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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Jl. Secl DEPARTMENT

G.O. No. / ~~B.P. No.~~	1627	Press. / Mis.
Dated 3. 9. 1881. 19		

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Not to be folded or roughly handled

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1627
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GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

3rd September 1881, No. 1627.

Pensions.

Read the following paper:—

From L. McIVER, Esq., Acting Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, dated Madras, 26th August 1881, No. 1713 [Current No. 2284].

I am directed to ask you to lay before His Excellency the Governor in Council the following facts.

2. In consequence of the appointment of C. Ramachendraiyer, First-grade District Munsif of Cuddalore, as Acting Subordinate Judge of Chicacole on August 7th, 1877, S. Ramasami Mudaliyar, a Vakil of the High Court, was appointed to act as District Munsif of Perambalúr on 3rd September 1877.

3. C. Ramachendraiyer having been confirmed as Sub-Judge on 30th October 1877, S. Ramasami Mudaliyar was also confirmed in his appointment on 12th November 1877.

4. The Accountant-General in his letter, No. 402-N, dated 18th October 1879, stated that as Mr. C. Ramachendraiyar drew pay as First-class District Munsif from 1st April 1879, the date on which the appointment of Subordinate Judge, Chicacole, was abolished, to 16th August 1879, the date prior to that on which his appointment as Subordinate Judge, Cocanada (sub. *pro tem.*), took effect, the sanctioned scale of First-class District Munsifs was exceeded in point of number, and requested that the names of all officers who reverted to their former appointments be notified in the Gazette.

5. With the concurrence of the Accountant-General, the High Court on 4th November 1879 notified that the appointment, under date the 12th November 1877, of S. Ramasami Mudaliyar as Third-grade District Munsif of Perambalúr would be considered an acting appointment from 1st April to 16th August 1879.

6. On 18th September 1880 S. Ramasami Mudaliyar, District Munsif (sub. *pro tem.*) of Ariyalúr, was appointed to act as District Munsif of Kumbakónam, and was on 21st October 1880 confirmed as District Munsif of the third grade with effect from 27th December 1879.

7. S. Ramasami Mudaliyar now submits that, although he has served uninterruptedly as a Munsif for four years, he had no permanent footing from 1st April to 26th December 1879, constituting, thus, technically a break of service between these dates which would vitiate, in respect of leave and pension, his previous service from September 1877. He prays his case may be specially reported for the orders of Government in view to his service from 1st April to 26th December 1879 being reckoned as substantive and continuous.

8. Having regard to the fact that Ramasami Mudaliyar gave up his practice to take service as a Munsif, that he has remained a Munsif ever since, and that his altered position during the break was due solely to the exigencies of the service,

the High Court consider that they may fairly commend his request to the favorable consideration of His Excellency the Governor in Council.

ORDER THEREON, 3rd September 1881, No. 1627.

The Government will be prepared to consider the case of S. Ramasami Mudaliyar when he takes his pension.

(True Extract.)

R. DAVIDSON,
Chief Secretary.

To the Honorable the Judges of the High Court, with covering letter.
" Accountant-General.

Exd. J. W. Lewis.

1627/2

Govt. of {1881} Madras.

FINANCIAL.

To

THE HONORABLE THE JUDGES
OF THE HIGH COURT,
&c., &c., &c.

Dated September, 3rd.

Issued

Read. Encl.

G.O., 3rd September 1881, No. 1627.

SEPTEMBER.

Pensions.—With reference to the recommendation that a break in the service of C. Ramasamy Mudaliyar, District Munsif of Kumbakónam, may be condoned, the High Court informed that the Government will be prepared to consider the case when the Munsif takes his pension.

No. 1713. 18

Fro. 1627/3 284

Lewis McIver Esquire,
Acting Registrar of the
High Court of Judicature
at Madras.

To The Honourable A. Davidson C.S.I.,
Chief Secretary
to Government.

Honourable Sir,

I am directed to ask you to lay before His Excellency the Governor in Council the following fact.

