

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>605</i>	Press
212-213	~~Mis.~~
Dated <i>27.6.1862</i> ~~19~~	

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
27th June 1862.*

No. 212. Read the following letter from E. STORY, Esq., Civil and Sessions Judge, Nellore ;
to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint
George, dated Nellore, 18th June 1862, No. 38.

I have the honor to bring the following matter for the favorable consideration of the
Government.

2. Y. Vencatachellum the Sheristadar of my Court having fallen sick obtained on the 10th
February last a Medical Certificate, copy of which is herewith forwarded, from the Zillah
Surgeon testifying to his illness and forwarded to me on the 11th idem the same with his appli-
cation for 3 months' privilege leave of absence to be submitted to the Sudder Court for sanction.
This was accordingly done ; but as in the meanwhile the state of the Sheristadar's health was
found to be such as to totally incapacitate him for the then performance of his duties, I, in anti-
cipation of his obtaining the leave he has applied for, permitted him to be absent from his duties
and proceed at once to the sea coast as recommended by the Zillah Surgeon.

3. The Sudder Court on the receipt of the Sheristadar's application in due form, granted
the requested leave and had the same notified in the Official Gazette of the 28th February last.
But in doing so the Sudder Court did not specify if the leave thus granted was to commence
from the date of application, viz., 11th February last or otherwise, and consequently it was taken
for granted that the said leave was of a retrospective character.

4. Under this impression after the Sheristadar joined his duties on the 26th April last, an
abstract of his salary from the date of his absence, viz., the 11th February, till the 30th March
last was drawn out and submitted to the Officiating Civil Paymaster for Audit. That Officer in
passing the said Bill deducted the amount of Rupees 57-2-3 being the pay of the Sheristadar
from 11th to 26th February last and intimated by a Memorandum appended to the said Bill that
the Sheristadar was not entitled to the amount in question on the ground that leave under
Section VII cannot be granted retrospectively.

5. In answer to this Memorandum I represented to the Civil Paymaster that the circum-
stances under which the Sheristadar was permitted prospectively to avail himself of the leave he
had applied for were peculiar, viz., the serious indisposition under which he was labouring and
the corroborating Medical Certificate which was granted to him, and requested him therefore to
reconsider the matter.

6. The enclosed is a copy of the Civil Paymaster's reply to this representation, wherein he
states that privilege leave with retrospective effect is opposed to the established rules, and that
therefore the sanction of Government will be required before the Sheristadar's salary can be
admitted.

7. As has been already stated the circumstances under which the Sheristadar was permitted
to be absent before he could receive notification of his leave were of a peculiar nature and I
therefore request that you will have the goodness to obtain the sanction of Government for hav-
ing the Bill for the amount of the Sheristadar's salary that is now under stoppage, passed by the
Civil Paymaster and the amount paid to the Sheristadar who is a very old and able and deserving
public servant.

No. 213. ORDER THEREON, 27th June 1862, No. 1,005.

His Excellency the Governor in Council is pleased, under the circumstances, to authorize
the privilege leave granted by the Sudder Court to Vencatachellum, Sheristadar of the Nellore
Zillah Court, being reckoned from the date on which he was allowed to absent himself from his
duties, viz., the 11th February last.

(Signed) A. J. ARBUTHNOT,
Acting Chief Secretary.

Exd. F. Cartledge.

Department.
No. 560

Fort Saint George.
Civil Paymaster's Office.
8th May 1853.

Official Memorandum.

In forms in reply to his letter dated 3rd instant, that as privilege leave with retrospective effect is in opposition to the established Rule, it will require the sanction of Government, before Treasurers Secretary's salary can be admitted by this office.

2nd. The Bill is in the meantime returned unaudited.

Signed W. H. H. H.
Off. & Civil Paymaster.

(True Copy)

W. H. H.

Civil & Treasury

No. 100.5 - 27 June 1862

M. E. the Governor in
Council is pleased, under
the circumstances, to
purchase the privilege
have granted by the Sud-
der Court of Venetia-
chellum, Sheristadar
of the Nellore Zillah
Court, being reckoned
from the date on which he
was allowed to absent him-
self from his duties, with
the 11 February last.

To the Civil and Soc. College
of the Court
Civil and Soc. College

Sept 28th

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Dec 1191

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Enclosure II
Letter No 394
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