

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	784	Press ~~Mis.~~
172-174		
Dated	18. 5.	19 1866

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
18th May 1866.

Read the following papers:—

No. 172. From the Secretary to the Hindu Girls' School, and Anglo-Vernacular School in Madura, to the Chief Secretary to Government, Fort Saint George; dated Madura, 7th April 1866, No. 12.

By direction of the Managing Committees of the Hindu Girls' School and Anglo-Vernacular Grant-in-aid School at Madura, I have the honor to request that you will be good enough to submit the following for the consideration of His Excellency the Governor in Council.

2. Some years back, the building in which the District Moonsiff of Madura then held his Court having been pronounced to be in a dangerous condition, permission was obtained by the Civil Judge, from the Manager of the Madura Pagoda, for the temporary use of a Muntapum (a stone building) connected with that Pagoda. In granting this permission, the Manager reserved to himself the right of taking back the building whenever he wanted it. In the exercise of his right of ownership, the Manager celebrates annually in this Muntapum a festival connected with the Pagoda, and the Moonsiff is obliged to vacate the building on those festival days.

3. When the Moonsiff removed to this Muntapum, the Sudder Ameen, or the Cazeer, held his Court in a portion of the palace. When the establishment of Cazeers in the Presidency was abolished, the Madura Cazeer was made an *Additional Moonsiff*, and used to hold his Court in the same building in the palace. When a vacancy occurred in the Moonsiff's Court, the Additional Moonsiff's Court was abolished, and he himself appointed to act for the Moonsiff. Advantage might have been taken of this opportunity to vacate the Muntapum, and to order the Moonsiff's Court to be held in the same building in which the Additional Moonsiff used to hold his Court. It may be mentioned here that this building, which forms a portion of the palace, is available to this day, and is different from the one in which the Moonsiff used to hold his Court originally, and was pronounced to be in a dangerous condition.

4. At a meeting of the respectable native inhabitants of the Town of Madura, held on the 13th February 1865, it was resolved that the Muntapum above alluded to be fitted up into a Town Hall for holding public Meetings, &c., and that the Hindu Girls' School and the Anglo-Vernacular School be held in portions of the same. The Manager of the Pagoda, who was also present at the Meeting, was then requested to apply to the Civil Judge for the Muntapum. This application was accordingly made to the then Acting Civil Judge, Mr. Goldingham, by the Manager of the Pagoda, and that Officer was pleased to direct the Moonsiff to vacate the Muntapum, and to remove his Court into that portion of the palace in which the additional Moonsiff and the Cazeer used to hold their Courts. Mr. Goldingham was pleased to send a reply to the Manager to the above effect. The Moonsiff has not as yet vacated the Muntapum, although it is more than a year since the Civil Judge sent his orders to him on the subject.

5. The Committees of the above Schools have, therefore, directed me to request that His Excellency the Governor in Council may be pleased to direct the Moonsiff to vacate the Muntapum without any further delay. The two Schools have paid a rent of about 100 Rupees since application was made for the Muntapum. The Committees beg to inform you that, beside the building to which the Acting Civil Judge has ordered the Moonsiff's Court to be removed, there are other portions of the palace which can be well fitted into a Court house. As an example,

*Proceedings of the Madras Government, Judicial Department,
18th May 1866.*

they would mention that, *subsequent* to the removal of the Moonsiff's Court to the present Muntapum, one portion of the palace has been fitted up for the Principal Sudder Ameen's Court. The Committees beg also to submit that the portion of the palace situated just opposite to the Principal Sudder Ameen's Court is equally strong and spacious.

Referred to the Civil Judge of Madura, for his remarks.

FORT SAINT GEORGE,

26th April 1866.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

No. 173. From the Civil Judge of Madura, to the Chief Secretary to Government, Fort Saint George; dated Madura, 2nd May 1866, No. 150.

I have the honor to acknowledge the receipt of a letter addressed to you by the Secretary to the Hindu Girls' School and Anglo-Vernacular School at Madura, dated 7th ultimo, referred to me for my remarks, and, in reply, to state that I have already brought to the notice of Government the fact of the building now occu-

15th January 1866, No. 15, paragraph 5.

piated by the Madura Moonsiff having been temporarily placed at his disposal and the requisition of the Pagoda Manager for its restoration to him.

2. It may be a question, which the Collector would be better able to inquire into than myself, how far the building in question, though situated near the pagoda, but outside it, belongs to the pagoda. When I took possession of it for the Madura Moonsiff's Court, it was in a filthy state, chiefly used as a latrine. It was thoroughly cleaned by the convicts, and walls were built to make it suitable for the purpose required. I am not aware that it is ever used by the pagoda. Another question may be whether the Moonsiff's Court has not a greater claim on the building than the schools in question.

3. The want of proper buildings for the several Courts at Madura (the Civil Court excepted) has been so often brought to the notice of Government that it is unnecessary for me to dwell on this point, but simply to repeat what has been so frequently urged—the absolute necessity for the erection of Court Houses for the Small Cause Judge, Principal Sudder Ameen, and Madura Moonsiff.

