M.R.O. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1488	Press ~~Mis.~~
92-93 Dated	13-10-1864	

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Not to be folded or roughly handled

No. 92. Read the following letter from H. D. COOK, Esq., Civil and Session Judge of Calicut; to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Calicut, 30th September 1864, No. 338.

I have the honor to forward a letter to my address from the Principal Sudder Ameen of Calicut, with reference to the circumstances under which the Civil Paymaster has refused to pass the salary of his office to the present officiating Sheristadar, Mr. Peter John.

2. It will be observed that Mr. Peter John was formerly appointed to the office he now holds on the 16th October 1862, and he drew the full salary of the office during his tenure of it up to 31st August 1863.

3. The Notification of Government, dated the 18th November 1862, did not, in my opinion, apply to him, and I concurred with the Principal Sudder Ameen in thinking that, as he formerly held the office, the preference was due to him when the office lately became vacant.

4. If circumstances over which he had no control, had not occurred to disturb the arrangements of this and the Principal Sudder Ameen's Court under which he was appointed in October 1862, Mr. Peter John would have hitherto been in uninterrupted enjoyment of his present office.

5. I trust, therefore, that the Government may coincide with me in thinking that the Notification alluded to, may not be deemed applicable in his case, and that, under the circumstances, the Civil Paymaster may be instructed to pass to him the salary of his office.

From Mr. J. D'SILVA, Principal Sudder Ameen of Calicut; to H. D. COOK, Esq., Civil Judge of Calicut, dated Calicut, 26th September 1864, No. 118.

The Civil Paymaster at Madras having declined to pass the salary of Mr. Peter John, the Acting Sheristadar of this Court, on the ground of his not having passed the Special Test Examination prescribed for Judicial Sheristadars, I have the honor, with reference to the Notification of Government noted in the margin, to request you will have the goodness to obtain their special order to enable the Paymaster to sanction his full pay from the 29th August 1864, the date on which he assumed charge of his duties.

Dated 26th March 1859, published at page 619 of the "Fort Saint George Gazette" of that year.

2. Mr. Peter John, as you are aware, was appointed to act as Sheristadar, because he had held the same post on full pay from 16th October 1862 to 31st August 1863, on which latter date he reverted to his former situation of Munshy under the Malayalum Translator to Government, consequent upon the return of the permanent incumbent, Mr. J. M. D'Aranjo, who had been appointed Sheristadar of the District Court of Calicut, and you concurred with me in thinking, under the circumstances, that the examination prescribed by the Notification of Government, dated 18th November 1862, did not apply to him, or if it applied at all, that he was entitled to preference in the absence of a passed candidate.

3. The Court had been closed for more than three months, and as there was a great influx of suits, &c., I could not leave the important office of Sheristadar vacant, in expectation of a passed candidate without detriment to the service. Mr. Peter John was then at Madras, and having come down and entered upon his duties, I hope Government will see no objection to his being allowed to continue in the post as a special case.

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4. Pending the arrival of Mr. Peter John, I found it necessary to make a *temporary* arrangement to carry on the business, by appointing Mr. B. D'Rozario, the Head Writer of the Court, to officiate as Sheristadar, as the pay due to this individual for the period he thus officiated has also not been passed by the Paymaster, I further request that you will be good enough to obtain the sanction of Government, authorizing that officer to pass it.

From 16th to 28th August 1864,

(True Copy.)

(Signed) H. D. COOK,
Civil Judge.

No. 93. ORDER THEREON, 13th October 1864, No. 1488.

The Governor in Council is pleased to permit Mr. Peter John to hold the office of Sheristadar of the Court of the Principal Sudder Ameen of Calicut, until the result of the next examination for Judicial Sheristadars (which Mr. John must pass) is known.

2. The Civil Paymaster will pass the pay of the office to Mr. John from the date of his assuming charge, and also to Mr. B. D'Rozario for the period during which he did the duty of the office.

(True Extract.)

Chief Secretary.

To the Civil and Sessions Judge of Calicut.
„ Civil Paymaster.

Edd. J. Tulloch.

Judicial Department. 2

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Civil and Sessions Judge of Calicut.

(Here enter 30th Sept. 1864 No. 339)

Order thereon 13th October 1864 No. 1488.

The Governor in Council is pleased to permit Mr. Peter John to hold the office of Sheristadar of the Court of the Principal Sudder Ameen of Calicut until the result of the next examination for Judicial Sheristadars ~~District Moonsiffs~~ (which Mr. John must pass) is known.

The

2. The Civil Paymaster will pass the pay of the office to Mr John from the date of his assuming charge, and also to Mr B. d'Rozario for the period during which he did the duty of the office.

C.W.

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To the Civil & Sessions Judge of Calicut } Despatches

— Civil Paymaster }

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Lit. 25 Oct.

Judicial 1864. Department.

No. 1488.

PROCEEDINGS of GOVERNMENT.

Dated 13th October 1864.

92-93.