

MADRAS RECORD OFFICE.

Government of Madras.

Provincial DEPARTMENT.

G.O. No.	966	Press
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1-7-19		
Dated	15-7-1958	

Not to be folded or roughly handled

No. 17. Read the following Extract from the Proceedings of the Sudder Udalt, under date the 29th June 1858, No. 46.

Read Extract from the Minutes of Consultation, under date the 17th April 1858; referring to the Civil Judge of Nellore, for investigation, a petition addressed to the Right Honorable the Governor in Council by one Yaralagudda Ramasawmy Chetty, preferring certain charges of bribery against the Sheristadar of the Civil Court, Gereappah, and a writer named Vencatagopal Row; the result of which investigation was to be reported to the Government, through the Sudder Udalt, accompanied by the opinion of the Judges thereon.

Read, also, letter dated the 29th Ultimo, from the Civil Judge of Nellore, forwarding translations of the depositions taken by him in the said matter; and commenting on the case.

Read, also, letter dated 31st Ultimo, from the Civil Judge, returning two petitions transmitted to him by the Government, for consideration in connection with the foregoing subject; and making observations thereon.

Read, also, letter dated 3rd Instant, from the same officer, submitting a translation of the Serishtadar's defence, and other papers connected with the aforesaid petitions.

Read, also, letter dated 5th Instant, from the same officer, forwarding translation of a petition from one Narasimha Charry, and the explanation of the Serishtadar in reference thereto.

Read, also, Petition received by post from Yaralagudda Ramasawmy Chetty, submitting abstracts of the evidence taken by the Civil Judge; and offering, if the charges are considered to be substantiated, to bring forward others.

1. The Judges observe that the proceedings held by the Civil Judge upon the reference made to him by the Government, have reference to four instances of receipt of bribes by the Serishtadar; of which, one is said to have been of Rupees 600 from Y. Ramasawmy Chetty, the petitioner to the Government; the second, of Rupees 1000, from one Ramiah, his opponent in a civil suit, out-bidding the petitioner; the third, of Rupees 5000, from B. Moosselum Chetty; and the fourth, of Rupees 1,700, from V. Pitchireddy.

2. Relative to these alleged bribes the petitioner transmitted to the Government eight letters, bearing post office stamps; and his witness, M. Lukshmanaragapa, has produced two more to the Civil Judge. For convenience of reference these letters have been marked from Nos. 1 to 10.

3. The letters Nos. 1, 2, 4, 5, 9 and 10 relate to the *first* mentioned bribe. The letter No. 2, is from the above witness, Lukshmanaragapa, to the petitioner, telling him that he had paid the money. No. 4 is from the same party to the petitioner, relative to the return of the money so paid, and No. 9 is from the petitioner to the said witness. These communications being between the petitioner and his witness, the genuineness thereof need not be called in question.

4. The letters Nos. 1 and 5 purport to have been addressed to the petitioner by the Court writer Gopalrow, asking him for the said Rupees 600, for the Serishtadar, and for something for himself. The Judges are wholly unable to believe that any public servant would thus commit himself, and place himself at the mercy of another for exposure, by writing him such letters. Bribery, they observe, is always carried on in a manner to avoid risk of exposure, while these letters court it.

5. The letter marked No. 10 purports to have been addressed by the petitioner to the Serishtadar, relative to the said bribe; and is said to have been returned by the Serishtadar to the aforesaid witness, M. Lukshmanaragapa, on the latter paying him the money in question, as a voucher for such payment. The Judges cannot credit that the Serishtadar would have incurred the risk of keeping such a letter, after he had become aware of its contents; and still less that he would have given it up to the agent of the party bribing, so as to be produced against him at pleasure. The occasion alleged for the return of the letter appears to the Judges to rest upon a very flimsy pretence.

