Scott. IL27—45,00—11-11-35.

Judicial 1873 (~~193~~) Department.

Ms SERIES.

G.O. No. 1820

DATED 12-11-73.

Confidential

[Despatch Abstract.]

Sub. Judge of Tellicherry - K.R. Krishna Menon - Transfer to Mangalore -

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

2251
20/11/72

To

His Excellency the Right Hono
the Governor in Co
Fort Sa

The humble Pet
veetil Keshavan N

Most respectfully Showeth,

That Petitioner respectfully begs to
-ciful interference of your Lordship in Council in saving
being entirely ruined by the malicious proceedings against h
Principal Sudr Amin in whose Court Petitioner holds the Of
Record keeper on a salary of Rupees 17½-

Keyakapat Krishna menon Principal
Tellecherry and Petitioners maternal uncle Kavasheri Veet
are married to Ammunni, and Nani, respectively of Palat H
sisters-

The said Principal Sudr Amin has given
of immense value and he induced Petitioner's maternal uncl
Nair also to give an equal amount of property to his wife- Accord
uncle has already parted with the Tarwad property worth about
for the benefit of the Palat family-

The fact that Petitioner's uncle was induced
much of his Tarwad property is clearly owing to the great
of the Sudr Amin- In consequence of misdeeds of Petitioner's un
Petitioner's family have resulted- Numerous civil actions ha
between Petitioner and his uncle in consequence and there are
Civil suits now pending in the Temalapuram Moonsiff's Cou
-bers of Petitioner's family.

Petitioner and another of his uncle by name
were lately in August summoned to the Sudr Amin's dwelling
were pressed by the Sudr Amin in the presence of Challapur
the Tasildar of Kottayam Taluk to accede t

No. 2257 of 1872

Referred to the C. S. Judge for report if necessary

20. Aug. 72.

Petition of K. Achuthan Nair

d/ 18 Aug 1872

Principal Sádr Amin's Court,

No. 169. Tellicherry, 22nd August 1872.

From.

The Principal Sádr Amin of
Tellicherry.

To,

J. W. Reid Esquire,
Civil Judge of
Tellicherry.

22 8 72

Sir,

In making arrangements at the last annual adjournment of this Court for the transaction of such businesses as are specified in the order of the High Court dated 11th March 1872 No. 474, the Nazir and the Criminal Record Keeper on the Malayalam Department and two writers (Messrs. P. D'Cruz and J. J. Biber) on the English Department, were ordered to attend the Court the former two officials for the whole period of vacation and the other two each for one month to carry on the necessary works of the Court during the recess. My principal reason for ordering the Criminal Record Keeper to be present in Court was that he had enjoyed not less than 3¾ months' leave of absence after the reopening of the Court in last year the greater portion of which was leave on private affairs. He thereupon petitioned to be excused from attending the Court on the ground of his inability to bear the heat of Tellicherry and that of his

il Judge representing the circumstances which actuated the Principal
the step and among other grounds stated the cause of the quarrel be-
nd Principal Sudr Amin Viz- Petitioner's refusal to give his assent
the Tarwad property made by Petitioner's Karanaven for the benefit
udr Amin's wife's younger sister who is Married to Petitioner's Karanaven
of the presentation of this Petition the Principal Sudr Amin at once
oner put him in the witness box and began to examine him about
which Petitioner had in his keeping. and that being exasperated
lies which contained the simple truth in the matter, the Principal
d his Peons to pull Petitioner by his ears and shove him out of
accordingly done by the peons in open Court- Petitioner was after this
ammended to be finally dismissed the service on some equally fri-
and he put in a second petition refuting the assertions contained
-

ill be seen that Petitioner has clearly described at length in the
presented to the Civil Judge, the most unscrupulous and dis-
of this Principal Sudr Amin in his official capacity and has
Records which would support in some measure the various
tained in his petitions regarding such conduct- Petitioner would
te the grounds on which Petitioner would prove the corrupt
Officer and the utter Maliciousness of his conduct towards
rialist-

As to his corruption.

the Principal Sudr Amin was a man of limited means in
Menial servant to one Raman Menon late a Peishkar in the
avancore state and that he is now worth about three lacs-
f twelve years the greater portion of which was in several low
Petitioner will prove this by satisfactory evidence-
Petitioner himself is in possessio[illegible] of certain letters written by
anaven to Petitioner containing matters which will prove that
t of this Principal Sudr Amin implicated in pecuniary tran-
he parties in the Principal Sudr Amin's Court-
Petitioner's Karanaven foolishly purchased at an exorbitant
ba at Calicut at an auction sale. and finding it impracticable
thereof- whereby he could re-emburse himself of his loss- resorted to
dr Amin for assistance who induced the Rajah of Cherakal a
t in his Court and a personage from whom the sudr Amin has
various pecuniary considerations and for whom he, the Principal
in return done all possible favours in Official matters. to purchase
considerable value- Petitioner has filed in the Civil Court certain
ncing the pecuniary dealings of the Sudr Amin with this Rajah- It
hat the Paramba is situate in Calicut a place where the Rajah
nd with which he is in no way connected the Rajah's residence
being about 60 Miles from this place and that he could have
in purchasing an isolated piece of land from a person who lives
ut 150 Miles from the Rajah except indeed to the gratification of
dr Amin-

