M.R. O. 1—39,600—16-10-28.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1689 Press Mis.

169-170

Dated 26-10-1863

27/27

Not to be folded or roughly handled

No. 169. Read the following letter from LINGA REDDY, late Head Gomastah in the District Moonsiff's Court of Sholinghur, in the Zillah of North Arcot; to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 16th October 1863.

I most respectfully beg to enclose herein a Memorial, in triplicate, to be sent to the Secretary of State, and will thank you to despatch it in the first Mail, together with your recommendation on the subject.

TO THE HONORABLE SIR CHARLES WOOD, BART.,
Secretary of State for India in Council.

The humble Memorial of LINGA REDDY, the late Head Gomastah of the District Moonsiff's Court of Sholinghur in the Madras Presidency.

MOST RESPECTFULLY SHEWETH,

That your Memorialist is a ministerial servant and having failed to receive justice both from the legal tribunals and from Government, humbly throws himself under the protection of your Excellency, the fountain source of justice to all India, with the firm belief that the merits of his grievance will be weighed, his deplorable case considered, and justice rendered to him. That your Memorialist was a ministerial servant of 30 years' standing in the aforesaid Court, and is now discharged most unjustly on no reasonable grounds whatever and simply on the mean spiteful representation of the District Moonsiff of Sholinghur, who was resolved to ruin your Memorialist by every possible means he could devise.

That your Memorialist during the 30 years of his service had discharged his duties honorably, zealously, and diligently, as would be evident to your Excellency from the copies of the testimonials in the Appendix marked 1, 2, 3, 4, 5.

That your Memorialist briefly sets forth the history of the proceedings held on his case both by the legal tribunals and by the Government of the Madras Presidency, and leaves the same to the sound judgment of your Excellency to see the justness or otherwise of his dismissal.

That your Memorialist most respectfully begs to submit to your Excellency that the District Moonsiff of the aforsaid Court at Sholinghur being a person newly appointed to the said post, the discharge of the functions as Moonsiff on many occasions were at variance with the prescribed rules laid down for his guidance, the existing regulations and the Circular Orders. For instance ntertaining suits for service and Inam lands not under his province. Admitting suits under a educed scale of fees to the detriment of Government interest. Altering, and in many cases desroying records and documents of the Court and many other irrigularities evident on the face f the records. Your Memorialist being the Head Gomastah and a ministerial servant respon- ble for the Records of the aforesaid Court was on the painful necessity of representing them to District Moonsiff for his safety as well as to the right procedure of the Court.

That your Memorialist's dutiful representation was construed by the District Moonsiff as an act of insubordination created on ill-feelings towards him and carried his revenge so far as to try every possible means, though unfair, to ruin your Memorialist.

That the District Moonsiff, a Subordinate Officer, being unable to instil the venom himself created some fictitious charges, without any reference to the records, against your Memorialist, and reported to the Civil Judge of Chittoor on the 7th April 1860 (in Appendix marked A1) that your Memorialist was insubordinate, insolent, and lazy, and many more fictitious, groundless and unsupportable charges and hoped thereby to reduce in a lower appointment or transfer to another District. On which the Civil Judge suspended your Memorialist and called upon him to account for the charges brought against him. In evidence your Memorialist submitted his explanation on the 2nd July 1860 (in the Appendix marked B). The Civil Judge thereon called for explanation from the District Moonsiff on only certain paragraphs of your Memorialist's defence, the explanation of the District Moonsiff is inserted (in the Appendix under marked C). Thereon the Civil Judge holding no inquiry nor citing the witnesses of your Memorialist

me managed to do at this with his scanty pay. He told me ope-
he did so by public subscription his conduct in this respect
is

and ascertaining the truth of the respective explanations dismissed your Memorialist on the mere *dixit* of the District Moonsiff, and made the proceedings of the 24th April 1860 (in the Appendix D) stating that the Civil Judge resolves to dismiss the Gomastah Linga Reddy (your Memorialist) for bringing forward groundless and calumnious charges against his superior Officer.

That your Memorialist here begs to submit to your Excellency that it was not he that voluntarily brought any charge against the Moonsiff, but being called on to defend himself against fictitious charges brought against your Memorialist by the District Moonsiff he had to lay the whole state of things in vindication of himself. If the Civil Judge had held a regular investigation which he ought to have for justice done your Memorialist would have substantiated both by the records of the Court and by witnesses the truth of his statements which the Civil Judge calls groundless and calumnious. But the Civil Judge instead of holding any trial whatever unjustly dismissed your Memorialist, while there is not a shadow of proof to render him culpable of the charges brought against him by the District Moonsiff.

That as the Civil Judge had gone so far than was anticipated by the Moonsiff and being a heavy punishment your Memorialist thereon was obliged to appeal to the Madras Sudder (in the Appendix marked E). The Sudder without entering into the merits of the appeal nor eliciting the necessary proofs urged in the appeal declined to interfere on his behalf, stating in their Proceedings, dated 15th November 1860 (in the Appendix marked F) "that the Sudder are of opinion that the District Moonsiff must be supported against a combination of his ministerial subordinates of which it seems manifest that the petitioner, (your Memorialist) is a principal."

That your Memorialist here begs to submit to your Excellency while there is nothing on the the records nor a tittle of evidence to show that there was a combination amongst the subordinates of which your Memorialist to be the principal, the conclusion of the Sudder that they will not interfere on his behalf is *primâ facie* against all justice and good conscience.

That your Memorialist thereon petitioned to the Madras Government, under date 21st March 1861 (in the Appendix marked G), but the Government declined to interfere on his behalf, endorsing to the effect under date 7th April 1861 (in the Appendix marked H). Subsequently many petitions were presented by your Memorialist which are to this day kept unnoticed.

That your Memorialist in conclusion most deferentially throws himself under the protection of your Excellency the fountain justice of all India, and most respectfully prays that his Memorial and the whole records in the case be united, and justice rendered him by restoring your Memorialist (on whose behalf both the Madras Sudder and Government declined to interfere) to his place with arrears of pay.

And for which act of justice your Memorialist as in duty bound, shall ever pray.

Madras, 16*th October* 1863.

No. 170. Order thereon, 26th October 1863, No. 1,689.

Ordered that the Memorial received with this letter, be transmitted to the Secretary of State.

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

Exd. T. McMoorty.

2

This is to Certify that Lingareddy the 3d Gomastah in the Moonsiff's Court at Sholinghur, has done his duties to my entire satisfaction during the period I presided as District Moonsiff, from August 1833 down to this date and found him very attentive and Regular in the discharge of his duties. The period of his service amount to 10 Years 6 Month 17 days he has a perfect knowledge of Tamil.

(Signed) V. Narasinga Rove
Sholinghur
18th May 1837
District Moonsiff

This is to Certify that the bearer hereof Lingareddy the 3d Gomastah of the Court at this station of which I was District Moonsiff for nearly 10 Months has given me the utmost satisfaction in the discharge of his functions. I consider him to be very honest, intelligent and able public servant and as such Recommend him

he managed to do all this with his scanty pay he told me often he did so by public subscription his conduct in this respect

=mend him to the kind notice of my Official Superiors
who will it is hoped render him justice by promo=
=ting him to a higher Grade when opportunity occurs
in consideration of his length of Service thereto

(Signed) V. Soondara Raich

Sholinghur
20th July 1850

20th September 1852.

Sholinghur

English Translation of the Certificate in Tamil

I am acquainted with Linga reddy the 2d Goo=
=mastah of the said Court from 24th July 1850 he can read
and write Tamil & Telougoo perfectly well and is
possessed of a good Juris prudence he continues ever
since my acquaintance with him to perform with
credit the duties of his situation his present salary is
inadequate to his merits I consider him worthy of being
recommended to a higher situation.

(Signed) V. Kistnamachary

District Moonsiffs

Extract from the proceedings of the D. M. Court of
Sholinghur under date the 11th July 1853.