4. The former of these occupies a portion of what was formerly the Civil and Session Court, the wall of that portion of the Palace in which the Sub-Judge formerly held Court having fallen down during heavy rain. Its *present* position has long and frequently been pronounced unsafe. Sir Charles Trevelyan declared it positively dangerous.

5. The Principal Sudder Ameen (there being no proper Court house for him) was *obliged* to hold his Court in the North East corner of the Palace Corridor; there is neither door nor window to it; the roof may any day fall in, and cause heavy loss of life. The open roof is infested with owls and bats, which, as soon as it becomes dark, not only make a dreadful screeching and noise, but, flying over, drop their dirt on the officers and others in Court, and on the papers they may be writing or reading. There is no ventilation, and I am satisfied the place would not be considered fit for convicts. The place alluded to by the Secretary in his letter, as opposite to where the Principal Sudder Ameen's Court is now held, and "equally strong and spacious," was fitted up some years ago for the Zillah School, but it was then considered so dangerous that, if used at all, it was only for a very short time. The school arrangements still exist, and till a suitable building can be procured for the

*Proceedings of the Madras Government, Judicial Department,
18th May 1866.*

Madura Moonsiff, this strong and spacious building might be placed at the disposal of the Secretary for his Schools. He knows full well, while he alludes to it as a fitting place for the Moonsiff's Court, that he would not dare to use it himself. As regards the room in which the late Cazez held his Court, I will simply remark that the space is not only insufficient, but the locality is most inconvenient for a Moonsiff's Court—a single room at the back of the Court, only approachable by pedestrians, by dirty narrow lanes, with no accommodation of any sort for suitors, pleaders, or witnesses. It is quite unfitted for a Court. It might, however, should the Government see fit, be placed at the disposal of the Secretary for one of his schools, until another Court could be provided for the Moonsiff.

6. The Court houses planned, estimated for, and sanctioned by Government four years ago, provided for the accommodation of the Courts now required, but nothing whatever has been

Judicial Department, 13th December 1861, No. 1531.

done towards their erection, which has apparently been deferred till some frightful catastrophe shall have verified the oft repeated statement of the dangerous condition of the Small Cause Judge and Principal Sudder Ameen's Courts.

P. S.—I have just been informed that the widow of the late Mr. Bywater, Department Public Works, will let her house for a Moonsiff's Court house, for which it is well suited. It is quite new; rent 40 Rupees. I recommend that the Moonsiff's Court be removed to it; but a speedy reply is necessary, in case the house should be let to others.

No. 174. ORDER THEREON, 18th May 1866, No. 754.

Under the circumstances represented in the foregoing letter, the Governor in Council resolves to authorize the Civil and Session Judge of Madura to rent the house referred to in the postscript, as a Court House for the District Moonsiff of Madura, at a monthly rental of Rupees (40) forty. On the removal of the Moonsiff's Court, the Muntapum will be made over to the Managers of the Pagoda.

2. His Lordship in Council also resolves, with reference to the great want of Court accommodation at Madura, and the insecure condition of those parts of Terumal Naicks' Palace, in which the Court of Small Causes and a Principal Sudder Ameen's Court are at present held, to direct that immediate steps be taken to carry into effect the project, sanctioned so far back as 1861, of erecting a Court House capable of accommodating two of the Courts. The necessary orders will be issued in the Department of Public Works.

(True Extract).

Chief Secretary.

To the Honorable the Judges of the High Court.
" Committees of the Hindu Girls' School and Anglo-Vernacular School, Madura.
" Civil Judge of Madura.
" Accountant General.
" Public Works Department.
" Director of Public Instruction.

Ed. J. H. Burns.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter,

From the Secretary to the Hindu High School,
and Anglo Vernacular School in Madras } (Received 7th April 1866 No. 12)

Civil Judge of Madras. (2nd May 1866)

Order thereon 18th May 1866 No. 754

Under the circumstances
represented in the foregoing letter,
the Governor in Council resolves
to authorize the Civil and
Session Judge of Madras to
rent the house referred to
in the postscript as a Court
House for the District Munsiff
of Madras at a monthly rental
of Rupees ¹⁰⁰ 100. On the removal
of the Munsiff's Court the
Munsiff's will be made
over to the Managers of the
Pagoda.

2 His Lordships in
Council

N.
W. J.

Council also resolves, with reference to the great want of Court accommodation at Madras and the insecure condition of those parts of Serungal Naick's palace in which the Court of small Causes and a Principal Sudder Amin's Court are at present held, to direct that immediate steps be taken to carry into effect the project sanctioned so far back as 1864 of erecting a Court House capable of accommodating two of the Courts. The necessary orders will be issued in the Department of Public Works.

by A

- 1 The Honble the Judges of the High Court
- 1 To the ^{Committee} ~~Secy~~ to the Hindu Girls School and Anglo-Vernacular School Madras
- " Civil Judge of Madras
- " ~~Magistrate and General~~ ^{Magistrate}
- " ~~Department~~ ^{Director of Public Instruction}

Decr 23/5/66

*Accommodation for
the courts at Madras*

640/116-235-236
18/3/66
79-80
10/4/66
71-72
43/12/61

1920/4

Madras 1860. Department.

No. 732

PROCEEDINGS OF GOVERNMENT.

22-1992/69

Dated 18th May 1866.

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