t that at or near the time at which an important suit is de-
pal Sudr Amin's Court, the successful party in such suit is,
contracted [illegible] of considerable amount of which the [illegible]

Country has already condemned him as a most corrupt Jn

As to his Malice against Petitioner-

That Petitioner was appointed in 1867 in the Prin
Court and that he was promoted and the Principal Sudr Amin
Civil Judge on more than one occasion highly recommending
and abilities-
As soon as the Sudr Amin became displeased with
Amin required the owner of the house in which Petitioner was
which has accordingly been done- Another Petition setting forth
and a writing from the owner of the house evidencing the fact
=sented to the Civil Judge-
Petitioner has certain Documents which would pr
alleged by the Principal Sudr Amin were not true and that
Amin was in the habit of having corrupt transactions with
Court- The Sudr Amin knowing that Petitioner was in posse
=ments which would tell against him most materially res
him of these documents forcibly and accordingly set one Ambu
of his Court and another Ryru who is both a barber and a Peon
Amin and a third Kamaren a Cook of his also a Court peon
of these papers- They attempted to seize the documents and th
fight between them and Petitioner in which fortunately fort
they were unable to take the papers from him- A Number of
the time (namely between 7 & 8 P.M) assembled in Consequ
Petitioner petitioned the Civil Judge also about these circu
Judge was kind enough to receive the papers and put them
under his seal- Petitioner was also directed to make his comp
Magisterial-
That Petitioner was obliged by his Karanaven's wif
the Tarwad property for the benefit of the Principal Sudr A
to bring law-suits against his Karanaven in 1871 and from th
the Proceedings of the Principal Sudr Amin against the Petitio
Conducted as numerous public records will testify in order t
ruin- Petitioner can produce a series of public records whic
to your Lordship in Council the utter Maliciousness of the Prin
who has lost sight of reasons by the gravity of his Malice and
subterfuges to ruin Petitioner which any common observer m
The several petitions addressed by Petitioner to the
sent to the Principal Sudr Amin for explanation- The Sudr A
with his remarks and they are now before the Civil Judge- Peti
that your Lordship in Council will give attentive considerat
and relieve Petitioner as well as a large population in the Zil
from the cruel oppressions to which they are subjected in the
with the Principal Sudr Amin by issuing a Commission to
is well acquainted with the Principal Sudr Amin's Characte
to uphold justice to enquire into the case or if the Civil Judg
to devote his time exclusively for enquiry into this case which
be very lengthly, that your Lordship in Council will be pleased
other officer to associate with the Civil Judge; For which o
justice Petitioner as in duty bound Shall Ever Pray

having had to perform the purification ceremony connected with the death of a person whom he called his younger brother. The climate of Temalpuram (a mountainous place near Palghaut) to which he was to go being much hotter than that of Tellicherry and the ceremony of purification being one which can be performed any where as he was not as an elder relation to offer funeral cakes but simply to bathe on the 15th day after being sprinkled with milk &ca by a Maran the reasons appeared to me false and I therefore refused to comply with his petition. It seems, however, that the Criminal Record keeper (Keshavan Nair) absented himself from Court from 10th to 29th April last and that on the latter date after sending an application to the Court for 2 months' leave under a registered cover accompanied with a medical certificate left the station for his native place of Temalpuram without waiting to know what order was passed on his application. The Nazir (Koman Menon) and Mr. P. D'Cruz inform me that during the interval between the 10th and 29th April last Keshavan Nair appeared in Court only once in Company with Vakil Cammaran Nair that he remained in Court during such time only as was required by the Vakil to put in some papers and that he then returned with the Vakil without attending to any Court business. The Vakil corroborates this statement of the Nazir and Mr. P. D'Cruz. A second application dated 21st June last was received asking for a further period of one month's leave of absence accompanied with a medical certificate and a third one dated 5th Instant without a medical certificate asking for 15 days' leave to enable him to go back to his native place to defend some suit. No leave has been granted on any one of these applications. It is clear that a medical certificate cannot be treated as an order of the Court granting the leave asked for. Even if it can be regarded as a sort of licence (which I do not think it can be) for absenting himself from 29th April there was no excuse whatever for his non-attendance from 10th to 29th April 1872 and for his not writing out even a single line of the B form diary of the Miscellaneous Department which he had been specially ordered to bring up as per the Proceedings of this Court dated 9th April 1872. His statement in his application of the 29th April as to his inability to get the record from Ambu Kurup is contradicted by the Nazir who tells that Ambu Kurup attended the Court on 3 or 4 occasions for the purpose of giving to Keshavan Nair the necessary record to enable him to write out the Diary but the latter did not come to the Court.- He has thus absented himself from the Court without leave and deliberately disobeyed an express order of the Court and has thereby incurred his dismissal from the public service.-