The Head Goomastah Lingareddy has
long been in the service of Government the Acting
Moonsiff entertains a high opinion of him he ac=
=quits himself of the duties entrusted to him with
the utmost satisfaction and deligence and is
possessed of great integrity as a public servant
he has a considerable experience in the Civil busi=
=ness and is very expert in the preparation of the
Monthly and quaterly Returns

(Signed) P. Soobiah

Acting D. M.

Extract Moonsiffs Court Sholinghur
16th September 1856.

I have much pleasure in bearing
testimony to the high opinion I entertain of Linga
=reddy the Head Gomastah of this Court. He is
not
he managed to do all this with his scanty pay he told me often
& he did so by public subscription his conduct in this respect
is

not only an active and zealous public servant but is well acquainted with the judicial and Revenue business. His intelligence and his acquaintance with the Regulations & Rules of the Court is so great that I had on several occasions found him very useful in the Course of my business. He is a very quiet and honest public servant and is considered to be such by the native Community of this District. I shall be happy to hear that he has obtained promotion in the public Service suitable to his merits in the judiciary or Revenue departments. I am sorry that a person of his description has not ere this ventured to lay his claims before the higher authorities. I wish him success in all his exertions on that point.

Signed Nicolas Gregorio de Baldeo
Dist. Moonsiff

(True copies)

he managed to do all this with his scanty pay. he told me & he did do by public subscription. his conduct in this respect is

No 99

District Moonsiff's Court of Sholungar
7th April 1860

J.

G. A. Harris Esquire
Civil Judge of Chittoor

Sir

I have the honor to report upon the Conduct of Lingareddy the Head Gumusta of my Court who notwithstanding my repeated attempts to bring him to his services behaves in a manner quite unbecoming his position as a ministerial servant.

2 Having been employed in this Court for a period of 30 years or thereabout he possesses such an undue degree of influence over the whole establishment that he fears none, defies me to my face and his bad examples renders every attempt on my part to reclaim the other servants abortive and useless. He is insolent and insubordinate and indeed he had the audacity to tell me in open Court on one occasion that I kept the Company of Dubashs and listened to and acted upon their reports.

3 He is indolent lazy and considers it derogatory to his position as the Head Gumustah to have any work allotted to him.

4 He also allows parties and their agents to come to his house and gives them information as to matters connected with the business of the Court Vide enclosure 1 & 2.

5 I have moreover no faith in his honesty his parents were in poor Circumstance and himself has been on the receipt of Small Salaries and yet he has built a Chauttry and dug a Tank to the of which must have cost him at least Rupees 2000 he is now erecting another Chauttry which he calls a poor house and when I asked him once how he managed to do all this with his scanty pay he told me open that he did so by public subscription his conduct in this respect is

No 1 to 5

True Copies of Testimonials granted to Lingareddy the late Head Gumastah of this Court by Ally Almeer Ali Late Principal Sudder Ameen of Chittoor.

Rec. 25th October 1865
Ans. 6/11/65

as alone sufficient to warrant his dismissal from public service
Vide Circular order No. 121 D.

6 He possesses in the Taluk more than eight Cawnies of land the whole of which stands registered in the name of his son a mere boy in some school at Madras. this can be ascertained by referring to the Record of an enquiry held under the orders of the Collector on a Complaint

7 His conduct towards such of the Vakeels as would not Cringe and sneak and Court his favor equally reprehensible Raghavam Iyengar and Dallayee Row the only two honest & intelligent Vakeels of my Court unable to bear his petty Tyranny wanted to resign their appoints and it was with some difficulty that I could dissuade them from doing so

8 With a man of such character and disposition at the head of the Establishment it is utterly impossible that either I or any other Officer can go through the business of the Court with any degree of satisfaction and peace of mind. My predecessor Sadasiva Pillay experienced as much inconvenience and annoyance from this man as I now do and he would have written to you on the subject had he not left this Court in consequence of his promotion a reference to him will I am quite sure bear me out in all that I have stated above.

9 I therefore beg to recommend that Lunga Reddy may be reduced to a lower appointment but should you deem this too severe a punishment I beg of you to transfer him to another Court on his present Salary

10 The second Gumastah Venkatanarasiah and the Fourth Gumastha Accayah are his friends and I am not satisfied

2

6

with their conduct either but I hope that once freed from his evil influence they will behave better should they however persist in their present line of Conduct it will then be time to recommend their transfer

(Signed) A. P. Streenivasa
A. Collr
(True Copy)

To

Geo. Harris Esquire

Civil Judge of Tuticorin

Honored Sir

I D. Linga Reddy the Head Shromastah of the District Moonsiffs Court of Sholinghur most respectfully beg leave to submit for your Honors consideration the following explanation to the charges of the Distt Moonsiffs

Reply to the 1st para of the D. M's charge

all of last never been guilty of contempt to the Dist Court Moonsiff

Do to 2d Do

continued for the last 20 years to be law in every respect with the years but by my conduct in presence of the District Moonsiff was always respectful and I never treated him with contempt any did all the duties of the other servants of the establishment to be law contrary to his misstatement

Do to 3d Do

I always kept the law in the receipt of the law as long and endeavoured to the present post observed the same by me during the period of 20 years contained in the 2d para to conduct myself to the entire satisfaction of the officers that were from time to time appointed to preside over the District Moonsiffs Court and also by my diligent application to the business of the Court but I had never been indebted and lazy in the transaction of my duties vide Regn No 64 of 1868.

Reply to the 4th para of the D. M.

I never allowed the parties or their agents to frequent my house nor informed them of any thing connected with the business of the Court For proof of my assertion I beg to refer your honor to the documents Nos 1 and 2.

Do to 5th & 6th

My grand father and others who acted as head men of 40 villages named Vedisengadu &c belonging to the Jurisdiction of the Dist Moonsiffs Court of Sholinghur and possessed land to the extent of 100 to 60 ploughs were in opulent circumstances and leading a respectable life. With the means inherited from them & in accordance with the wishes of my mother to appropriate the same to charitable purposes erected Choultry &c but they were not at all built by public subscription nor did I beg to the District Moonsiff.

Do to 6th Do

The landed property consisting of wet and dry lands of 6 and odd cawnies situated at Sholinghur was acquired by my mother who held the same under a pattah which after her death was transferred to my so named Appadorai who died at about 17 years of age the possession of the said land is also entered in the Register submitted to the Court

Do to 7th Do

I never acted in the manner stated by the District Moonsiff in this para. The documents herein enclosed are certificates given by V. Narasinga Row who was lately the District Moonsiff of Sholinghur and subsequently promoted as D. S. A of Cuddalore & Sooldra Reddy the present D. S. A. of Combaconum and Sooldra Row the late District Moonsiff of Sholinghur as well as by V. Thirtnama Chetty the present District Moonsiff of Calastry and Sooldra Reddy the late

Recd Oct 15 1869

Recd Oct 15th 1869

the late Dr Mr of Shelangherry. On arriving present District Romiff and the predecessor Sedasiva Pillay I received the same degree of humility and obedience with which I served the above mentioned officers to earn their esteem and applied myself diligently to the business of the Courts. And this is and

A perusal of the records of suits mentioned in the accompanying memorandum will I trust fully convince your Lordship that in submitting a report against me the District Romiff had no other reason but that of their information which it is my duty to give him when the suits are heard being contrary to the opinion he formed for his guidance.

There subsisted between me and Venkatanarasiah the 2d Gomastah and Ashaya the 4th Gomastah as well as other servants of the establishment no other connection but that of friendship contracted by my continuance in one and the same Cutcherry.

2d July 1860. (Signed) Linga Reddy

(True Copy)

Memorandum

346, 517, 582, 781, of 1859. 104 of 1860. — 1st. I reported that penalty on the documents filed in the marginal suits should be collected which the District Romiff has omitted. The perusal of the deeds the omission to collect the penalty would appear to be inadvertent. The suit No 104 of 1860 is still pending on the file. The bond on which it rests stipulates that the property was leased out for 10 years at an annual assessment of Rs 2750 & that if any obstacles occurring in the way of enjoyment thereof 100 Rs should be annually paid for the loss. The loss for 10 years amounts to 2750 Rupees so that 80 Rupees are payable on account of penalty. Similar omission is apprehensive in many other suits the exact No of which I am unable to recollect.

