiff of Salem, it being desirable that you should exert yourself to apprehend the robbers therein, you are required to deliver over charge of your Taluq to the Sheristadar and come over here for the above purpose.

(Signed) G. H. Smith,
Joint Magistrate.

17*th November* 1858.

9. That your memorialist begs to annex letters, as per margin, addressed by Mr. Brett, the experienced Collector of the district, to one Mr. G. F. Fischer, a respectable English merchant and Zemindar of Salem. Your Grace will observe that an independent person like Mr. Fischer, who could have had no motive in saying anything that was not true, testifies to the "*high character*" which your memorialist had gained, and Mr. Brett, your memorialist's immediate Chief Officer, declares your memorialist to be *an able and active man* and *better qualified than most of the Tahsildars under him.*

Madura, 9*th July* 1855.

Teagaraja Pillay,

I write this to send you (overleaf) an extract of a letter which I have just received from Mr. Brett. After this you may consider your fortune as good as made. It was my mentioning you again in a letter I lately wrote to Mr. Brett that has elicited this answer; you must take care that you maintain the high character you have gained, and bear out my recommendation in your favour. I hope you are quite well.

I am trying to get back to Salem, but one thing or another is constantly interfering to prevent me just now. I am detained to prosecute the Manager of the Ramnad Zemindary and brother of the Ranee. When I come to Salem you must contrive to come and see me.

Believe me,
Your friend,
(Signed) G. F. Fischer.

From Mr. Brett, to Mr. Fischer.

I sent Teagaraja Pillay to Tengaracottah because, as an able and active man, I thought him better qualified than most of my Tahsildars to take so important a charge. In referring to this point I am reminded of the letter you wrote me in March last regarding his transfer to that Taluq, and his wish for this change. It was very remiss of me not to answer that letter. I must thank you for treating my neglect with so much consideration, but I may observe that Teagaraja Pillay has since expressed himself satisfied with Tengaracottah, on the ground that he no longer thinks it will disagree with his health.

I believe he thought at first that I sent him there as a sort of punishment, but this was not the case. He had himself applied to me to remove him from Shenkagery, and in doing this, had not mentioned his preference for any other Taluq. I transferred him to Tengaracottah solely because I thought he was best suited for the post, and in entire ignorance that he might have any objection to the Taluq on private grounds.

Teagaraja Pillay.

I duly received your letter of 29th May. I am sorry to hear that your retirement from service against your will is wished for by the Collector, but I still hope on your proper representation to hear that it is not pressed on you. However, as you will be aware, I cannot assume or pretend to judge of the reason of any influence over your Collector, nor can I form any opinion as to your qualifications. I have known you for many years, but not officially, as when in Salem, I was always in the Revenue Department; but I always had reason to think highly of your character and respectability, and I always heard Mr. Brett speak well of you. I hope all will turn out for the best.

Believe me, your's faithfully,
Cuddalore, 18*th June* 1866. (Signed) C. Reade.

Your memorialist also begs to annex a letter addressed to your memorialist by Mr. C. W. Reade, the late Sub-Judge and Civil and Session Judge of Salem, now the Collector of South Arcot, from which it will be evident that that officer had a high opinion of, and esteem for, your memorialist.

10. That your memorialist deems it his duty, however painful the task, to bring to the notice of your Grace certain circumstances which took place on the eve of his retiring from the public service, and to which your memorialist solicits the grave consideration of your Grace.

11. That your memorialist in the month of March 1866, while efficiently performing his duties as Tahsildar of the Ahtoor Taluq, was, by a Takeed, sent for by the Honourable D. Arbuthnott, the then Collector of Salem, to appear before him as he had to speak to your memorialist personally. That your memorialist accordingly appeared before Mr. Arbuthnott when he was informed that he was required to take his pension. That had your memorialist then taken pension he would, without any objection whatever, have received an annuity equal to a moiety of the salary he was drawing at the time.

A.

(*Takeed issued by the Collector of Salem.*)

To Teagaraja Pillay, *Tahsildar of Ahtoor Taluq.*

As I have to speak to you personally you must appear in my office, at Salem, on Monday next at 11 o'clock.

(Signed) D. Arbuthnott,
Salem, 16*th March* 1866. *Collector.*

12. That your memorialist being in good health and in the full possession of all his mental faculties, and feeling that he was neither physically nor mentally disqualified for the discharge of the duties appertaining to his post, remonstrated with Mr. Arbuthnott; but on your memorialist being pressed by Mr. Arbuthnott he begged for and was granted three months' leave to make up his mind on the subject.