6. The above letters derive an appearance of genuineness from bearing post office stamps; but it is obvious that these may have been surreptitiously put upon them, through the connivance of underlings in the post office. The petitioner and his before named witness are the only persons who speak directly to the fact of the above bribe. The petitioner allows that he has on a former occasion been fined, for traducing a Vakeel; and his witness appears to be addicted to giving

Fort St. George, Judicial Consultation, 20th July 1858.

evidence before the Courts. Both, therefore, are apparently very questionable characters. The witness C. Kesavacharyalu states that Rupees 600, deposited with him by the petitioner, was drawn again from him; but, why the money was so deposited with him is not explained. The character of the deponent appears far from that of a respectable man, and is in keeping with those of the petitioner, and his other witness.

7. The second allegation of bribery depends upon the letter No. 3, which purports to be a communication from one P. Adevereddy to petitioner's opponent Ramiah, describing how, in behalf of the latter, he had outbid the petitioner, and induced the Serishtadar to accept the larger sum of Rupees 1000, and to side with him. Adevereddy repudiates this letter, and how such a communication could have come into petitioner's hands, does not appear: his opponent certainly would never have placed it in his power.

8. The third instance, namely the bribe of Rupees 5,000, is embodied in the letter No. 6, the letters Nos. 7 and 8 relate to the same subject. No. 6 purports to be a communication from B. Moosselum Chetty to B. Vencatanarasoo, his brother; stating that he had paid Rupees 1,500 to the Serishtadar, and Rupees 500 to the beforementioned writer Gopalrow; and that Rupees 3,500 more were required for the Serishtadar. No. 7 purports to be a letter from Vencatanarasoo to Moosselum Chetty, sending him the said Rupees 3,500.

9. The two individuals last named severally repudiate these letters, as does the latter the communication No. 8, which is ascribed to him; and it does not appear how the documents have fallen into the petitioner's hands. It is furthermore to be objected to these letters, that parties do not so unreservedly set forth in writing transactions that may so expose them to trouble, as well as to the risk of being defeated in the cases upon which such payments may have been made.

10. The witnesses S. Soobbaroy and B. Ramoodoo speak to the successive payments, to the Serishtadar, of the aforesaid sums of Rupees 1,500, and Rupees 3,500. They say that the aforesaid Moosselum Chetty accompanied them on these occasions; but he totally denies the fact. S. Soobbaroy appears to gain his livelihood as a private Vakeel of parties; and B. Ramoodoo, it is deposed by Moosselum Chetty, has been discharged from his service for embezzlement, and is at present the dependant and cultivator of the said S. Soobbaroy. The statements of parties such as these, the Judges observe, are open to great mistrust.

11. There is no documentary evidence relative to the fourth and last instance of bribery, namely, that in the sum of Rupees 1,700, the fact of such bribery depends altogether upon the testimony of the aforesaid S. Soobbaroy. He states that he accompanied V. Pitchireddy, when he paid the money; but the latter denies the fact of the sum abovementioned, Rupees 1,600 are said to have been obtained, upon a Hoondie, from Chundooroor (Chundoor Sheshaya.) This is supported by the statement of the witness S. Soobbaroy; but Chunloor Sheshaya himself denies having cashed such a Hoondie.

12. The Judges thus consider the charges brought by the petitioner against the Serishtadar, to rest upon evidence not only defective, and contradicted upon most material points, but such as is of a highly suspicious nature. The documents produced have every appearance of being forgeries, and the petitioner and the three witnesses who support him seem to be all of questionable character. On the other hand the Government will not fail to observe the high testimonials which the accused Serishtadar has furnished to him during a long succession of years by all those under whom he has served.

(True Extract.)

(Signed) C. F. CHAMIER,
Acting Register.

No. 18. Extract from the Proceedings of the Sudder Udalut, under date the 1st July 1858, No. 48.

Read letter dated the 17th Ultimo, from the Civil Judge of Nellore.