179 of 1859. — 2d. The land claimed in this suit is Lockrangee or Cheree Services Enam and the District Romiff's entertainment and dismissal of this suit on the ground that it is a Mulgorgy land is not only contrary to the orders of the higher Court but also occasions loss of the institution fee to Government.

782 of 1858 207 and 259/59 — 3d. The District Romiff with a view to increase the number of suits disposed of on merits, caused to be added in the statement those suits that were dismissed on summary orders.

Remanded suit No 301/57. — 4th. The District Romiff after pronouncing judgment in Defendants favour on the 23d July 1859 ordered the same on the rough decree which he delivered with other papers to be kept in Record but at the request of the Plaintiff's Counsel the District Romiff again took the Decree to his house and drawn a fresh Decree in Plaintiffs favour to be kept in record without duly pronouncing it. This fact will be proved by witnesses. In another suit No 91/59 the District Romiff pronounced a decree in open Court in Defendants favour on the 29th February 60 and accordingly recorded the same on the plaint - but the Plaintiff's Vakeel having the objection to the passing of the Decree now requested that the time given for filing a certain copy did not expire, the District Romiff took the Decree to his house and 3 days afterwards signed & sealed the same & returned the Memorandum for grant of time to produce the above document and passed an order as if the same was made on the 29th February to the effect that he was about to dispose of the suit on the above date but that he was obliged to postpone it in consequence of the time given for production of the document not having expired. The case was disposed of in the following Months, this fact will be established by witnesses.

968 of 1859 — 5th. A Decree was pronounced in Defendants favour in the

ew the first instance but on the Plaintiff to take exception the
District Bromsiff pronounced it in Plaintiffs favour.

6th. The Plaintiff in these cases applied to the District 561+761/59
Bromsiff for the execution of the Decrees passed long ago by default
the Plaint and he who finding a Defect in the amount
entered in the decrees, sent for the records from the Civil Court
as if they were required for reference and after entering the
correct amounts in the Decrees without sanction disposed
of the matter by issuing Bookmarks. After my suspension
from my situation the District Bromsiff for fear that his having
so corrected the Decrees will be brought to the notice of this
honorable Court, fraudulently addressed an Order without
shewing that the execution of the in question had been
finally carried out praying for permission for the
above correction. This irregularity would be apparent
from the records and his Order.

7th. The District Bromsiff, contrary to the rule, permit
the Vakeels and their own Gomastahs to have records out of
the record room and to return them whenever they please,
although I objected to it; I will also prove this fact.

8th. When the District Bromsiff asked
this Court's permission for the destruction of the old records
of this Court, he was directed to report the particulars.
Instead of so doing he directed me to deliver the records to
paper manufactory for the supply of new papers; made
angry with me and personally gave them to the paper
manufactory. This fact will be proved.

9th. When the records to the Court by the District
Bromsiff were missing he first said he had returned them
to the Court but when searched they were found in his house
where they were partly destroyed by rats &c. and though
your honor has censured him for it still he continues
the practice of keeping the records in his house for several
days. This fact also will be established.

10th. The Defendants, who failed to put in their answers given 646, 679, 687, 691, 704
times, were fined. It is only when fines were paid that 717, 807, 846, 847/59
answers were received. 40, 63, 65/60
114 of 1856.

In these and some other ex parte were fined in consequence
of witnesses not having appeared.

The Defendants who pleaded inability during 206 of 1857
the preliminary hearing to prove the facts of their answers were fined

914 of 1859.

The Plaintiff having failed to inform the Court the correct
name of the Defendant he was fined.

690, 732, 944, of 1859.

In these suits fines were imposed without written order being
passed and they were not recorded in the Diary.

When I asked the District Bromsiff what authority should
be quoted regarding the above fines in the fine statement he said
no quotation should be made.

437, 640, 641 of 1859

11th. Depositions previous copies of Decrees and Diaries &c.
are drawn by persons unconnected with the regular establishment
of the Court.

12th. The Court is held not in the regular terms of the days &c.
hours after his return to his house from the Court, saying that the Court
will be held on the following day, he comes again to the office and
pronounces Decrees.

448, 574, 602, 649, 680, 681, 613, 614, 609, 619, 732, 768, 723/59.

13th. In suits below 20 Rs he passes Decrees without allowing
the proof of the matter at issue.

611 of 1859.

Written answers were taken in summary suits.

741 of 1859.

Statements were taken from the Defendants &c. when it was set
down ex parte.

666 of 1827 and many other suits.

14th. The District Bromsiff furnishes with attested copies of his
Decrees to the parties more than once.

271 of 1859.

15th. The accounts of several items of pubish. &c. allowed during
the preliminary hearing and the order passed regarding it allowed the entire
fee to each of the Vakeels separately employed by Defendants whose defence
was one and the same. The suit regarding the remaining items was afterwards
dismissed for default of prosecution the Vakeels fee being likewise directed to be
paid by the Plaintiff. The above order was long after brought into force by means
of Vakilnamah. The Plaintiff subsequently informed the District Bromsiff
of the impropriety of the collection of the entire fee from each the latter fraudulently
made an application to the Court for rectification but part of this order re-
lated to the Vakeels fee without mentioning that they had already been finally refused.

381 of 1859.

16th. Two days after this suit was dismissed for default the District Bromsiff, on being
verbally moved by the Plaintiff struck off the order of default and after replacing it on
the file directed that summons be issued to the parties &c.

671 of 1859.

17th. In this case the District Bromsiff who first passed an order that he would dispose
of the matter on the pleadings corrected it some days afterwards and decided it on
merits. This fact will be evident from the record of the case and the fair Diary.

741 of 1859

18th. In this suit the District Bromsiff passed a Decree on motion and pronounced
it in open Court; but the day following he changed it into the form of proceeding
after striking off some parts in the Decree.

782 of 1857.

19th. Contrary to the proceedings of the Civil Court which directed the District Bromsiff
to decide the matter on merits, he dismissed it by an order of nonsuit.

20th. The District Bromsiff acted in violation of the rules in omitting to record the pro-

ies the margin of the Decrees in several suits.

21st. These suits are barred by the statute of limitation - but the District Promsiff instead of determining in the preliminary hearing whether or not the statute in question is or is not applicable to the several Lispendens of these two suits 177, 741, 948 of 1859.

22d. After points were received and the examination of the witnesses completed this suit was dismissed by an order of consent. 207 of 1859.

23d. The District Promsiff held his Court on Dusera feast day and certified Decrees in Nos. 234 to 236/59 wherein the delay in certifying Decrees in Nos. 687, 689, - according to the endorsement thereon, arose from that day being a holiday.

24th. Some of the Holders of the District Promsiffs Cutcherry kept in arrear in not being entered in the Diary in which they are ordered to be entered some days afterwards by means of interpolations.

26th. The District Promsiff on some occasions was absent from the station on private affairs without informing the Court - he also left his station without sanction for the purpose of procuring the attendance of witnesses from certain distant places where he issued processes &c.

26th. The District Promsiff issued warrant for the witnesses residing in Villages beyond his jurisdiction and personally procured their attendance.

27th. The District Promsiff avails himself of the services of the Court Peons as well as Batta Peons for his private purposes, such as guarding his house &c. The processes given to some Bailiffs were ordered to be executed by them.

28th. The District Promsiff, who, at the close of the Court on the 2d March 1860, said that the Court would be adjourned until the 6th and reopened on the 7th, granted leave to certain Gomastahs and himself proceeded some where - but he caused to be written in the Diary that he was sick on the 6th and held the Court on the 5th, but no mention is made in the Diary of the leave so granted nor that the matter has been reported to the Highly Court.

29th. The District Promsiff absented himself from the station without sanction for 2 or 3 days for the purpose of inspecting the litigated lands in certain cases nor was this reported to this Court.

30th. A reference to the cases noted in the margin will convince the Court of the informalities therein contained. 279, 291 of 1859.

31st. There are also several other cases of informalities than those above referred to.