13. That before the three months' leave had expired, Mr. Arbuthnott, on the 22nd May 1866, informed your memorialist that on the 1st June he would recommend your memorialist for pension, and directed your memorialist to hand over the Taluq to Cooppoosawmy Naidoo, Tahsildar of Oossoor, on the 1st June following.

B.

(*Takeed issued by the Collector of Salem.*)

To Teagaraja Pillay, *Tahsildar of Ahtoor Taluq.*

As you told me personally that you would take pension on the 1st June you will be recommended for pension.

Cooppoosamy Naidoo, Tahsildar of Oossoor, is transferred to your taluq; deliver over to him charge on the 1st June.

(Signed) D. Arbuthnott,
Collector.

Salem, 23*rd May* 1866.

14. That your memorialist did not deem it fair or just that he should be thus arbitrarily forced to retire from public life, when he was perfectly competent to perform satisfactorily all the duties appertaining either to his social or official position, more especially as at that time your memorialist was about to celebrate the marriages of his children which would have been greatly interfered with by his being so suddenly placed on the pension list, and his income reduced by a moiety.

15. That your memorialist pressed this circumstance on Mr. Arbuthnott, and brought to his notice* the very large family your memorialist had to support, and prayed that he may be permitted to continue in the service.

* *Vide* Appendix marked CI. and CII.

16. That Mr. Arbuthnott turned a deaf ear to the representation of your memorialist, and insisted on his delivering over the charge of the Taluq to Cooppoosawmy Naidoo on the 1st June 1866*. That your memorialist thereupon appealed to the Board of Revenue laying before them his grievance and soliciting that he may not be removed from the Tahsildarship of Ahtoor. But, on the contrary, the favourite† of those in authority was promoted, and your memorialist had to suffer.

* *Vide* Enclosure marked D.
Vide Enclosure marked E1 and E2.
1. † Cooppoosamy Naidoo, from Oossoor to Ahtoor for 3rd class.
1. Rajagopalcharry, from 4th class Darampoory to 3rd class Oossoor.
1. Mr. Jones, from Shervaroy Hills to 4th class Taluq Darampoory.

17. That, in the meanwhile, the Collector, Mr. Arbuthnott, having been informed that your memorialist was endeavouring to obtain restoration to his appointment, and being determined, from strong influential pressure brought to bear on him, which had created in his mind very strong prejudice, fomented by his subordinate officers who were inimically disposed towards your memorialist, served your memorialist with a Revenue notice under Regulation IX. of 1822, stating that a charge had been preferred against your memorialist, and that he purposed to institute an inquiry, and that, therefore, your memorialist was required to be present at Ahtoor.

Vide Enclosure marked F.

18. That your memorialist accordingly appeared, and while the case was under investigation by Mr. Arbuthnott, four other cases were got up against your memorialist. That though Mr. Arbuthnott used his best efforts to give the cases that had been got up against your memorialist as unfavourable an aspect as possible for your memorialist, yet, after the most sifting investigation by one whose mind had been greatly poisoned against your memorialist, who if he could would have found your memorialist guilty, nothing was elicited to your memorialist's prejudice. That, after the close of the investigation of these revenue cases, such persons as had given evidence in favour of your memorialist were prosecuted, two Kurnums were summarily dismissed, and another Kurnum named Ramiah had his property attached to a considerable extent, for refusing to complain against your memorialist. That on this and similar pressure being brought to bear on the said Ramiah and some others, and promises held out of their prospects being bettered, they preferred charges against your memorialist. That they were induced to do thus, under the circumstances just mentioned, will be clearly evident to your Grace from a perusal of the record‡ in Appeal Case No. 35, copy of which is hereto appended. That after the investigation of all the revenue cases your memorialist asked permission to go to Salem stating that the Vakeel who had appeared to conduct his defence in the several above-mentioned cases would be present to represent your memorialist in any further inquiry that may be made, and permission was accordingly granted by Mr. Arbuthnott.

‡ *Vide* Enclosure marked G.

19. That your memorialist having business at Madras was about to proceed thither by train, but just as he was about stepping into it, he was arrested by a warrant, for alleged extortion, though at that time there was not a single charge of the kind against your memorialist by any person. Annexed is a translation of that warrant, and your memorialist begs to direct attention to the fact that the warrant was issued *not upon the complaint of any person.*

(Warrant.)

To the Head of the Police in the Town of Salem.