2. This is not the first time that he behaved himself badly.- My Proceedings of the 28th January 1871 will show how I was obliged to remove him from the Miscellaneous petition Department. Another instance of a gross neglect of duty has been since brought to my notice and it was to this that I referred in my order of the 9th April last refusing him permission to leave the station during the vacation.- The circumstances of the case were as follows. At the instance of the decree holder in O.S. No. 37 of 1865 on the file of this Court certain Parambas were attached in execution of the above decree and one Parameswaran Pangal, under Section 246 of the Civil Procedure Code, claimed the Paramba 7 among other lands to be his own property and the decree holder acknowledging the truth of the petitioners' claim I released the Paramba 7 from attachment as is shown by my judgment in that case. The order prepared by the officer in question which is in his own handwriting and which it was his duty to compare with the judgment and to prepare in accordance therewith, however, directs the Nazir to sell the Paramba 7 also in execution of the above decree and the error was not discovered until after the sale was over.- It is difficult if not impossible for a judge to compare all orders with the judgments in their respective cases and to ascertain their correctness and it is the duty of the Ministerial officer in charge of the particular business to prepare them correctly.- The Sheristadar is perhaps equally blamable for affixing his signature to it before comparing it with the judgment and thus inducing me to rely on the presumption which his signature naturally imports but he appears to have trusted the officer who was in immediate charge of the Miscellaneous petition Department.- The Criminal Record-keeper having acted more than once either dishonestly or with extreme carelessness and having further absented himself without leave and disobeyed an express order of the Court he has eminently forfeited his appointment but instead of visiting him with the extreme penalty of dismissal at once I propose at present to reduce him to the last Gumastaship and to give regular promotion to the 3rd, 4th and 5th Gumastas respectively. I respectfully beg your sanction for the above arrangement.

A copy of my Proceedings of the 28th January 18

×that of the Proceedings of the 9th April 1872, my judgment in the above case M. C. No. 601 of 1868 and the order thereon to the Nazir, the original application of Keshavan Nair for permission to leave the station with my order thereon and his applications of the 29th April, 21st June and 5th August 1872 with the two medical certificates are herewith submitted for your perusal.–

The originals to be returned.–

I have the honor to be,
Sir,
Your most obedient Servant,

Principal Sudr Amin.–

B P. Kw

1872.
Judicial Department.
From,
The Principal Sadr Amin of
Tellicherry
To,
The Civil Judge of
Tellicherry.
Dated 24th August 1872.
Received

No. 169.

Enclosures No.-

Soliciting sanction to remove Keshavan Nair, the Principal Record Keeper of the Principal Sadr Amin's Court to last Gumastahship on the ground of his disobedience of certain orders of the said Court &ca and to give his [illegible] promotion to the 3rd 4th and 5th Gumastahs.-

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J. W. REID
24 [illegible] 72

Principal Sadr Amin's Court,
No. 173. Tellicherry, 24th August 1872.-

From,
The Principal Sadr Amin of
Tellicherry.-

To,
J. W. Reid Esqre.,
Civil Judge of
Tellicherry.-

Sir,

In continuation of my letter of the 22nd instant, I have the honor to inform you that another instance of gross dishonesty has been discovered against Keshavan Nair, since writing the above letter. It is not less than the offence of aiding the use of stamps which he knew or had reason to know to have been already used with intent to defraud Government. The offence appears to have been committed with reference to M. P. No. 803 of 1869 which was an application for the execution of the decree in O. S. No. 45 of 1865. To this application 2 stamps one for the value of 30 Rupees and the other that of 20 Rupees which appear to have been once used for an appeal from the above decree were annexed to make up the value. The record of the appeal case shows that Plffs. also [illegible] a cross-appeal from the above decree and that it was rejected on account of its being preferred after the time allowed for that purpose and that the papers were therefore returned to the parties who were petitioners in the execution case in question. The alterations of the memoranda on the papers are in the handwriting of Keshavan Nair and a draft of the execution petition which is partly in his handwriting was produced by Vakil (Sheshayen) at his examination. The Criminal Record Keeper had the audacity to say that he prepared the draft of the petition and the memoranda under my orders which I entirely deny. I forward his deposition given before me in explanation of his conduct. You will perceive from it that the gross impropriety of preparing petitions for the parties & his dishonestly aiding them to use stamps which he knew to have been already used is equalled only by the ingratitude of attacking his official superior whose fault lies only in introducing so low minded a man as him into the public service. I request your sanction to dismiss him from the

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⊗D

public service. The petition 803 of 1869 its draft, deposition of Keshavan Nair and that of Vakil Sheshayen are herewith submitted for your perusal and I request that they may be returned when no longer required.

