

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>1319</i>	Press ~~Mis.~~
<i>148-149</i>	
Dated <i>28.10.1861</i>	<i>19</i>

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
23th October 1861.*

Read the following petitions :—

No. 148. To T. PYCROFT, Esq.,

Chief Secretary to Government of Fort Saint George.

The humble Petition of PARAVA AMMAY-
APA MOODELIAR, of Madura, now residing
in the house Door No. 2 of Wilder's street of
Poodoor, adjoining the Mount Road.

RESPECTFULLY SHEWETH,

That your petitioner begs to enclose herein three copies of the Memorials in the form of an
appeal to Her Majesty the Queen in Council against endorsement Order of Government and
solicits your honor to obtain the sanction of the Government in Council for transmission to Her
Majesty the said three copies of Memorials with their enclosures, and

He begs to remain

Sir

Your most obedient Servant,

MADRAS,
7th October 1861.

இப்படித் தீர்மானம் முடிந்தது.

TO HER MOST GRACIOUS THE QUEEN IN COUNCIL,
FOR THE UNITED KINGDOM OF GREAT BRITAIN AND

IRELAND AND THE TERRITORIES THEREUNTO BELONGING.

The humble Memorial of PARAVA AMMAY-
APA MOODELIAR of Madura, now residing
in the house, No. 2, Wilder's street of Poodoor,
adjoining the Mount Road at Madras.

MOST RESPECTFULLY SHEWETH,

That this is an appeal from the endorsement Order of Government of Fort Saint George, on
Petition, No. 3,726 of 1860.

1. The orders imposing a fine on me and committing me to the Jail, in No. 16 of 1858,
passed by the Head Assistant Magistrate and others, being contrary to the Regulations and
Circular Orders hereunder mentioned and prejudicial and loss to me, I instituted the original
Suit, No. 13 of 1858, on the file of the Sub Court and the Miscellaneous Appeal No. 430 of 1858
on the file of Civil Court but they were dismissed without a notice being sent to the defendants
contrary to the Regulations and Acts hereunder quoted and imposed a fine on me and committed
me to the Jail without paying me batta. Thereupon I preferred an appeal to the Government
in No. 3,162 of 1858, and they passed an endorsement Order to the effect that they cannot
admit petitions from parties to whom there is a proper course to obtain justice and a competent
lower authority to pass final orders under Regulations and posted the printed paragraph 9 of the
Petition Rules.

2. The Miscellaneous petition presented by me to the Sudder Court together with the
endorsement Orders of the Government and the Civil Judge was filed by the late Acting Deputy
Register in No. 57 of 1859, and a hearing notice was sent by the said Register but no final
order was made and the petition was returned to me after blotting out the file date, number and
initial of the said Diary Register contrary to Regulations that follow. Thereupon I presented a

*Proceedings of the Madras Government, Judicial Department,
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second Petition to the Government enclosing therein the said Petition &c., but the Government posted the paragraph 5 of the Petition Rules specifying that the Government will not take the Review Petition into consideration unless they contain some fresh circumstances on the said Petition and returned it to me which is contrary to the circumstances mentioned with said Petition and its enclosures and to the commandment hereunder quoted.

3. The lower Courts who passed an Order committing me to the Jail without batta, or the Sudder Court who blotted out the signature of the authority on my petition and returned it to me as was said before, are not governed by any Regulations in their said acts.

4. It is provided in Clause 1st, Section 2nd, Regulation VIII of 1829, that 7 years' imprisonment with hard labour in irons and corporal punishment not exceeding 100 lashes with a cat of nine tails, should be inflicted on a person who obliterates the Civil and Criminal Proceedings.

As this Suit is against the European Officers, all the aforesaid authorities and the Government distribute justice in this respect and others connected with me with partiality and hatred towards me. As I am very much tired of having been through all the Courts but in vain, I am at length obliged to prefer this appeal together with the original and copied documents.

For the foregoing reasons I humbly solicit your grace to take into consideration, the conduct of each Officer, the failure of the oaths they have taken when they entered the Department, the herein enclosed documents and the undermentioned Acts and Regulations; and to issue instructions to the different authorities to be faithful in the discharge of their respective duties.

The proceedings of the Magistrate is opposed to—

Sections XIII, XXXII.

Clauses 1st and 2nd of Section XXXIV and XXXV of Regulation IX of 1816.