There being a charge of extortion against Teagaraja Pillay of Salem, you are hereby ordered to arrest and bring him before me, and you must do so without fail. If the said Teagaraja Pillay give personal security for Rupees 5000, also two other security for Rupees 5000 each for his appearance before me at Ahtoor on the 3rd instant, you may set him free.

(Signed) D. Arbuthnott.
1st September 1866.

20. Thus was your memorialist suddenly disgraced before a large multitude of his countrymen who were proceeding by the same train, by being publicly arrested on the grave charge of extortion.

21. That your memorialist gave and found the necessary securities, and appeared before the Magistrate, Mr. Arbuthnott, who proceeded to try your memorialist on three distinct charges, Mr. Arbuthnott being both plaintiff and judge. That two of these cases were obliged to be withdrawn as totally groundless; but nothing daunted Mr. Arbuthnott was pleased to convict your memorialist on the third case, which was equally groundless as the other two, and your memorialist was sentenced to six months' rigorous imprisonment and mulcted in a fine of Rupees 200. But that on appeal the sentence was annulled by the Court of Sessions, and your memorialist was honourably acquitted.

Marked H.

22. That your memorialist being thus set free, and relieved of every stain on his character, deemed it advisable to proceed to the head-quarters of Government, there to seek protection against the violent actions of Mr. Arbuthnott, knowing that, unless he possessed such protection, he would certainly be eventually crushed under the power which could be wielded against him. But that on his arrival at Madras your memorialist was again arrested under Mr. Arbuthnott's warrant, and compelled to enter into recognisances to the extent of Rupees 15,000 for his appearance before Mr. Arbuthnott. That your memorialist was on this brought to trial on six cases of alleged extortion. One of these fell through by the complainant himself declaring in open Court that he had been instigated by Mr. Arbuthnott's Sheristadar Paul Pillay and other subordinates of Mr. Arbuthnott to prefer the complaint he did against your memorialist. That Mr. Arbuthnott was pleased to convict your memorialist on the other five charges, and sentenced your memorialist to various terms of imprisonment extending in the aggregate to two years, and to payment of fines amounting on the whole to Rupees 1600.

23. That on appeal as in the trumped-up cases, so in all the subsequent trials, the Appellate Court completely reversed Mr. Arbuthnott's findings and sentences. Your memorialist begs to attach copy of the Judgment,* and respectfully begs to solicit the special attention of your Grace thereto. Your memorialist prays your Grace will patiently peruse that document, from which it will be observed that the Judge was of deliberate opinion that your memorialist was made a victim of a conspiracy formed to prevent his return to office. That Mr. Arbuthnott has treated not only your memorialist in this manner, but when transferred to Madura he even there, from his peculiar disposition, fell upon the Tahsildar Somasoondra Moodelly. His conduct towards this Tahsildar was similar to that manifested towards your memorialist so much so that the Revenue Board considered the manner in which Mr. Arbuthnott exercised his Magisterial powers had caused grievous injustice and rendered him liable to a charge of vindictiveness to a determination to crush the Tahsildar. And your memorialist begs to state that Mr. Arbuthnott's conduct towards your memorialist had this object in view, which was *not to serve the ends of justice, but his own private views*, and this will be further proved by the fact that when your memorialist filed suits for defamation of character and damages against Venkatakristayen, Village Kurnum, and others in all five cases who gave false evidence and *were the cause of malicious prosecution by Mr. Arbuthnott* against your memorialist, they were convicted of malicious prosecution, your memorialist deems it sufficient to enclose one of the Judgments, given in the above cases, viz., Salem Principal Sudder Ameen's Judgments marked J.; on appeal, this was further confirmed by the Civil Judge—*vide* his Judgment marked K., and further confirmed in special appeal to the High Court—*vide* Judgment marked L.

* Marked I.

Marked J., K. and L.,

24. That notwithstanding that your memorialist was thus able to establish his innocence and the utter falsity and wickedness of the charges preferred against him; that notwithstanding that your memorialist came forth unscathed from the fierce ordeal to which he was submitted with a stainless and unimpeached character; that though it was clearly proved that the action taken against him was the result of a conspiracy to prevent your memorialist's return to office; that notwithstanding it was proved that Mr. Arbuthnott's actions against your memorialist arose from a spirit of vindic-

I, Charles Murray Duff, M.D., Surgeon Major, 3rd District, do hereby certify on honour that I have this day examined Teagaraja Pillay, late Tahsildar of the Ahtoor Taluq, Salem District, now residing in Nungumbakum; and that he labours under no disease, constitutional affliction, or bodily infirmity, such as to disqualify him for official employment.