I have the honor to be,
Sir,
Your most obedient Servant

Principal Sadr Amin.

1872.
Judicial Department.
From,
The Principal Sadr Amin of
Tellicherry.
To,
The Civil Judge of
Tellicherry.
Dated 24th August 1872.
Received

No. 173.

Enclosures 4.

Submitting sanction
to dismiss Keshavan
Nair, Criminal Record
keeper of the Principal
Sadr Amin's Court
of Tellicherry and the
[illegible] of [illegible]
[illegible]

Principal Sadr Amin's Court.
No. 191. Tellicherry, 20th September 1872.

From,

The Principal Sadr Amin of
Tellicherry.

To,

J. W. Reid Esqre,
Civil Judge of
Tellicherry.

Sir,

I have the honor to acknowledge the receipt of your two Proceedings, dated 11th Instant, No. 64 and 66 forwarding Copies of Petition 345 and 364 on your file for replies and to submit the following as my replies to them as they both relate to one and the same subject.-

2. I have had no private motives in recommending the dismissal of the Petr. I beg to assure you that I am not so narrow minded and mean as to tease one of my own subordinates in the manner stated by the Petitioner.. His quarrel with his uncle (Madhavan Nair) which he cleverly puts forth as the cause of my displeasure towards him began only at the end of the last or in the commencement of this year but many acts of my alleged tyranny towards him appears to have been perpetrated while he was on the best possible

M

terms with Madhavan Nair. As I have already stated the connexion of my wifes' family with that of the petitioner has been a source of uneasiness to the former and far from being thereby benefitted it has actually sustained some loss. As to their family squabble I have nothing to do with it. I did not require the Petr. to compromise any dispute between himself and his uncle nor did I call in the aid of the Kottayam Tahsildar to bring about this compromise as stated in the petition. On the other hand Petr. and one Ramoony Nair, the Karnavan of his Tarwad one day came to my house accompanied with the Tahsildar and entreated my assistance to bring about an amicable settlement between them and Madhavan Nair. My answer was that the Tahsildar and the present Sheristadar of the Sub Collector's Kutcherry both of whom were Tahsildars for some time of the Talook in which the parties reside being well acquainted with them, might well do it as I know nothing about their affairs as they live about 32 miles from my house and as I never visited their Country. Beyond telling this I spoke nothing about the Petr's assenting to an alienation made by Madhavan Nair in favor

M

of my mother-in-law. Indeed no such assent is necessary for the validity of the alienation as the alienor is still a junior member of the Tarwad and there was thus no occasion for my telling him to assent to it.-

2. The utter falsity of his statement about his sickness and his attendance in the Court between 10th and 29th April last will be proved by the depositions of the Nazir, Mr. P. D'Cruz and his own friend, Cammaran Nair, with whom he had been living during that period and it will be further shown by the Nazir's report and his letter of the 10th May 1872, to the Sheristedar which the latter forwarded to me at the Nazir's own request. Any how he admits that he took the law into his own hands and left the place without waiting to see what order was passed on his application and this, I submit, is sufficient for thee disposal of his case.-

3. All the business in the Miscellaneous Department is carried on in the Malayalam language and the B form diary was ordered to be kept in this language and the High Court Proceedings which Petitioner quotes is not inconsistent with this order.. Ambu Kurup was appointed

M

to the Miscellaneous work in August 1871 only and it was the business of the Petr. to have finished the whole diary due before that period. No information from Ambu Kurup was necessary to enable him to write out the B form diary. He had simply to get the information from the A form diary which he himself was writing. There was thus no excuse for disobeying the order. It was on his own request that he was sent down to Calicut to compare the accounts and if I rightly remember he went down to Madras for some special appeal case which his family had or was about to file before the High Court, during the time the officers of the Huzzoor were comparing the accounts of the other Courts of this Zillah. No batta was allowed to him because none of the officers who went from this Zillah was allowed it. As to my requiring the medical certificate of a General Doctor I beg to submit that while he was pretending to be seriously ill he was an active offender in an affray and was punished fot it by the Sub Magistrate of Palghaut and the falsity of his pretended sickness and the insufficiency of the medical certificate on the strength of which he asked

M

for an extention of leave became obvious by his appearing in good health within four hours after refusing his application for leave (vide the diary of 21st February 1872 and his petition of the 18th Idem herewith submitted).