2d July 1860. (Signed) Lingu Reddy

(True Copy)

District Moonsiff's Court

No. 220 of 1860. Sholinghur

21st July 1860.

To.

G. A. Harris Esquire

Civil Judge of Chittoor

Sir

1. I have the honor to acknowledge the receipt of your Proceedings of the 11th Instant No 197 and to submit the explanation called for in regard to certain paras of Memorandum presented to you by Linga Reddy

2. Reply to para 3 of the Memorandum. There are in this para two assertions which deserve notice, viz, 1st that the suits Nos 732 of 1858 and 207, 259, of 1859 were disposed of by "summary orders" and 2d that I "caused them to be entered in the statement with a view to increase the number of suits disposed of on the file". A reference to the records will satisfy you that I disposed of those suits not by "summary orders" but by decrees. Moreover your Proceedings of the 14th September 1859, No 257, remanding suit No 732 expressly admits this fact. In regard to the second assertion, I beg to submit that as I thus disposed of the above suits by decrees, (whether I was right in doing so or not being a distinct question to be decided by you on appeal or on a review of my Proceedings) I was right in including them under the head of suits decided.

3. Reply to para 4. In this para it is stated that in the suit

B.

Transmitted as desired

[illegible]
21st July

suit No. 3024 of 1857 I passed a decree in the first instance in Deft's favour, and again sent to the office a final decree in favour of the Plaintiff: and the way in which the petitioner professes to have discovered this circumstance is by noticing an Endorsement on the back of the first draft. As it is proposed to prove this by witnesses, I must now content myself with a simple denial of the truth of this assertion, bringing to your notice at the same time a circumstance with regard to the manner in which the petitioner says he discovered this alleged irregularity on my part. In all appealable cases I draft my decrees in English, and after declaring them in Court I take them home for translation so that he could not have seen the draft till one or two days after, when it must have been sent into the office with the translation; and again from the very fact of his relying upon this alleged Endorsement as the source of his information it is evident that there was no translation with it at the time; and without a translation I never sent in my English draft.

4. In regard to suit No. 911 of 1859 referred to in the same para I beg to submit that the record having been sent up to me as ready for decision, without an application of the Plaintiff's Vakils, with reference to which I had granted them time to produce certain document from the Revenue Department, I prepared a decree in favor of the Defendants; and as I commenced to dictate on the 29th February 1864, the said Vakils objected that as the time for the production of the said document had not elapsed by me I should not pass a decree in the matter. Then a record was made, and their application was forwarded to the "Duster" of the 2nd Commissioner; and I then and there passed an order fixing the said Commissioner's Court for his witnesses. The petitioner now says that this order passed on the 2nd March, but that I dated it the 29th February. Now I leave it to you to judge whether it is probable or not possible that I would have stopped to such meanings, without any conceivable object to gain. Since I have been appointed Munsiff of this District, I have made it a rule to have the diary of each day brought for my signature the very next day. So that this order if passed on the 2nd March could not be possibly inserted under the 29th February, especially because the said order covers nearly a whole page.

5. It is also stated in the para under reply that I endorsed on the Plaint in suit No. 911 that the decree was decided on the 29th February. This again is a deliberate falsehood. The endorsement is in the handwriting of the Vakil Commissioner, who, as stated in my letter No. 99 is a friend of the Petitioner, and I have no doubt that he made it subsequently to help his friend. For I solemnly assure you that this endorsement never existed till the 31st March the date on which the decree was finally decided and the record remained in my box from the 29th February till then.

6. Reply to para 5. The statement in this para with regard to suit No. 948 of 1859 is altogether a wilful misrepresentation of the facts. After the examination of the witnesses I asked the Plaintiff's Vakil what he had to say; and he answered that I should give judgment for the Plaintiff. Then I remarked that there was

done

suit No 382 of 1857 between the Defendants signature on
Defts Pa and that on the notice and other papers; and to
his own why I should not give a decision for the
Defendant. To this he made some answer & other upon
which I inspected the signature again and also showed it
to Shreenivasa Rayal Garu, a Vakil and the three 2nd
Gomastah, who were present in the Court. Finally I
having come to the conclusion that the signature on the
bonds must have been made at a time the Defendants
hand writing was not settled. I wrote out and pronounced
a decree in favor of the Plaintiff. When all this occurred the
Petitioner was in the records room.

7. Reply to para 6. Herein it is stated that after
sending for the records in suits Nos 661 and 761 of 1859 &
and correcting certain clerical errors in the decrees I
applied to you for permission to make the said corrections
without informing you that the said decrees
had been "finally carried out". This again is a misrepresentation of what actually transpired. On the presentation
of the usual applications for the execution of the said
decrees, I sent for the records, and on examining the
Decrees was satisfied that there were some clerical
errors in them in regard to amounts. Then I ordered the
2d Gomastah to send out the usual processes for the
correct sums to avoid delay, and in the meantime to
write an Argee to you requesting permission to make
the necessary alterations in the Decrees. Before the
Argee was despatched the application in suit No 761
was not "finally carried out", but was ordered to be
postponed pending the decision of another suit between
the same parties. As regards the other suit, No 661 the
decree in it was not "finally carried out" till the 5th October
whereas my Argee asking permission to make the above
corrections

corrections is dated the 19th April last. Moreover the records of
proceedures empowers me to review my decrees a fortiori & can
correct any mere clerical errors; and the party effected by such
alterations has not appealed to you.

8. Reply to para 10. The fines referred to in this para were
imposed upon witnesses for want of punctuality in attendance
were there and then collected, entered in the Cutta, &
sent up to you with my monthly returns. These fines more-
over do not come under the descriptions of fines referred to in
Circular Order No 31, which alone are required to be imposed
under written orders. I also beg to draw your attention to section
52 Regulation XII of 1816.

9. Reply to para 14. The party who applied for a copy proved
that he was the heir of the 1st Defendant in suit No 666 of 1857.
The indorsement on the copy of the decree in my office showed
that a copy had been furnished to the Maktiar Vakil of
all the Defendants. As each Defendant was entitled
to a copy, and as it did not appear that the 1st Defendant
had been provided with one. I complied with the applicants
request. I am not moreover aware of any regulation or rule
positively prohibiting this course.

10. Reply to para 15. All that the petitioner says in this para
is that in applying to you for permission to correct certain
errors in my orders in suit No 271 of 1859 I "fraudulently" omitted
to inform you that those orders had already been enforced. I did
not mention this circumstance in my application simply because
it did not occur to me that it was necessary, and as to whether there
was any fraud in the matter, the record speaks for itself. Every
thing was done in a most public manner, and moreover no
party has come before you in appeal complaining of any
fraud on my part.

11. Reply to para 16. On the 1st August 1859 I passed an order
dismissing suit No 381 of 1859, because the Plaintiff did not
produce

produce his witnesses, but a memorandum to his witnesses
receiving by the same days post from the District Manager of
Chittoor intimating that summons had not been issued
to the witnesses in consequence of his Court having been
closed for three days, was immediately brought to my
notice, and I struck off the said order and passed another
as you will see from a sheet that I enclose from that
days report.

12. Reply to para 18. In dismissing the suit No 74 of 1869
on a preliminary question, I thought at night I prepared
my order in the form of a Decree in the first instance
but on looking over it before it was declared, it seemed to me
that it ought to be in the form of an order and I altered it
immediately. From the very fact of my allowing this draft
to be placed on record in its altered form it is evident
that my conduct in the matter was straight forward; for
if otherwise I might have easily placed on record
another draft leaving no traces of this alteration &
seeing this order thus altered, the petitioner no doubt
invented this plausible story that he now puts forward.
Even granting for arguments sake that I did as he
alleges how I altered the substance of the original
draft? No, only the word "decreed" has been altered into
"ordered". Now it may be asked why there is a fair
copy in the record of the draft with original form? The
answer is easy enough. As the petitioner possessed a great
deal of influence over the other Goomastahs, as already
stated in my letter No 99, he no doubt got the draft copied
in its original form to serve after purposes, and procured
my signature to it by placing it on my table with other papers
and as it impossible for me to read over every paper before
signing it I merely see that it is attested & examined

13. Reply to para 23. On closing the Court on the day
before the last Desia I proposed to the Satanis and
Goomastahs that if some of them just able, could attend
I would hold a Court on the next day and all the
Tiskmanites, if I remember right did attend. The
3d Goomastah who prepared fair copies of decrees being
on Siesta stayed away, but left the decrees in suits on
Nos 234 and 376, which had been prepared the
previous evening, to be placed on my table, and these
were certified on that day. But the decrees in suits
Nos 487 and 489 were not ready in due time owing
to his absence on the Desia day and also other reasons
and the same are endorsed on the decrees.