(Signed) C. Murray Duff, M.D.,
Surgeon Major,
3rd District.

Madras, 10*th January* 1867.

tiveness ; that notwithstanding that your memorialist furnished a medical certificate to prove that he was perfectly able to discharge the duties entrusted to him, and though your memorialist fully detailed to the local Government all the circumstances connected with the persecution by Mr. Arbuthnott to which he had been exposed, the Madras Government afforded your memorialist no relief.

25. That after all the various charges preferred against your memorialist had been finally settled and proved to be the result of a malicious conspiracy against your memorialist, Mr. Arbuthnott charged your memorialist in irregularly owning lands in the district. With regard to this charge your memorialist begs to annex copies of his petitions to the local Government fully refuting the same, that instead of fairly examining your memorialist's defence reference was made to the Board of Revenue who were asked to report upon it, and who made a reference to Mr. Pochin who was then Collector. That that officer did not make a fair report, and your memorialist was obliged to submit a defence of the charges contained in Mr. Pochin's report, and your memorialist prays that your Grace will peruse with attention the annexed copy of petition to the Government from which your Grace will be satisfied that Mr. Pochin's report was altogether made under greatly biased and prejudiced feelings.

Marked M.N.

Marked O.

26. That in consequence of the proceedings against him by Mr. Arbuthnott your memorialist was greatly humiliated and disgraced—put to heavy expenses in employing Vakeels, which has almost brought him to the verge of beggary ; that instead of substantial relief being afforded to your memorialist by Government, instead of his being restored to his appointment, the Government informed your memorialist that he cannot be allowed to resume the post of Tahsildar, but must be required to take his pension ; your memorialist was placed on the pension list on a diminished annuity of Rupees 80 per mensem with effect from 14th December 1867, while his services entitled him to Rupees 100 from the 1st June 1866, the date on which he was arbitrarily compelled to relinquish office. *That your memorialist has thus been left without pay and allowance for one year and six-and-a-half months, and that he has been deprived of Rupees* 20 *per month since* 14*th December* 1867, *the difference between Rupees* 100 *to which your memorialist's services entitle him, and Rupees* 80 *the pension which Government have been pleased to grant your memorialist.*

27. That your memorialist submits that he must be either guilty of the charges that were preferred against him or not ; that if he were found guilty he deserved condign punishment, but that as your memorialist was not found guilty, and as your memorialist was, by the aid of a gracious Providence and his own innocence, enabled most clearly to establish the falsity of the charges preferred against him, and to relieve his character from all imputation of the several charges preferred against him, he respectfully submits that in justice, after the great injuries inflicted on him by Mr. Arbuthnott, he should have been restored to his proper position in the service, either by restoration to his appointment, or by the grant of the proper pension to which his services entitle him. That, as both of these have been denied, your memorialist is compelled to appeal to your Grace and to pray that, under the circumstances now detailed, your Grace will be kindly pleased to direct that your memorialist be restored to the service, and that he be allowed his full salary from 1st June 1866, the date he ceased to be employed up to the date on which he may be restored, or that a pension equal to a moiety of his salary, viz., Rupees 100 a month, be ordered to be paid to him, such pension being granted to him from the date of his being required to take his pension, and that he may be allowed his full pay for the one year and six-and-a-half months he was left without any pay and allowances as shown in paragraph 26 of this address. For which, as in duty bound, your memorialist will ever pray.

Madras, 14*th December* 1869. (Signed) B. TEAGARAJA PILLAY.

No. 97. Order thereon, 27th January 1870, No. 60.

With reference to clause 3 of the Memorial Rules this memorial will be forwarded to the Government of India for transmission to the Right Honourable the Secretary of State for India.

(Signed) J. I. MINCHIN,
Acting Chief Secretary.

No. 98. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 27th January 1870, No. 61.

I am directed, with reference to paragraph 3 of the Memorial Rules, to forward, for transmission to the Right Honourable the Secretary of State for India, a memorial from B. Teagaraja Pillay, formerly Tahsildar of the Ahtoor Taluq in the Salem District. Teagaraja Pillay appeals against the orders of this Government refusing to direct his restoration to his office from which he was relieved in 1866 under orders of the Collector, and declining, on his subsequent admission to pension, to sanction the grant of the maximum rate.

