M.R.O. 1—30,000—16-10-39.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 211-212	1264	Press ~~Mis.~~
Dated	29-9- № 1860	

3/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
29th September 1860.

No. 211. Read the following letter from P. GRANT, Esq., Collector of Malabar, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Calicut, 13th September 1860, No. 59.

I have the honor to forward a Memorial received this day from Goda Shankra, Rajah of Púnnatúra, in the Amshom or Parish of Guravayur of Chowgát Taluq. Memorialist is one of the petty Rajahs of Malabar, drawing Malikana amounting to Rupees 5,814¼ per annum. He prays that Government will exempt him from appearance in Court under the provisions of Section 22, Act 8 of 1859. He has been cited by the Chowgat Moonsiff as a witness in a case now pending before that Authority; but that case has been allowed to stand over for 30 days, in order to give him time to lay his Memorial before Government and receive their answer.

2. There are 33 Rajahs in this province, all of whom, no doubt, will consider their dignity somewhat infringed by being obliged to appear before the Courts in person, instead of being permitted to be examined by a Commission under the provisions of Section 175 of the said Act.

3. As there is nothing in the Act showing the actual rank of those parties entitled to exemption from appearing in Court, it remains for Government to declare whether Memorialist comes within that category.

To the Right Honorable the Governor in Council of Fort Saint George, Madras.

From GODA SHANKARA, Rajah of Punathoor, residing in Chowghaut in the Zillah of Calicut.

Honorable Sir,

Since the conclusion of the treaty in the Malabar year 976, when our Dominions were ceded to the British Government, my ancestors were directly receiving the Malikhan, allotted them from the Sirkar, till the year 892, when a new treaty was entered into, by which their Malikhan amounting to 5,814¼ Rupees a year was included in the treaty of the Zamorin Rajah of Calicut, on their own agreement and ever since my predecessors enjoyed it with such distinction, shown them from the Sirkar as became their dignity and rank; which after them I did also maintain up to the present time with the same credit. And as such, it is beneath my dignity and honor, to attend personally in any of the Law-Courts, or Cutcherries, as the Moonsiff of Chowghaut, would have me to appear in the Court in person, and give my deposition as a witness at the request of the Defendant in a case pending trial in the Court.

On my Vakeel's representing to that Officer, that the above requisition is a dishonor to me, a respite of 30 days was allowed, according to Clause 22 of Act No. 8 of 1859, with directions that during this interval, should no "order of exception" from the Government be produced, I should as regularly make my personal appearance in the Court, during the trial, and to this effect he has passed a Diary, a copy whereof is herewith respectfully submitted.

From the Proclamation of Her Majesty the Queen on the occasion of taking into Her Majesty's own hands the Government of India, from the Government Order No. 775 of 1860, dated the 14th May current, in reply to the Zamorin Rajah's letter; also from the just rule of the British Government; from all these, I am led to believe that no sooner the above order of the Moonsiff, which is a degradation to me, be brought to your Excellency's notice, then order will be issued for cancelling the Moonsiff's Diary.

Under the foregoing circumstances I beg your Excellency will be pleased to instruct the Subordinate Officers, that I am exempted from such general obligation as requiring my attendance in the Court in person and to furnish me with a reply to that effect.

I have, &c.,

4th September 1860. (Signed) GODA SHANKARA, Rajah.

No. 212. Order thereon, 29th September 1860, No. 1,264.

The Collector of Malabar will inform Goda Shankra, that the Government decline to exempt him from personal appearance before the Civil Courts.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Jud. Dep.

2-10-2250

From

Collector of Malabar

To

Chief Secretary to Govt

Fort St. George

Dated 13 Sept. 1864

Recd

No. 59

Encl. draft put

No. 1564.

Submits for the decision of Govt

a Memorial from the Agent of

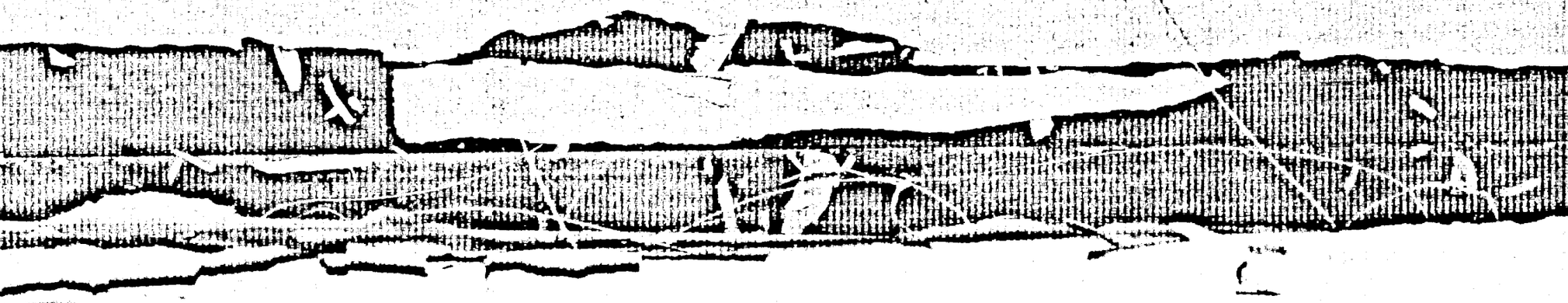
Cuppuswara Mudaliar of Chingat

praying that he may be exempted

from appearing in Court under the

provisions of Sec. 22. Act 8. of 59

211 & 212



vidutteen eg Sept 1856 - 18/258

The Collector of Malabar will
in pour Godas Shankra that
the first decline to exempt
him from personal appear-
-ance before the Civil Courts

Wells
Ellis

J.P.
Collector of Malabar - (Dist.)