14. Reply to para 20. When closing the Court on the 3d
March last, it is true that I caused it to be declared
that the Court would be adjourned till the 6th Idem.
But the Court would be adjourned [illegible]
Circular Order No 98. I started the same night for
Chittoor but returned to my station on the evening of the
4th which was Sunday, in consequence of the message
I received on the road. But on the 6th I was unwell
& resided in my diary, and also I could not
report that I availed of the privilege leave allowed
by the above Circular Order, because I was in my
station. On the 3d March one or two Goomastahs asked
me leave to go to their villages during my absence &
I complied with their request. But there is no Rule
any rule nor practice prohibiting the head of an
office from granting one or two days leave to his
ministerial servants without reporting the same
to the local controlling authority or requiring such
leave to be recorded in the diary.

15 Ad

Having thus furnished their explanations called for in regard to the statements contained in the papers forwarded by you, I shall — with your permission make a few observations, which I consider important viz. 1st That all that the petitioner asserts even if true, (which I deny) amount to misrepresentations of proceedings 2d That the petitioner is a ministerial servant appointed by Judicial warrant in the discharge of my duties bound to print out time such servants at the time they are said to have misused, and not to keep a diary of the same and to represent them to you after you have suspended him and placed him on his trial in consequence of my report. 3d That the very fact of having kept a diary almost from the day that I took charge of my office, shows that he has been ill disposed towards me. 4th That my predecessor Sr Jasiva Pillay and myself are well known to have done our duty honestly and that if the petitioner has not a diary in his both you can easily infer his motives. 5th That the petitioner's hatred towards me originated 1st from my not consenting to be swayed by him in my proceedings 2d from my not allowing him to come to my house and send records to me, which no doubt would have proved a lucrative employment for him, and dangerous to my character; 3d from my not employing men recommended by him as peons and Volunteers; and 4th from my not allowing him to bully the Vakils.

6th That his detailing in para 6 of the memorandum under reply, the official correspondence which passed between you and me after his suspension shows that even more he had secret enquiries in my office

7th That the weight of Judges are but mere assertions

and

are apt to err in their proceedings: and that if mere indirect but groundless imputations are allowed to be put forward with impunity, not only myself and other officers of subordinate grades, but even the Judges of the very highest Court in the land will be left at the mercy of the meanest of the ministerial servants. And lastly that it is a fact well known to the inhabitants of my district to yourself as my immediate superior, and above all to God himself, that I have endeavoured to the best of my knowledge and ability to discharge my duties faithfully; and indeed I am really grateful to the petitioner that his malignity has not gone so far as to impute to me any graver offence which would prove prejudicial to my character as an honest man. My case is in the hands of an impartial Judge and I have nothing to fear however I may regret the necessity I am placed under of answering the false and malicious assertions of an unprincipled and disappointed subordinate.

16th The records which accompanied your proceedings are returned in separate parcels.

I have the honor to be

Sir

Your most obedient Servant

(Signed) A. P. Streenevasa

A. D. M.

P.S. In the event of your allowing the petitioner to produce witnesses in regard to the statement in para 4 of his memorandum I have to beg of you two favors. 1st That you will be good enough to have them brought up before you by a warrant entrusted to an honest peon, so that the petitioner might not have an opportunity of holding any verbal or written communication with them. and 2d That you will grant me an opportunity of cross-examining those witnesses

(Signed) A. P. Streenevasa

A. D. M.

(True Copy)

Encl. Petitions &c.

Dy. No. 912/186

17

Extract from the Proceedings of the Civil Court of Chittoor under date the 11th April 1860.

Linga Reddy, Head Gumasta of the Dist. Moonsiffs Court of Sholinguy is suspended. The acting Dist. Moonsiff is directed to send him to the Court, make arrangements regarding his situation and report the same.

Ordered that an Extract from these proceedings be sent to the acting Dist. Moonsiff of Sholinguy for his information and guidance.

A true Extract.
(Signd) G. F. Harris
Civil Judge

Extract from the Proceedings of the Civil Court of Chittoor under date the 24th July 1860.

Read Aregie No. 99 from the Dist. Moonsiff of Sholinguy under date the 7th April 1860 reporting upon the Conduct of Linga Reddy Head Gumasta of his Court and the explanation of that individual dated 2d Instant with a Memo thereon enclosed.

Read also the Acting Dist. Moonsiffs explanation No. 220 dated 21st Instant in reference to certain paras of the above Memo.

Order

The Civil Judge resolves to dismiss the Gumasta Linga Reddy from office for bringing forward a groundless and calumnious charges against his

his superior Officer

Ordered that an Extract from these proceedings be sent to the Acting Dist.n Monsiff of Sholinghur for his information and that a copy of the above proceedings be granted to the Petitioner on his application.

(A True Extract)
(Signed) G. A. Harris
Civil Judge

Note

Signed on the 24th July 1860
Copy of document applied for on the 31st July 1860
Do. ready on the 4th August 1860
Do. furnished on the Do. Do.
Delay not attributable to the party 5 days

(True Copy)

Rec.d Cattlis 4th Aug.t 1860

To the Honorable Judges of the Court of Foujdaree Adalut Madras.

The humble petition of Linga Reddy the Head Gomastah of the District Monsiff's Court of Sholinghur.

Humbly Sheweth.

That your petitioner submits copies of proceedings of the Civil Court of Chittoor dated 11th April and 24th July 1860. and humbly appeals from the latter to this honorable Court.

That the Monsiff on the 7th of April 1860 addressed the Civil Judge of Chittoor complaining of your Petitioner and requesting that your Petitioner be removed as a manner unbecoming his station as a ministerial servant that he was insolent and led the audacity to the Monsiff in open Court. On one occasion that he kept the company of Peddanahs and listened to and acted upon their reports that he was indolent and lazy that he allowed parties to come to his house and gave them information privately. That he had no faith in your Petitioner's honesty for the reason that he had built a choultry and dug a tank and was erecting a pyal house by public subscription and that he had eight canniers of land registered in the name of his son and finally that he was over bearing to each of the Vakils and would not cringe to him and recommending that he should be reduced to a lower appointment or that.

that he should be transferred to another Court. Your petitioner replied to such charges under dated 2d July 1860 which briefly in the first place met the several matters contained in the Promisiff's Complaint and in the next submitted counter charges against the Promisiff. Your Petitioner will address himself to these in this order first as to the charges preferred against him by the District Promisiff he utterly and wholly denies that he ever conducted himself indecently, disrespectfully, insolently, overbearingly or dishonestly; the promisiff himself is unable to point out a single instance in which he has marked any such conduct by any public proceeding and your Petitioner submits that if he had so demeaned himself the Promisiff would undoubtedly have fined him the assertion that your Petitioner had the audacity to tell the Promisiff in open Court that he kept the company of Pedlars is on the face of it as your Petitioner submits utterly incredible your Petitioner submits it to the Court whether any of such language had been used to a Judge on the bench he would not instantly have committed the party for contempt of Court. Further these charges no evidence has been taken although your petitioner avers that they are unfounded and he challenges the district Promisiff to the proof of his statements. As to the last charge conducted by your Petitioner asserts were founded not by public calumnies but out of his own personal property with on this point has any testimony been received

Lastly as to the property in the name of your Petitioner's son he declares that the same had been acquired by his mother and on her decease had been passed to your Petitioner's son What matter of complaint can arise from this, your Petitioner must leave to this Honorable

Court.