4. The records to which he refers will speak for themselves. He was never an assistant under the late Jewabnavies Raman Menon. I think that the latter ceased to be in the charge of the Miscellaneous Department since November 1868 except for a short period in November 1869 when the Petr. was absent on leave and the order to which allusion is made in my letter of the 22nd Ultimo was prepared by Petr. and not by Raman Menon.

5. With regard to the stamps the memoranda on them which are still readable clearly indicated that they have been once used for an appeal and when an appeal is dismissed on the ground of its not being presented within the time limited for that purpose the appeal petition is to be treated as a plaint rejected under Section 32 of the Code and by the Circular Proceedings of the late Sadr Court dated 31st January 1861 the paper used for such plaint is of no further use and the stamp duty cannot be refunded

M.

The explanation attempted is therefore no valid excuse for its use.- It was the practice of this Court both during the time of my Predecessors and that of mine up to 1870, for the Gumasta in charge of the Miscellaneous Department to receive all Miscellaneous petitions and see whether they are correct and consequently the Petr's attempt to fix all the blame upon the Sheristedar is of no avail. There is nothing extraordinary in my knowing of this misconduct of the Petr immediately after my writing the first letter. Those who possess any knowledge of native disposition can well understand how this happened. It is only when they see that the head of a department dislikes a particular man that they inform him of his misconduct and it was so in this case.- His impertinence to charge me with having abetted him to commit this crime is only equalled as I have already stated by his ingratitude for one to whom he entirely owes his position in the service and by his folly in trusting that his hearers will have so large an amount of credulity as to believe his story.- Achudan Nair whom he alleges to be the writer of the petition is, I understand is a son of a deceased Karnavan of the petitioner himself and was residing with him.- He was neither my dependent nor residing with me. With regard to a paper containing my correction I am certain that I never corrected any paper for any person which had any chance of coming before me officially.- As the paper seems to be one which has nothing to do with my official position I cannot say whether it contains my correction or not unless I see it myself. You will thus see what the petitioner has urged in his petition is a tissue of falsehood from beginning to the end deliberately told in the hope of casting some slur on my character in revenge for his misdeed being brought to light.-

6. The records called for are herewith submitted.-

I have the honor to be,
Sir,
Your most obedient Servant.-
V. Ramunni Menon
Principal Sadr Amin.-

Principal Sadr Amin's Court.
No 193.
Tellicherry 20th September 1872.

From,
The Principal Sadr Amin of
Tellicherry.-

To,
J. W. Reid Esqre,
Civil Judge of
Tellicherry.

Sir,

I have the honor to acknowledge the receipt of your proceedings of the 11th Instant No 67 and to submit the following as my reply to the allegations contained in M. P. No 375 of 1872 a copy of which accompanied the above proceedings.

While cheerfully obeying the commands of the Superior Court I respectfully beg to submit that I feel greatly destressed and consider it a great humiliation to be thus subjected to the necessity of replying to the accusations of a ministerial servant of my own Court made after his being himself charged with an offence and after being in consequence recommended by me to be dismissed from the Service.- The language of the last petition compared with those of the two former ones is such I submit as to lead one to suppose that the ostencible petitioner is only a tool in the hands of

1872
Judicial Department
From,
The Principal Sadr Amin of
Tellicherry.-
To
The Civil Judge of
Tellicherry.-
Dated 20th Septr 1872.-
Received
No 191.
Submitting explanation
as per Proceeding
of the 11th inst. Instant
No 67 [illegible]

some person behind the scene whose hatred towards me is so great as to make him forget even the commonest rules of etiquette when preparing the petition and whose chief object is to insult rather than bringing home any offence against me.- The petition in general words charges me with having amassed wealth by wrongful means but omits to mention any particular act for which I am to be prosecuted and even fails to mention that I made use of my official position in acquiring that wealth.- There are indeed words in it which point to this inference but at the same time the Petitioner says that I have been improperly getting his own property through his uncle Madhava Nair to the value of about 10,000 Rupees which if true cannot be considered as having been obtained by me as a public Officer.- You will thus see that the petition on its face is a malicious one and that beyond calling into account the whole conduct of my life it fails to disclose any particular ground which requires an explanation.- As it has however become my lot to reply to the accusations of a person of petitioner's position I submit to my fate and urge the following circumstances in vindication of my character.-