2. In March 1866 the memorialist who had not been giving satisfaction in the performance of his duty, was called upon by the Collector to resign and take his pension, and arrangements were made for relieving him of his charge upon the 1st June following, and were carried out on that date. Immediately on memorialist's removal from office, a large number of complaints were preferred by persons who had been under his jurisdiction, and after a protracted investigation, he was convicted by the Magistrate on six charges of extortion. The convictions were however annulled by the Sessions Judge as stated in the memorial ; but it is unnecessary to go into details regarding the criminal charges, inasmuch as they were not taken into account by this Government when passing orders on petitioner's case.

3. The orders of Government proceeded upon the result of certain charges against the memorialist in connexion with his performance of his duties as a Revenue Officer. These charges had reference to the memorialist's surreptitious acquisition of land in the Taluq in which he was employed in opposition to the Standing Orders on the subject. The Collector having found that the charges were proved, recommended that a formal order of dismissal should be recorded against memorialist, which would have prevented his obtaining pension.

4. The Board of Revenue submitted the case to Government with the remark that they were "satisfied that the Tahsildar's withdrawal of his resignation and reinstatement in office ought not to be permitted, but that they did not deem it necessary to order his formal dismissal, as this extreme punishment would probably not have been inflicted on him for such offences, serious as they are, after such a lengthened period of service as he has attained."

5. On being called upon to record a definite opinion on each of the five charges, the Board of Revenue addressed to Government the letter recorded in the Proceedings of Government in the Revenue Department, 14th November 1867, copy of which is enclosed for reference. This document succinctly sets forth the circumstances of each case, with the result that four out of the five charges were held to be fully proved ; in which opinion the Government concurred and directed that the memorialist should not be allowed to resume the post of Tahsildar, but should be required to take his pension.

Nos. 240 and 241.

6. When the memorialist's application for pension was being disposed of it was considered that as his service was not unblemished, which the circumstances of his retirement showed, he was not entitled to the maximum rate of pension which is only allowed for approved service ; but four-fifths of the maximum pension was granted. The pension was made payable from the 14th December 1867, the date on which, in pursuance of the order above referred to, the memorialist submitted his application to the Collector.

7. I am to observe that in being admitted to pension at all petitioner was, it appears to this Government, treated with considerable leniency, and has no cause for complaint.

(Signed) J. I. MINCHIN,
Acting Chief Secretary.

Exd. J. Wright.

To

The Honorable R. S. Ellis Esqr C. B
Chief Secretary to Government

Sir

I have the honor to forward herewith a Memorial in Triplicate to His Grace the Right Honorable the Secretary of State for India appealing against the decision of Government in the matter of my removal from my appointment as Tahsildar of the Ahtoor Taluq and of my being placed on an annuity below that guaranteed to me by my service and to request you will be so good as to submit the same to His Excellency the Right Honorable the Governor in Council.

In preferring this request I may I venture to solicit your personal Consideration of the facts and Statements set forth in the Memorial and that you will call the particular attention of His Excellency the Governor and the other Members of Government to the peculiar hardship of my case and the grave and unprecedented injustice that has been done me.

I have the honor to be
Sir
Your most Obedient Servant
B. Teagoraja Pillai

Madras
14 December
1869

1870.
FINANCIAL DEPARTMENT.

From
The Actg. Chief Secy. to Government,
Fort Saint George.

To
The Secretary to the Govt. of India,
Financial Department.

Dated 27th January 1870.

Recd.

No. 61.
Enclosure.

JANUARY.
Nos. 96—98.

Forwarding, for transmission to the Secretary of State, a memorial from B. Teagaraja Pillay, formerly Tahsildar of the Ahtoor Taluq, Salem District, appealing against the orders of the Madras Government on his case.

Circuit Court / District of Columbia
Washington

Annexed Affidavit
Claim
U.S. Corporate Seal
Case Docketed & Letters
of Atten Granted

Affidavit
Filed 29 Jan 1869

Case
No 669

Issued Letter Attorney
Affidavit filed
Case Closed

U.S. Marshal

Circuit Court
D.C.
Misc. Docket
No. 96 - 98.

No. 60 - 27 January 1869.

With reference to Claim of the Rev. Phineas D. Gurley
His heirs and assigns
to the Sum of Sixty thousand dollars
in Gold Coin of the United States
of America.

Clerk's Office of the District Supreme Court

vt. of {1869 Madras.

Tanjore

S. Tyagaraja Pillay

Jany 27

Encl.

70.

P. C. 27 Jany 1870. No. 10

Nos. 96-98.

Directing that the Memorial from S. Tyagaraja Pillay be forwarded to the Govt. of India for transmission to the Secy of State.