Section XXXI, Regulation X of 1816.	{	Circular Order of Foujdari Adalat, No. 194,
Do. XLVII, do. XI of do.		dated 9th April 1851.
Do. III, Act 2 of 1839.		Circular Order of Foujdari Adalat, No. 201,
		dated 17th June 1830.

The proceedings of the Sub Court is opposed to—

Clause 1st, Section IV } of Regulation I of 1823.
Do. 1st, do. II }

Do. do. II and X of do. III of 1802.

Clause 1st, do. III of do. I of 1829,
Act XVIII of 1850.

The proceedings of the Civil Court is opposed to—

Sections VII and X of Regulation IV of 1802.

Clause IX, Section V of Regulation XV of 1816.

Section XI, of Act VII of 1843.

The proceedings of the Sudder Court is opposed to—

Clause IX, Section V of Regulation XV of 1816.

Section X, Regulation VII of 1843.

Do. VI do. V of 1802.

Clause I, Section II, Regulation VIII of 1829.

The proceedings of the Government is opposed to—

The 9th Commandment of God.

*Proceedings of the Madras Government, Judicial Department,
28th October 1861.*

Names of Enclosures.

1. Endorsement Order of Government, Order on the petition No. 3,162 of 1858.
1. do. do. do. do. do. 3,726 of 1860.
1. Head Assistant Magistrate's order No. 16, dated 18th June 1858.
1. do. do. to the Jailor, dated do. do.
1. Session Court's extract No. 84, dated 27th August 1858.
1. Sub do. do. No. 13, do. 15th September 1858.
1. Civil do. do. No. 430, do. 21st October 1858.
1. Jail warrant issued by the Sub Court, No. 13, dated 23rd October 1858.
1. Hearing notice of the Sudder Court Register's Office, dated 7th February 1859.
1. Petition presented to on the 16th July 1860, and returned by the Sudder Court.
1. Appeal Petition filed in the said Court on the 3rd February 1859 and returned to the Petitioner after obliterating the same.

I have submitted the aforesaid 12 documents inclusive of this petition together with 2 spare copies through the Chief Secretary to the Government.

MADRAS,

இப்படி அம்மையப்பமுதலி.

7th October 1861.

No. 149. ORDER THEREON, 28th October 1861, No. 1,319.

Resolved that Petitioner be informed that the Government must decline to transmit his

* 7. Petitions will not be received by Government regarding any matter which forms the subject of Judicial Proceedings in a Court or which properly falls within the Jurisdiction of the Courts, or containing complaints relating to the administration of Civil and Criminal Justice, in cases in which another mode of obtaining redress is open to the complainant under the Regulations, and in which by the Regulations a Subordinate authority is competent to pass a final decision.

Memorial to the Secretary of State, for the same reasons which precluded the admission of his Petitions, Nos. 3,162 of 1858 and 3,726 of 1860, viz., those contained in paragraph 7* of the revised Rules respecting Petitions, published in page 653 of the Fort Saint George Gazette, 1st April 1859.

2. The enclosures received from him will be returned.

(Signed) J. D. SIM,

Secretary to Government.

Exd. F. Cartledge.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following *Petition from Parava Ann-
mayappa Moodeliam -*
(Here entered, 7th Oct. '61.)

ORDER THEREON, *28th October 1861*, No. 1319.

Resolved that Petitioner be informed that the Government must decline to transmit his

* 7. Petitions will not be received by Government regarding any matter which forms the subject of Judicial Proceedings in a Court or which properly falls within the Jurisdiction of the Courts, or containing complaints relating to the Administration of Civil and Criminal Justice, in cases in which another mode of obtaining redress is open to the complainant under the Regulations, and in which by the Regulations a Subordinate authority is competent to pass a final decision.

Memorial to the Secretary of State, for the

same reasons which precluded the admission of

his Petition No. *4262 of 583723 of 60*

viz., those contained in para. 7th of the revised

Rules respecting Petitions, published in

page 653 of the Fort Saint George Gazette, 1st April 1859.

2. The enclosures received from him will be returned.

True Extract.

*Parava Annmayappa
Moodeliam - With
enclosures returned.*

*Chief Secretary.
To Govt.*

Prosp Oct
Judicial Dept
N^o 1319.

Proceedings No 57.

of 28 Oct - 1867.

The reasons stated
that Government declined to
transmit to the Secretary of
State for India the Memorial
of Ramo & Annappa Chetty
on the subject of the Sub. P.
N^o 130 of 1866 on the file of the
Subordinate Court of Madras
instituted by him for the
recovery of a certain loss
sustained by him.

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