2. The allegation contained in the first 2 paras of the petition scarcely requires any refutation.- I shall however give a short history of my acquaintance with the petitioner in order to show the true character of the man.- About some 8 years ago a Nambudry friend of mine introduced and recommended him as a common employment-seeker at Ernad while I was the District Munsiff of that place and I was foolish enough to take him into my service. He was first appointed as a copyist in the Munsiff's Court. When I was appointed the acting Principal Sadr Amin of Calicut I left him at Ernad.- When I was transferred to this Zillah he however again made his appearance before me and begged me to be appointed to some place here as the income at Ernad was insufficient to furnish him even with the common necessaries of life.- He was then entertained in my Court either as a copyist or Batta Amin and when a vacancy occurred in the last Gumastaship he was appointed to it in 1867.- It was the petitioner who introduced to me his uncle Madhavan Nair of whom mention is made in the petition.- I know nothing of their Tarwad nor have ever seen their house.- Madhavan Nair

married my wife's sister long after the petitioner had been under me and he instead of giving any property to my wife's house, has, I understand obtained from his wife some jewels and money (the property of my mother-in-law) without the latter's knowledge to enable him to carry on some litigations for which the members of this family appear to have a peculiar love. This circumstance coming to the knowledge of my brother-in-law who is the present Karnavan of the Tarwad wanted to break off the connection and upon the entreaties of this very petitioner I was foolish enough to intercede more than once on their behalf to keep up the connection. Madhavan Nair is yet a junior member and did not require the assent of his Anandravers for the alienation of his property as Petitioner alleges. The quarrel between him and the petitioner began only at the commencement of this year and my diary of 28th January 1871 about him will show that private friendship did not deter me from punishing a man, when his official conduct deserved it and that his quarrel with his uncle was not the cause of my disliking him.

His tricky disposition first became apparent to me on that occasion but as he is still young and not devoid of abilities and feeling a natural affection for one whom I myself brought up and introduced into the public service I foolishly hoped that he would amend himself.

3. With regard to his allegation that my family had no means of livelihood before "my entertainment on the public service" I submit copies of decrees of the Mufti Sadr Amin's Court in O.S. No. 529 of 1859 and that of the late Sub Court in O.S. No. 12 of 1857 and the division deed marked C in the appendix to disprove the allegation. The lands to which the decrees relate and all the lands mentioned in the Division deed as situated in the Deshoms of Kiyoor, Meloor, Payyinadom, Kandamangalom, Kootanicode and Aracorrichy belonged to my Tarward before my entertainment on the Public service. My father was the son of the chief of Punvaye and possessed much wealth and he having had no female members in his Tarwad at the time of his death made a gift of the greater portion of his property to my mother

brother and to myself. It is also a notorious fact that my brother as a public officer under his father-in-law and as a timber merchant at Calicut acquired some wealth. I further beg to refer you to your predecessor Mr. Sullivan's letters to the High Court dated 23rd October 1863 and 8th August 1864 respectively. In the 3rd para of the letter of the 23rd October 1863 Mr. Sullivan said "he (meaning me) is of a very respectable family and in independent circumstances." In the second letter he stated "I am moreover convinced that it is much better that he (meaning me) should be employed in a Zillah where he has no property than in one where he holds considerable landed property." If further evidence be deemed necessary on this point reference may be made to the statement of landed property submitted by me as the District Munsiff of Badagara in obedience to the order of the Civil Court of Tellicherry conveyed in it's proceedings of the 22nd August 1864 No. 22 founded upon the extract proceedings of the High Court of Madras

dated 17th August 1864. The evidence above stated will prove that I was not a beggar as the petitioner has had the meanness to assert before entering into the public service. It is true that I lived with Palakkel Rama Menon the late Dewan Peshkar of Travancore who is the father-in-law of my brother while receiving my English education at Trivandrum. There being no English School then at Calicut I was obliged to go down to Trivandrum to get my education and Rama Menon happening to be a friend of my family I resided with him but I never served him in the capacity of a menial servant as the petitioner had the shamelessness to assert.

4. The second allegation that property of a very little value only was obtained by my branch at the Division will be disproved by the division deed itself. I beg to submit a copy thereof for your perusal. You will observe from it that the whole property described in Schedule B was allotted to my branch at the Division. In immoveable property itself this schedule allotted to my branch Jenmom lands

consisting of paddy fields sowing 2000 and odd paras of seed or containing an area of 401447 Percoms besides Parambas, hills, valleys and forest lands, which covers an area of about seven square miles and Kanom and otti lands sowing 670 and odd paras of seed or covering an area of about 134000 Percoms and Parambas. The Jenmom paddy fields themselves are worth more than one lac of Rupees from which a sum of 18,150 fanams as incombrances alone is to be deducted. To the balance of the Jenmom value of these fields is to be added the value of the forest land which contains many valuable trees and the amounts of Kanom and otti rights possessed by us on the lands falling under the second head above described and the value of moveable property of which no mention is made in the deed of Division. The land to which the decree on the Sub Court file refers is only a small portion of the above forest land.- From this you will find that the property allotted to us at the Division is not inconsiderable. Besides yielding a fixed annual rent of upwards of

