

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	397	Press ~~Mis.~~
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Dated	3 — 4 — 1857.	

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Fort St. George, Judicial Consultation, 7th April 1857.

No. 32. Read the following letter from GEORGE ELLIS, Esq., Register to the Court of Sudder Udalt; to T. PYCROFT, Esq., Chief Secretary to Government, dated 19th March 1857, No. 27.

SIR,

1. I am directed by the Judges of the Court of Sudder Udalt to submit, to be laid before the Right Honorable the Governor in Council, the accompanying translation of a Petition from the District Moonsiff of Cholunghur, dated the 30th December last, appealing from a retrenchment made by the Civil Auditor, from his salary, from the 2d to 16th September last, and the Travelling Allowance drawn by him.

2. It appears from the accompanying copy of a letter from the Civil Auditor, dated the 28th January last, that the retrenchment was made in accordance with the views expressed by Government, but as under the circumstances stated by the District Moonsiff, his claims appear to the Judges to be just. I am desired to recommend the District Moonsiff's application to the favorable consideration of the Right Honorable the Governor in Council.

(Signed) GEORGE ELLIS,

Register.

From F. LUSHINGTON, Esq., Civil Auditor; to J. H. GOLDIE, Esq., Subordinate Judge, in charge of the Civil and Session Court, Chittoor, dated 28th January 1857, No. 2542.

SIR,

Adverting to the translation of the Urzee from Soondara Naidoo, District Moonsiff of Cholunghur, received with Mr. Mathison's letter of the 23rd Instant, appealing against the retrenchment that was made by this Office of a moiety of his salary, *i. e.*, from 2d to 16th September last, and Travelling Allowance to and from Cuddalore, I have the honor to observe that, as that retrenchment was made in accordance with the views expressed by Government on his case, I do not feel justified in submitting the matter again for re-consideration, but if Soondara Naidoo should still be desirous after this, of representing his grievance, he should forward his Appeal to Government through the channel of the Court of Sudder Udalt.

(Signed) F. LUSHINGTON,

Civil Auditor.

(True Copy.)

(Signed) GEORGE ELLIS,

Register.

Urzee from V. SOONDARA NAIDOO, District Moonsiff of Cholunghur; to G. A. HARRIS, Esq., Civil Judge in the Zillah of Chittoor, dated 30th December 1856.

1. In acknowledging the receipt of an Extract from the proceedings of the Civil Court, dated 22nd Instant, passed on the receipt of a letter from the Civil Auditor, sanctioning only Rupees 37-8, out of Rupees 75, mentioned in my Indent, due to me as my salary from the 2nd to the 16th September last, and asking me to refund the sum of Rupees 55-8, received by me as my Travelling Allowance, I beg permission to make the following request, which I pray you will have the goodness to lay before the Right Honorable the Governor in Council, and urge a recommendation in my favor for the full sum mentioned in the Indent, and also for the non-refunding of the Travelling Allowance already received by me.

2. In accordance with the Circular Order of the Sudder Udalt, No. 99, dated 17th October 1845, approved of by the Government, I received my Travelling Allowance in the month of January 1855, after I took charge of the Principal Sudr Ameens place at Cuddalore, which was the 16th December 1854, when the rules for the Uncovenanted Service have not been brought into existence. To prove that there is nothing in the said rules which precludes from sanctioning Travelling Allowance, I herein enclose a copy of the letter sent to me by the Civil Auditor, dated 11th September last, sanctioning me the Travelling Allowance on my referring the subject to him just before I delivered charge of my Court to Jugga Row, and further he passed the Bill which I afterwards sent.

Fort St. George, Judicial Consultation, 7th April 1857.