Your Petitioner now addresses himself to the counter charges prepared by him against the Promisiff he avers in all charges prepared by him against the Promisiff he avers in all

The first is that the Promisiff has omitted to collect certain penalties on documents filed in the petitioners suits the numbers of which are given in pain one of your petitioner's Memorandum. To this no explanation has been called for and none given. Your Petitioner submits that this is matter deserving of full inquiry and he asserts that the truth of his statement in this respect will appear on reference to the records themselves.

Secondly that the Defendant has been permitted to be sued for as Delinquency in 1859 upon this also there has been no explanation required or given.

Thirdly that the Promisiff included in suits disposed of on the merits cases which were dismissed by summary orders. The district Promisiff asserts that such suits were dismissed by decrees. Your Petitioner appeals to the proceedings themselves in the suits whose numbers are given in the 4th paragraph of your Petitioner's Memorandum

Fourthly your Petitioner charged that in No 302/57 the Promisiff pronounced a decree for the defendant, on the 23rd of July 59 and afterwards went in another for the Plaintiff for this the Promisiff denies, but this your Petitioner is prepared to establish. Again your Petitioner charged that in No 911/59 the Promisiff on the 29th of February 1860 pronounced in open Court a decree for the defendant and recorded the same on the Plaint and that on the 26th March he passed an order, as of the 29th of February postponing the final hearing for the reason that the time granted by a previous order had not

expired

expired. The Promisiff explanation is that when declaring the decision the 29th February the Plaintiffs Vakil objected that the time granted for the production of documents had not expired and that there a recall was made for the application which was found in the Register of the 8th Ghomastah; and that he therefore passed an order fining the Ghomastah for his carelessness. Now the explanation itself your Petitioner submits is peculiarly worded and he contents that the specific charge made is not met your Petitioners specific allegation is that the order was made on the second of March that a question of fact the Court will find is met by argument But your Petitioner asserts that at the final hearing which took place shortly before the 29th February Pro the existence of the order granting time was brought to the notice of the Promisiff by the Plaintiffs Vakil. but he then declined to wait any longer or to suffer the matter to stand over, on the 29th of February 1860 he pronounced his decree. He was then again addressed by the Plaintiffs Vakeel and it was not till the 2d March that he thought better of the matter & then it was and not before that he made the order which he antedated the 29th February pretending that the application had not been placed among the papers by the Ghomastahs and thereby getting out of the difficulty by throwing the blame on that officer the fine of 2 annas, small as that sum has never been realized and your Petitioner is prepared to establish these matters in evidence and also to prove that orders are entered not the next day as alleged by the Promisiff, but frequently not till three or four days after they are pronounced

5th Charge. This charge is that the Promisiff in 943/59 first gave judgment for Defendant and afterwards for the Plaintiff the explanation is that he called upon the Plaintiffs Vakeel to say why he should not give a decision for the defendant who thereupon made some answer or other that then the Promisiff again inspected the signature, and observed it to be a real and Ghomastah that he afterwards came to the conclusion that the signature must have been made at a time when the Defendant hand-writing was not settled your Petitioner submits that such an explanation must be regarded as being unsatisfactory

Sixth. The sixth item of charge is that in 66 dated 7/6/59 the 8th Promisiff made certain unauthorized corrections in the records and that after your Petitioners suspension and before he applies for permission to correct suppressing the fact that the corrections had already been made: the explanation admits the correction the issue of Northumber Rennie and the subsequent application for permission your Petitioner charges that no notice of any such corrections was given to the parties that there is no record in the Promisiff's diary of such corrections having been made that the warrant issued after such corrections was dated & that it was returned on the 30th March and forwarded to the superior Court that your Petitioner was suspended on the 11th of April & that there was that the Promisiff fearing that this would be made a matter of charge against him by your Petitioner on the 19th of April for leave to make such corrections.

Seventh. That the Promisiff permitted Vakeel and their Ghomastahs to have records out of the record room no explanation is called for or given.

Eighth. That he asks permission to destroy old records in regard to repeat pentembers, and intend of doing so, leaves every the records on his own responsibility to the paper manufacturers your Petitioner submits that this is matter of grave accusation your Petitioner is prepared to establish this by evidence but no explanation has been called for or given.

Ninth. That he takes records home notwithstanding that he was censured for so doing in consequence of some records so taken home having been thereby destroyed by rats on this charge there is no explanation called for or given.

Tenth. This item charges various arbitrary fines & mentions

13 cases

13 suits whose parties were fined for not filing their answers
in time. The explanation does not as your Petitioners submits
touch this matter if the parties did not file their answers
the Plaintiffs course was to declare the case exparte and
your Petitioners submits that he had no power to fine the
Defendants. In one case 208/59 the party was fined
for pleading inability to procure Counsel to this also your
Petitioners submits there is no answer in the Plaintiffs
explanation. In Case 914/59 the Plaintiffs were fined
for not giving the correct names of the Defendants
nor has this been met by any explanation. In other
mentioned parties have been fined without any
entry appearing in the Plaintiffs diary
Eleventh. Allowing depositions &c to be drawn by persons
unconnected with the Court the members of the suits
case given: but no explanation is called for or furnished.
Twelfth & thirtieth. Irregularities in attendance & proceedings in
respect of which no explanation has been required.
Fourteenth. In furnishing attested copies more than once
your Petitioners submits whether the explanation is sufficient
Fifteenth. Allowing Interest fee twice over in respect of certain
matters & after such awards had been enforced applying
for execution to correct without mentioning that the
matter had been so enforced the facts, your Petitioners
submits, are admitted in the explanation & he submits
that no sufficient reason is alleged why the whole
matter should not have been disclosed.
Sixteenth. Replacing an entry on the file two days after dismissing
the cause your Petitioners traverses the facts alleged
in the explanation as to this item.
Seventeenth. That in suit 671/59 he refused an order that he
would dispose of the case on the pleadings and the suit
was afterwards decided on the merits no explanation
required or furnished.
Eighteenth. That in suit 745/59 he first disposed of it by
decree on the merits and subsequently altered the
decree into an order the explanation is in its
substance

as to these as your Petitioners submits that this was a matter of
form and done immediately but your Petitioners charge that
it was entered one decree in the diary and register book &
on the Plaint that the Plaintiff had no power to make any
such alteration and that such alteration was not
a matter of form, but of substance and that such alteration
prejudged the right of appeal of said parties to this
honorable Court in as much as upon an order the sealing of
the Civil Judge would be final but on decree the parties
would have a right to their special appeal to this Court.
As at 11th, twelfth, twenty 2nd, twenty 3rd. Various instances of as
your Petitioners submits irregularities but in respect
of these no explanation has been called for.
23rd. Endorsing on decree in 487 and 489 of delay
consequent on the Decrees [illegible] whereon they decree
were certified on that day the explanation is
that the 3rd Glomerstah had left two decrees out
of which were certified and that the decrees referred
to 487 & 489 were not certified because of his absence
and were therefore so endorsed; your Petitioners charge
that Glomerstah did attend on that 11th decrees were
certified on that day every one of which were prepared by said Glomerstah
Items 2, 5, 26, 427 & 29 are in respect of matters on which no explan-
nation has been called for.
Twenty 8th. Adjourning Court from 3rd to 6th week without recording
or reporting same the explanation is that he returned on the
fourth and was unwell on the 5th your Petitioners charge that
he was not in the station on the 4th or 6th and that the assertion
of his having returned on the 5th & of being unwell on the 6th
are unfounded.
Upon these matters the Civil Judge has without
going into evidence dismissed your Petitioners for performing grave
libels & calumnious charges against his superior officer your
Petitioners submits firstly that the charges preferred against
your Petitioners by the Plaintiff are many of them manifestly
unfounded the truth of such charges have been established
against your Petitioners. That your Petitioners had challenged the
Plaintiff to prove such charges & is prepared to disprove the
same; and secondly as to your Petitioners counter charges
against the Plaintiff that your Petitioners ought to have the
opportunity of proving such charges & that such charges cannot
be

be considered to be grounds for removal without your Petitioner having had opportunity afforded him, & lastly that in respect of several of such charges the same are sustained by the records referred to by the Petitioner in his memorandum. Your Petitioner therefore prays that the order of the Civil Judge be reversed that the Moonsiff may be called upon to establish his charges against your Petitioner by evidence and that your Petitioner may be requested to prove his counter charges & that this honorable Court will be pleased to make such order in the premises on the final result of such investigation as to this honorable Court may seem meet.