8000 paras or 80000 Pangalies of paddy the landed property yields a fluctuating income between 1000 or 2000 Rupees per annum in Pora Varom, timber, bamboos, ivory, honey, wax, wild ginger and other jungle products.- The hire of Elephants after paying their expences gives about 600 Rupees a year. Parambas yield some money rent the amount of which I do not remember. The ordinary expenditure of the Tarwad at an average amounts to 1000 Paras of paddy and 700 Rupees per annum and there is thus a saving of about 5000 Rupees annually in ~~in~~ favor of the Tarwad. The house of which the petitioner speaks was built not after the Division but it was nearly completed before it.- It did not cost 50000 Rupees as he says.- The work commenced in 1863 before I was appointed as Principal Sadr Amin. Timbers were procured from our own forest; and stones from our own quarry and the hire of the workmen I think cost about 20,000 paras of paddy and 10,000 Rupees.- Beyond sending some iron bars hinges and some panes of glass which in all did not cost more than 200 Rupees. I contributed nothing to the building of this house out of my own private money.–

5. It is true that I have purchased a landed estate in Tatamangalom in Cochin territory for Rs 53,000 inclusive of the amount of mortgages held by the tenants. The purchase was made in 1869 and the estate is included in the statement of landed property submitted by me in 1870. A mortgage of 4,914 Rs 4 annas and 7 Pies is yet to be cleared off and a sum of 5000 Rs is still remaining to be paid to the seller out of the consideration money for which I have passed a bond to him. The remainder I paid with what I have been saving from my salary with the produce of the estate itself and by loans. As a general rule my expenditure here does not exceed 150 Rupees a month and it is now about 5 1/2 years since I have been receiving a salary of 600 Rupees.– The saving during this period alone will amount to 29,000 and odd Rupees and the estate after paying off the assessment &ca yields a fixed net rent of 7,911 paras of Palghaut standered & 12,900 bundles of straw and 150 Rupees besides some fluctuating income. Last year a sum of 3,000 and odd Rupees was paid to my brother in execution of a certain decree of the Naduganaad Munsiff. I borrowed it and a further sum of Rs 5000 from him with a promise of returning them without interest to pay off certain debts which I had contracted to clear off some mortgages on the estate in 1870. I have still to discharge debts contracted with third parties in my country to the extent of Rs 4,000. You will thus see that I was in a position to purchase this land without resorting to improper means as the petitioner is pleased to assert. I do not hold any land in Cheraye Amshom nor do I hold any landed property in the names of my brothers-in-law. During these last six years I did not think that they have acquired any landed property and I am certain that they have not acquired it to the extent

asserted by the petitioner.- The assertions about utensils, ornaments, currency notes and gold coins are all false.- Beyond buying some Kunchumangalom lamps the value of which did not exceed Rs300.- I have not purchased any vessels, ornaments or utensils, made in this Zillah I did not buy any vessels from Palakkal Raman Menon in the last month. On enquiry I understand that he sent to my brother (his son-in-law) some vessels altogether worth only Rs1500 to be sold to some Numbudries and others in my Country. I have nothing to do with these vessels. I have no elephant of my own in this Zillah. My Tarwad has only two tamed elephants and they both are in my Country.-

6. As to my wife's property she belongs to a very rich family.- One of her Karnavans was the Nazir and some time Sheristadar I believe, of the late Provincial Court of the western Division. Another was a record-keeper; a third a Tahsildar. and the manager of a Chief called Kavalaparai Nair.-

The Tarwad consists only of a few members and my wife is the chief female member thereof she being the eldest daughter and having any issue. Besides possessing landed property of the Tarwad she as her own property, holds landed estate in Mankara Vattathoor and Kanyavattam Amshoms which cost her 9970 Rs but none in Chalavara.- It was acquired in 1867 and yields an annual net rent of about 4000 paras of paddy. I have given her only 5000 Rupees.-

7. With regard to the property mentioned in the Karar between myself and my sisters it is clear from the petitioners own assertions that they were acquired long before I was appointed as Principal Sadr Amin.- They have thus no connexion with the subject of the present enquiry They were acquired with the money we had derived from our parents and to secure their enjoyment exclusively to our own line a deed of gift had been executed to my sisters before the Division took place lest they be incorporated with the family

property.- The Division having dispensed with the necessity of such an arrangement a Karar was executed reciting the former gift but vesting the management of the property in my brother who became the Karnavan of our Branch at the Division. The object of the Karar was simply to restrict my sisters' right of alienation to which they would otherwise be entitled under the former gift.- The sum of Rs 8000 mentioned in it was paid from the joint fund and from the income of these lands and not from my private money.- The very fact of those lands being allotted as the share of our branch at the Division will show that they are not my individual acquisition.- It is customary with Marumakkatayam people to treat as their own self acquisition any property which they derived as a gift from their fathers. And it is in accordance with this custom that the lands are mentioned as the property of my brother and myself. Some of them were acquired