1. The Civil Judge herewith submits for the information of the Judges, in connection with the recent charges of bribery preferred against the Sheristadar of the Civil Court, the proceedings

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held in another case, wherein it was alleged that that officer had taken Rupees 1000 from the Appellant, and Rupees 1,300 from the Respondent in Appeal Suit No. 1 of 1858, as an inducement to show favor to those parties respectively, by the exercise of his official influence.

2. The Judges concur with the Civil Judge in considering the present charge not deserving of credit. It is not to be believed, they observe, that the deponent, Majjega Vencatareddy, would give so heavy a bribe without concert with Chavoo Vencatareddy, the joint appellant with him in the cause, or without contribution from him. The witness Syed Yakoob is a dependant of M. Venkatareddy, and in the habit of giving evidence for him; and his support of the charge is, therefore, not entitled to weight. It is evident to the Judges that there is a plot against the Serishtadar; and this charge they take to have been made in furtherance thereof.

(True Extract.)

(Signed) C. F. CHAMIER,
Acting Register.

No. 19.

ORDER THEREON, No. 966; dated 15th July 1858.

In their orders in this Department, No. 500, dated 17th April last, Government referred a certain petition and its enclosures, through the Sudder Court, to the Civil Judge of Nellore, directing the latter to sift the matter thoroughly and to submit his report to Government through the Judges of the Sudder, in order that it might be accompanied with their opinion.

2. The petitioner's statement was, that, having a heavy suit in the Civil Court, and being required to bribe the Sheristadar and the Writer, he gave Rupees 600 to the one and Rupees 30 to the other, in proof of which and of the allegation that the Sheristadar got a higher bribe from the other party and so took means to have him (petitioner) non-suited, he enclosed certain original letters purporting to have been sent to him (by post) by the Writer aforesaid and others. He prayed also that certain witnesses of his might be examined, and submitted copies of the Court's decree and order on supplemental plaint, as presumptive testimony to his story.

3. With the first of the Sudder Court's letters above recorded, are transmitted the whole of the depositions taken by the Civil Judge in the cases brought forward by petitioner, as well as those taken by him in two other cases, with which the petitioner has no concern, but which were alluded to by him in his Memorial. The defence of the accused and the judgments formed of the several cases by Mr. Crozier, the presiding Officer, in the Civil Court are also furnished, and the opinion of the Sudder Udalut is pronounced on the whole.

4. The Government observe that the several charges have been very carefully considered by the Sudder Court, who deem them "to rest upon evidence not only defective and contradicted upon most material points, but such as is of a highly suspicious nature." The documents produced, in their opinion, "have every appearance of being forgeries, and the petitioner and the three witnesses who support him seem to be all of questionable character." They point in conclusion to the "high testimonials of the accused Sheristadar, furnished to him during a long succession of years by all those under whom he has served."

5. The 2nd letter of the Court above recorded has reference to the case of one Majjiga Vencut Reddy, who it seems, has appeared before the Civil Court of Nellore and deposed to having given a large bribe to the same defendant. As in the previous charges, the Sudder Udalut attach no credit to the statement.

6. Resolved that the following endorsement be furnished to Yaralagudda Ramasawmy Chetty of Nellore, whose petition was transmitted from the Government Office to the Sudder Court.

"The opinion expressed by the Sudder Udalut on the investigations carried out by the Civil Judge in the matter of this petition, satisfies the Government that the accusations advanced by the petitioner are wholly devoid of truth."

7. The whole of the enclosures to the Sudder Court's letter are returned.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

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Extract from the Proceedings of the Sudder Dewan
under date the 29th June 1858.

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Read Extract from the
minutes of Consultation under date the
17th April 1858; referring to the Civil Judge
of Vellore, for investigation, a petition
addressed to the Right Honorable the
Governor in Council by one Yarasagund
Ramaswamy Chetty, preferring certain
charges of bribery against the ~~Ministrate~~
of the Civil Court, Sereappa, and a writ
named Venkatagopal Rao, the result of
which investigation was to be reported
to the Government, through the Sudder
Dewan, accompanied by the opinion
of the Judges thereon.

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writs -
Kintore
act of bribery.