19th October 1860 } (Signed) Linga Reddy

(True Copy)

Rec'd Oct. 19 & Nº 1869

Sub Ct. 1 Class Dr.
No 2702

In Ap. 912 of 1861.

Proceedings of the Sudr Court 15th November 1860.

Read letter dated 23d Ultimo from the Civil Judge of Chittoor forwarding an appeal to the Sudr Court preferred by Linga Reddy the late Head Gumastah of the District Moonsiff's Court at Sholinghur against his dismissal.

(Here enter Ct. 4, No 2759 of 1860)

The Petitioner represents that the Dist. Moonsiff of Sholinghur reported to the Civil Judge of Chittoor that the Petitioner possessed undue influence on the establishment of the Court that he was insolent, insubordinate, indolent & lazy, that he allowed parties to come to his house where he gave them information connected with the business of the Court that he had no faith in Petitioner's honesty in as much as all the his parents were poor and his salary small the Petitioner had managed to build a Choultry, dig a Tank & cultivate a few poor house & is also possessed of more than 8 Cawnies of land which stands registered in the name of his son, a mere boy: and that his conduct to the Vakeels of the Court was reprehensible, and accordingly recommended his reduction to a lower appointment or his removal to another Court.

That Petitioner replied to the above charge and submitted counter charges against the Dist. Moonsiff accusing him of various irregularities - some of which the Moonsiff was called upon to explain and that upon receipt of his explanation the Civil Judge dismissed the Petitioner as preferring groundless and calumnious charges against his superior. The Petitioner prays therefore that the order of the Civil Judge may be reversed and that the Dist. Moonsiff may be called upon to prove his charges against the Petitioner, and that the Petitioner be also called upon to prove his charges against the Dist. Moonsiff.

The Sudr Court are of opinion that the Civil Judge was fully justified in removing Petitioner from his office.

The several matters which the Petitioner appears to have noted down against his official superior & to have brought forward when the Dist. Moonsiff found it necessary to notice Petitioner's misconduct & harmful influence in his Court are immaterial & have been satisfactorily explained

in the

from

To

His Excellency W. T. Denison H.C.B.

Governor of the Fort St George.

The humble Petition of Singa Reddyar the late Head Gumasta of the District Moonsiffs Court of Tellingapully

Humbly Sheweth.

That your Petitioner most humbly begs to state, that his period of service in the said Court extended to more than 30 years and during such period, that he had discharged his duties with zeal, activity, and assiduity is evident from the copies of testimonials enclosed.

2. That your Petitioner had never been accused of receiving bribery, altering the records of the Court and embezzling circar money in the Kajana &c. are also evident as no entry has been made in any records of the Court to that effect.

3. The present District Moonsiff being new to his offices, his official doings are at variance with the laws, rules, regulations and Circular of the Court among which may be enumerated admitting and decreeing suits (such as, services, Inam Cases &c) not coming under his province, receiving just due to Government over reduced scales non collecting penalties in general suits, entering in the statement suits summarily (but not by merit) disposed of with those decreed, inserting and changing decrees without precedence and due notice being given to parties, giving one decree in the open Court while otherwise statement is recorded ordering and decreeing cases finally disposed of by Ikhramah at variance with the former one, allowing Vakeels and their Gumastas to carry Court rooms from

(Grave Copy)

Rec'd 21st Oct. 1856 & Filed

Sub Collr

Oct 23rd 1856

To

His Excellency W. T. Denison H.C.B.

Governor of the Fort St George.

The humble Petition of Singa Reddyar the late Head Gumasta of the District Moonsiff Court of Tellicherry

Humbly Sheweth.

That your Petitioner most humbly begs to state, that his period of service in the said Court extended to more than 30 years and during such period, that he had discharged his duties with zeal, activity, and assiduity is evident from the copies of testimonials enclosed.

2. That your Petitioner had never been accused of receiving bribery, altering the records of the Court and embezzling circar money in the Kajana &c. are also evident as no entry has been made in any records of the Court to that effect.

3. The present District Moonsiff being new to his offices, his official doings are at variance with the laws, rules, regulations and Circular of the Court among which may be enumerated admitting and decreeing suits (such as, services, Swamy Varos &c) not coming under his province, receiving just due to Government over reduced scales non collecting penalties in general suits, entering in the statement suits summarily (but not by merit) disposed of with those decreed, inserting and changing decrees without precedence and due notice being given to parties, giving one decree in the open Court while otherwise statement is recorded ordering and decreeing cases finally disposed of by Ikhmamah at variance with the former one, allowing Cheels and their Gumastas to carry Court rooms from

(Grievance)

Rec'd 21st Oct. 1856 & Filed

Moonsiff's Office

Tellicherry

the straight forwarded letter of the District Moonsiff dated 21st July last. The Sadr Court are therefore of opinion that the District Moonsiff must be supported against a combination among his ministerial subordinates, of which it seems manifest that the Petitioner is a principal; and they accordingly decline to interfere on his behalf.

To

His Excellency W. T. Denison H.C.B.

Governor of the Fort St George.

The humble Petition of Singa Reddyar the late Head Jemadar of the District Moonsiff Court of Tolinger

Humbly Sheweth.

That your Petitioner most humbly begs to state, that his period of service in the said Court extended to more than 30 years and during such period, that he had discharged his duties with zeal, activity, and assiduity is evident from the copies of testimonials enclosed.

2. That your Petitioner had never been accused of receiving bribery, altering the records of the Court and embezzling circar money in the Kajana &c. are also evident as no entry has been made in any records of the Court to that effect.

3. The present District Moonsiff being new to his offices, his official doings are at variance with the laws, rules, regulations and Circular of the Court among which may be enumerated admitting and decreeing suits (such as, services, Inam Cases &c) not coming under his province, receiving fees due to Government on reduced scales non collecting penalties in several suits, entering in the statement suits summarily (but not by merit) disposed of with those decreed, inserting and changing decrees without precedence and due notice being given to parties, giving one decree in the open Court while otherwise statement is recorded ordering and decreeing cases finally disposed of by Ikhrarnamah at variance with the former one, allowing Vakeels and their Gumastas to carry Court records from

(Circular Qy)

we the straight forwarded letter of the Dist Moonsiff dated 21st July last. The Sadr Court are therefore of opinion that the Dist Moonsiff must be supported against a combination among his ministerial Subordinates, of which it seems manifest that the Petitioner is a principal; and they accordingly decline to interfere on his behalf.

Rec'd 25th Oct. Pet. to return

Inclosed Pet. 20 Oct.

To

His Excellency W. T. Denison H.C.B.

Governor of the Fort St. George.

The humble Petition of Singa Reddyar the

late Head Jemadar of the District Moonsiff Court of Tellicherry

Humbly Sheweth.

That your Petitioner most humbly begs to state, that his

period of service in the said Court extended to more than 30 years and

during such period, that he had discharged his duties with zeal, activity,

and assiduity is evident from the copies of testimonials enclosed.

2. That your Petitioner had never been accused of

receiving bribery, altering the records of the Court and embezzling circar

money in the Rajana &c. are also evident as no entry has been made in

any records of the Court to that effect.