3. It will be seen that after delivering over charge of the Principal Sudr Ameen's place, I resumed my duties as Moonsiff in due time, and although full salary is due to me during the time I was on my way, yet half that sum only has been sanctioned. It is true, that the said rules provide against additional expense to the Government, but this cannot be quoted to justify the issue of the order asking me to refund the Travelling Allowance, and sanctioning only half the sum due to me as my salary, for the Government has realized some profit owing to my place as Moonsiff, having been kept vacant for some time after my leaving the Station, and also to the Principal Sudr Ameen's Court having remained in charge of the Civil Court some time before my taking charge of the same. I gave over charge of the Moonsiff's Court on the 7th, and entered the Principal Sudr Ameen's appointment on the 16th December 1854, in consequence of which I received the full salary of the Moonsiff's place from the 1st to the 15th December 1854, and half the salaries of both the Moonsiff and the Principal Sudr Ameen's places from the 16th Idem. Soobbaroyal Naidoo, my successor, as Moonsiff, having taken charge of that Office on the 27th Idem, a sum of Rupees 29-0-6 has been carried over to the credit of the Government, after deducting what has been paid to me till that date. I took charge of the Principal Sudr Ameen's place some time after it has been kept vacant, and consequently a further sum of Rupees 60 or 70 has also been carried over to the Government credit, after deducting what has been paid to Jugga Row as his due. The exact dates on which we respectively delivered over and took charge of the Principal Sudr Ameen's place may be ascertained by a reference to the Fort St. George Gazette for the month of December of that year. And as that paper cannot be got, it is almost impossible for me to ascertain the exact dates, and calculate the amount.

(Signed) SOONDARA NAIDOO,
District Moonsiff, Cholunghur.

30th December 1856.

(True translation.)

(Signed) G. A. HARRIS,
Civil Judge.

No. 33.

ORDER THEREON, No. 397; dated 3rd April 1857.

The Government have considered the circumstances stated by the District Moonsiff of Sholunghur in his appeal against the retrenchment of the Civil Auditor, and they do not perceive any sufficient grounds for altering the decision passed on his case in Extract Minutes of Consultation, in the Financial Department, dated 2nd December last, No. 580, a copy of which will be furnished to the Judges of the Sudr Udalut.

2. The Judges will observe that V. Soondara Naidoo was required to bear the charge on account of the moiety of his salary paid to Soobaroyloo Naidoo who was acting for him and his own travelling allowance, in consideration of his receiving the full pay of Principal Sudr Ameen of Cuddalore, for the period he had acted in that Office during the absence of Jugga Row under Section VIII of the Uncovenanted Service Rules. The above extra expense should properly have been defrayed from the Principal Sudr Ameen's salary, the whole of which had been forfeited from 17th April to 1st September 1856, it being laid down in Section XIV, that "no additional expense is on any account to be incurred by the absence of any Officer on leave."

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

The Department

No. 397

Extract from the Minutes of Consultation
Dated 3rd April 1857.

Read the following
Letter from the Register
of the Sudr Udalut.

Received 19th March 1857
No. 27.

The Government
have considered the
circumstances stated
by the District Moonsiff
of Sholunghur in his
appeal against the
retrenchment of the
Civil Auditor, and they
do not perceive any
sufficient grounds for
altering the decision
passed on his case in
Extract Minutes of Consultation in the Financial
Department dated 2nd Dec-
ember last No. 580 a copy
of

of which will be furnished to the Judges of the Sudr Adalat.

2. The Judges will observe that V. Soodana Naidoo was required to bear the charge on account of the moiety of his salary paid to Soobaroyloo Naidoo who was acting for him and his own travelling allowance, in consideration of his receiving the full pay of Principal Sudr Ameen of Cuddalore for the period he had acted in that Office during the absence of Ingga Row under Sec. VIII of the Unconquered Service Rules. The above extra expense should properly have been defrayed from the Principal Sudr Ameen salary, the whole of which had been for

Sum 17th April to 1st September 1856. it being laid down in Sec. XIV that "no additional expense is on any account to be incurred by the absence of any Officer on leave."

JN

by to Judges of Sudr Adalat
with copy of Ex. Minis. of
Cons. 2^d Decr 1856. at No 580.

To Civil Auditor.

Dispt. 7th

J.C. No. 14-15
2-12-56

John L. ...
Lieut. Col. ...
1857

Dr. J. L. ...
Medical, 1857

1857

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Dr. J. L. ...

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