Read, also, letter dated the
29th ultimo, from the Civil Judge of Vellore
forwarding translations of the deposition
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Read, also, letter dated 31st
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the Government, for consideration, in connection with the foregoing subject, and making observations thereon.

Read, also, letter dated 3^d instant, from the same officer, submitting a translation of the Serishtadar's defence, and other papers connected with the aforesaid petitions.

Read, also, letter dated 5th instant, from the same officer, forwarding translation of a petition from one Narasimha Chetty, and the explanation of the Serishtadar in reference thereto.

Read, also, Petition received by post from Yaralagooda Ramaswamy Chetty, submitting abstracts of the evidence taken by the Civil Judge, and offering, if the charges are considered to be substantiated, to bring forward others.

1. The Judges observe that the proceedings held by the Civil Judge upon the reference made to him by the

C 20th April 1858. No 37038.

The petitions presented to the Government against the Sheristadar have met with full investigation, and the opinion expressed by the Judges in respect to it, is in favour of the Sheristadar. The charges against him are false. The Government therefore reject the petitions.

In the Court of the Judicial 1858 Department.

Extract from the Proceedings of the Superior Judicial.

Dated 29th June 1858.

(No 46) No 1186. 648
With Enclosures - 20.

Submitting with the opinion of the Civil Judge, the report of the Civil Judge of Nellore on the petition of one Yaralagooda Ramaswamy Chetty, presenting certain charges of bribery against the Sheristadar of the Civil Court, Gopappah, and a writer named Venkata Gopappah.

2. The Petitioner's statement was, that, he had a heavy suit in the Civil Court, and being required to file the Sheristadar and the Writer, he gave Rs 600 to the one and Rs 30 to the other, in proof of which and of the allegation that the Sheristadar got a higher file from the other party and took means to have him (Btr) nominated, he enclosed certain original letters purporting to have sent to him (by post) to the Writer aforesaid and others. He prayed also

Judicial Sept 58

No 966

Ed. 15 July 1858.

Read the following Extract } here enter No 46
from the Proceedings of the Sudder Adl. } 29 June 58.

Read also the following Extract. } here enter No 48
from the same. } 1st July 58.

In his orders in his Sept No 500,
d/17th April last, Govt referred
a certain Petition & its enclosures, brought
by the Sudder Adl., to the Civil Judge of
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submit his report to Govt through the
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to Government with the record.

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- serving Chetty, submitting abstracts
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and offering, if the charges are con-
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3. With the first of the Sudder Court's
decrees above recorded, are transmitted
the whole of the depositions taken
by the Civil Judge in the cases brought
forward by Pet^r, as well as those
taken by him in two other cases,
with which the Pet^r has no concern but
which were alluded to by him in his
Memorial. The defence of the accu-
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several cases by Mr Crozier, the
presiding officer in the Civil Ct.,
are also furnished, & the opinion
of the Sudder Adalat is pronounced
on the whole.

4. The Gov^t observe that the several
charges have been very carefully exami-
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of one Maffiga Vincent Puddy,
who, it seems, has appeared before
the Civil Ct. of Nellore & deposed
to having given a large bribe to
the same Dept^t. As in the previous
charges, the Sudder Adalat attach
no credit to the statement.

6. Resolved that the following endre-
-ment be furnished to Yaralagudde
Bramsewmy Chetty of Nellore, where
Pet^r was transmitted from the Gov^t
office to the Sudder Ct.

"The opinion expressed by the Sudder
"Adalat on the investigation
"carried out by the Civil Judge in the
"matter of his Petition, satisfies
"the Gov^t that the accusations ad-
-vanced by the Pet^r are ^{wholly} devoid of
"truth."

7. The whole of the
enclosures to the S. Ct. letter are returned. D.T. 10-7-58 JP

Copies to the Sudder Adalat with papers sent in for signature. Signed 20th
Entrusted to Mr. Ramaswami Chetty of Nellore

20966

20/15 July 1858