3. The present district Moonsiff being new to his office, his official

doings are at variance with the laws, rules, regulations and Circular

of the Court among which may be enumerated admitting and

decreeing suits (such as, services, Swamibaroos &c) not coming under his

province, receiving just due to Government over reduced scale non collecting

penalties in several suits, entering in the statement suits summarily

(but not by merit) disposed of with those decreed, inserting and changing

decrees without precedence and due notice being given to parties, giving

one decree in the open Court while otherwise statement is recorded

ordering and decreeing cases finally disposed of by Ahmeens at variance

with the former one, allowing Cheels and their Gumastas to carry Court rooms

from

(Circular Copy)

To the straight forwarded letter of the District Moonsiff dated
21st July last. The Sadr Court are therefore of opinion
that the District Moonsiff must be supported against a
combination among his ministerial Subordinates, of
which it seem manifest that the Petitioner is a
principal; and they accordingly decline to interfere
on his behalf.

Rec'd 25th Oct. Pet. to Moonsiff
Answered
Oct. 30th
1850

from their rooms, destroying records with other documents transgressing the order of the Civil Court calling for the details of such documents destroyed carrying and retaining off the records to and at his house to their utter neglect and confusion in the office where not found. Causing the depositions processes decrees re written by the strangers; inflicting and collecting fines from defendants absent at the time fixed imposing penalty on parties for the absence of witnesses, disposing of suits on merits without first looking to the default of time. giving decrees on the wrong day in which the Court was previously held and shut, holding Courts irregularly and on holidays, writing on decrees as faired and unfairred as being holidays omitting on diary between lines and in corners, reading one order and writing another receiving by peak in summary while it was an experte, giving decrees without ground in summary cases and doing different other things at variance with rules. These misfeasions were duly and respectfully represented to his consideration on annual occasions. The reduction of fees due to Court entering summarily disposed of cases with the denied means the statement, infliction of fines in suits where no fines can be imposed &c are such to operate detrimentally to the subordinates of the Court your Petitioner being the Head Ministerial reason the painful necessity of representing them to the District Moonsiffs in proof of which the hit memos marked 1.2 & 3 are submitted & to the Kind consideration of His Excellency. The entire staff of the District Moonsiffs is affixed to them.

4. The information given by the subordinates (compelled as they were by their duty and study for the support of the Moonsiffs safety) one doubtful points to the District Moonsiff little acquainted practically with the functions of the Justices was constructed by the district Moonsiffs in subordination on the part of your Petitioner and intending to get the Petitioner transferred &c fully aware that his object cannot be realized without some gratuity raised

dowries and reported to the Civil Judge in Cases 1, 2, 3, 7, and 8 of his letter that your Petitioner was insubordinate, insolent and lazy, considered derogatory to do business allotted to him disturbed the Vakeels of the Court, inconvenienced greatly the late Mooney allowed parties and their agents to come to his house and gave them information

X Para 4 connected with the business of the Court (to which he adduced documents marked 1 and 2) and has told the Moonsiff of his having built and dug Choultry and tank

o Para 5. by funds raised by public subscription the funds by accused your Petitioner that some lands are registered in the name of his son and recommended that he should

X Para 6 + Para 9 be either reduced or transferred to other Districts.

5. To all these charges your Petitioner begs to demur and avers it right to prove by to state that the Choultry &c were built from his ancestorial estates What wrong is there if your Petitioner like others gives up to charity, built a Choultry and digs pond for the use of public in general took from his ancestorial and personal industry? The Govt. instead of discouraging such acts a bet by grant of Inam lands &c &c supposing the Report of the Moonsiff that they were built by public subscription to be true (no proof either personal or record were adduced) the act does not entitle him to any ill usage and as a Govt. servant the act of begging from door to door (public subscription in fact the same) does not expose him to any punishment. Even it is that lands registered in the name of his mother were transferred on that of his son which is perfectly right according to the Circular No. 116.

The other charges of the district Moonsiff laid at the door of your Petitioner were false and groundless, and only created to criminate him and cannot be proved either from records or witnesses. The truthfulness of the above assertion is evident from the following. From the records

14th July 1857. of the Default Book ordered in M. G. O. will be seen that the Petitioner had never been absent as reported to be; for if such behaviour had

had been observed by the late and present Moonsiffs due enquiry may be found in the above books. Besides his long services, the promotions he had received and certificates given him by various Distrct Moonsiffs he served above repudiate in to the grounds of charges laid at his door and will on the other hand establish without shadow of doubt that he behaved well and discharged his duties to the entire satisfaction of his official superiors as regards the charge of allowing parties to enter to his house the very documents produced by the District Moonsiff if only investigated well, will not only acquit him but discriminate him from the wholesale and as regards the troubles said to have been experienced from the Petitioners by the same cause, it is to be stated that none of them complained. It is common in Judicial Depts that officers of the Court do inform to the Justice the true meaning of the recs while they are perplexed of their real interpretation by the struggling opinions of the pleaders, and being sometimes required to afford information in this way may have been a source of dissatisfaction to them and your Petitioner, who should be shielded from, was exposed to hatred by the District Moonsiff.

6. The Civil Judge on the perusal of the groundless report suspended your Petitioner and ordered his attendance at the Civil Court without inquiring into the truthfulness of the report. This act of the Judge is wholly unjust and even the Moonsiff from whom the accusation originated has not given his opinion. The Judge on the explanation given by the Petitioner on his order, called upon the Dist. Moonsiff explanation on the points

points and without inquiry and due regard to justice dismissed the Petitioner on the ground of his having brought a false charge against the Distt. Moonsiff. This is really unjust for even the Dist. Moonsiff who was called upon to afford explanation on some points referred by the Petitioner was forced to acquiesce in and to escape avoid comment by his fluency. Therefore to condemn the two statements by those who written as done by the Civil Judge is quite at variance with justice and if even the Judge to whom he appealed has inquired into the matter the ends of justice will be met.

7. Thus deprived of justice being invited out to him he last takes the liberty of throwing himself under the protection of His Excellency with the full belief that on his substantiating the statements contained in this humble petition from the records of the Court & witnesses, justice will be awarded to him.

8. Further he begs to state that the Dist. Moonsiff together with his explanation added some more charges omitted in his first report. These simple & trivial ones are, not permitting the Petitioner to come the Dist. Moonsiff house, to read records, not employing the persons recommended by the Petitioner etc. This addition he made solely to conceal his faults at the just expense of your Petitioner and all these are nothing but falsehoods concocted by his fluent and intelligent language not at all founded upon records. The omissions of them in the first and mention in the 2nd are sufficient to warrant the saying that they were fabricated ones.

9. The Civil Judge in dismissing the Petitioner as having brought

brought false charge against the Dist.t Monsiff is wholly wrong
because it was in explanation to Para 9 of the Dist.t Monsiffs report
the Petitioner was obliged to detail the circumstances enumerated
in Para 2 of his petition. Neither the Civil Judge had not forgotten
to bare the matter in his disposal on this point; viz who had
brought the charge first now the Judge looked to this point.

10. He requests therefore His Excellency, on the perusal
of his explanation and appeal to the Civil Judge & Sessions Court
to weigh the matter, and on being satisfied with the
genuineness of the statements in his humble petition to Order not
only his restoration to his place but also permit him to draw
his pay from the date of his suspension. Your Petitioner herewith
enclosed two copies of the proceedings of the Judge & Sessions Court &

Your Excellency's Petitioner as in duty bound
shall ever pray.

Your most obedient servant
21th March 1861 (Signed) Linga Reddy

(True copy)

H

No 912 of 1861

From 27

Linga Reddi,
late Head Goomastah
of the District Munsiff's Court. Sholingur
North Arcot District.

Dt. 21st
Rec.d 22nd
25 March 1861

10.
X. Enclosures

No. 71

Praying for redress.

Transferred to the Chief Secretary to Government — with four Enclosures.

By order
R Arme
Ag Private Secy.

Govt House
Madras
23d March 1861

C & H.

No. 912 of 1861.

The Government decline to interfere in Petitioner's behalf—

Fort St. George 9th April 1861

By order

L Powney

Dy. Secy. to Govt.

Rec'd 26th Oct. 1863 No. 1689

Ordered that the Memorial received with this letter, be transmitted to the Secretary of State.—

Pol. Dept. No. 34

31-10-63

To Linga Reddy late Head Gomastah in the District Moonsiffs Court of Sholingur in North Arcot. } dupd. 29

9 Cl. 1 h. 10