2. In consequence of the appointment of C. Ramachendraiyer, 1st Grade District Munsiff of Cuddalore, as Acting Subordinate Judge of Chicacole on August 7th 1877, S. Ramasami Mudaliyar, a Vakil of the High Court, was appointed to act as District Munsiff of Perambalur on 3rd September 1877.

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3. C. Ramachendraiyer having been confirmed as Sub.

Sub. Judge on 30th August 1877,
S. Ramasami Mudaliyar was
also confirmed in his appointment
on 12th November 1877.

4. The Accountant General
in his letter No. 402 R, dated 18th
October 1879, states that as
Mr. C. Ramachendraiyar
drew pay as 1st Class District
Munsiff from 18th April 1879,
the date on which the appoint-
ment of Subordinate Judge,
Chicacole, was abolished to 16th
August 1879, the date prior to
that on which his appointment
as Subordinate Judge, Cocanada,
(Sub: pro: tem) took effect,
the sanctioned scale of 1st
Class District Munsiffs
was exceeded in point of
number and requested that
the names of all officers
who

who reverted to their former
appointments be notified in
the Gazette.

5. With the concurrence of
the Accountant General, the
High Court, on 4th November
1879, notified that the appoint-
ment under date the 12th
November 1877 of S. Ramasami
Mudaliyar as 3d Grade District
Munsiff of Perambalur would
be considered an acting appoint-
ment from 18th April to 16th
August 1879.

6. On 18th September 1880,
S. Ramasami Mudaliyar,
District Munsiff (Sub: pro: tem)
of Aryalur, was appointed to
act as District Munsiff of
Combaconam and was
on 21st October 1880 confirmed
as District Munsiff of the
3d Grade with effect from
27th

27th December 879.

7. S. Ramasami Mudaliyar now submits that, although he has served uninterruptedly as a Munsiff for four years, he had no permanent footing from 1st April to 26th December 1879, constituting, thus, technically a break of service between these dates which would vitiate in respect of leave and pension, his previous service from September 1877. He prays his case may be specially reported for the orders of Government in view to his service from 1st April to 26th December 1879 being reckoned as substantive and continuous.

8. Having regard to the fact that Ramasami Mudaliyar gave up his practice to

1627/5 3P

to take service as a Munsiff, that he has remained a Munsiff ever since, and that his altered position during the break was due solely to the exigencies of the service, the High Court consider that they may fairly commend his request to the favourable consideration of His Excellency the Governor in Council.

I have the honour to be,
Honourable Sir,
Your Most Obedient Servants,

Lewis Wm Ives

High Court of Judicature,
Madras, 26th August 1881

Acting Registrar,
Appellate Side.

Copied by V.R.S

N. Lakshmanarao
Exmr.

Order. 3 Septr. 1881.
No. 1627.

The Govt. will be prepared to consider the case of C. Ramaswami Mudaliyar when he takes his pension. Pension questions of the kind are only considered while an officer is still in the service, under very exceptional circumstances which do not appear to exist here.

Fwd.

Judicial (Confidential) 1881. Department.

From The Acting Registrar, of the High Court of Judicature at Madras.

R. D. 2 AUG. 81

To The Chief Secretary to Government.

Dated 26th August 1881.
Received 27th August 1881.

CONFIDENTIAL No. 2284
No. 1713.

Requesting that a break in the service of S. Ramasami Mudaliyar, District Munsiff of Combaconum, may be condoned under the circumstances stated.

Dated 25th 1579

W. Rader

1687/7

Rec. 5/9.

Govt. of 1881 Madras.

Jan 1

DISPOSED OF

8 SEP 81

BY G.O. No. 1627

(7)

G.O., 188 , No.

Nos.

Pensions With regd to the
record in the case of a break in the
service of C. Ramaswami Mudy
Interpr, for leave off & Combs
commutation may be endorsed, the
Pay & C. informed that the Govt
will be prepared to consider
the case of C. Ramaswami Mudy
when he takes his pension.