before my entertainment on the public service and some long before I was appointed as Principal Sadr Amin and none after that date.- The Karar and the Division Deed will further show that my brother and myself were in possession up to the period of Division of all the property mentioned in Schedule B which yielded a net income of upwards of Rs 5,000 and also some other lands which we gave up at it to the other branches.- There are only 7 adult members in my Tarwad including myself, and my four sisters except one are married to persons of position and they all have property of their own acquisition.- Thus you will see that the accusations are quite unfounded and put forwarded simply to insult me.- It is well known that one of the gentlemen named in the margin of the petition is on bad terms with me owing to the machinations of some persons who have suffered from the intrepid and impartial administration of justice by me and the names of other gentlemen are introduced simply in the hope of giving a fictitious air of truthfulness to the false statements of the petitioner.–

8. In conclusion I respectfully take the liberty to submit that if the character of so high a public servant as myself be thus permitted to be assailed with impunity by a person of Petr's character it will be impossible for a judge to administer justice with any degree of fearlessness and impartiality and I therefore request that you will take such steps as will vindicate the dignity and character of a judge who has been concienciously discharging his duties with impartiality and uprightness.–

I have the honor to be,
Sir,
Your most obedient servant,

Principal Sadr Amin.–

Appendix.

A The order of the late Mufti Sadr Amin of Calicut dismissing the suit 52 of 1859 brought by Ootpureth Kuttenaye Manicha Eradi and 8 others against Keykepat Krishna Menon and 2 others – dated 8th February 1859.–

To show that the Tarwad had become possessed prior to 1032 (1856) of at least the lands mentioned in this order which as therein shown were purchased for Rs 27,857 and odd and which yielded an annual produce of Rs 2537-"-7.–

B. The decree of the late Sub Court of Calicut in O.S. No 13 of 1857.. This suit was instituted against Keyakepad Krishna Menon and other by a Moplah for the price of certain logs of wood felled from a part of the forest land belonging to the Tarwad. The suit was dismissed

To show that an inconsiderable portion of the land No 11 in Aracorshy Amshom in schedule B attached to the division deed C was sufficient to furnish in one year 500 logs of wood worth some 2800 Rupees. In the hope of getting a copy of this decree from my house I mentioned of it as a whole decree in my letter. By some reason or other I did not receive a reply from my brother to my letter yet, the copy in my possession

	has lost the last paper.- The first portion of the judgment alone is herewith submitted which however is sufficient to prove the circumstances now required.-	
C.	The division deed by which my branch was divided from the other branches of the family in 1868.-	To show considerable landed property was allotted to my branch at the division the whole lands comprised in schedule B attached to it having been assigned to it.-
D.	A schedule showing the Percomes of each Jenm land calculated upon the measurement given to it in schedule B of the division deed C and those of the Kanom and otti lands calculated upon the quantity of seed to be sown on them as shown in the schedule B.-	To facilitate reference.-

Princl St Amin.-

1872
Judicial Departt. No.
From
The Principal Sadr Amin of
Tellicherry.
To
The Civil Judge of
Tellicherry.
Dated 20th Septr. 1872
Received
No 193.

Submitting ex-
planations as per
proceedings of the
11th Instant No 67.

1

Confidential

Should this [illegible]
given a[illegible]
Govt. First on his [illegible]
[illegible]

From J. W. Reid Esqre
District Judge
of North Malabar

To

The Hon'ble W. Hudleston Esqre
Chief Secretary
to Government
Fort. St. George

Sir

Last November a petition No 2251/72 was presented to Government by one Kavarashery Keshavan Nair accusing, Kiyakepat Krishna Menon, Principal Sadr Amin of Tellicherry — of malicious conduct towards himself in conjunction with the petitioner's maternal uncle Karashery vittil Madavan Nair whose wife is the sister of the wife of Krishna Menon — also of corruption in the discharge of his official functions

It was the P. S. A. (Principal Sadr Amin) who gave petitioner a place in his Court.

On the 22nd August 1872 the Principal Sadr Amin (who is now Subordinate Judge) reported the petitioner for contumacious behaviour in leaving Tellicherry without sanction during the recess, at which time the Subordinate Judge had ordered him to remain at the Court, under the terms of an order of the High Court dated 11 March 1872 No 474. which required provision to be made for despatch of certain business: and with his report the Subordinate Judge made a recommendation that the Petitioner should be reduced to the place of last gumasta in his Court on a salary of 8 Rs per mensem (his post being that of Criminal Record Keeper on a salary of Rs 17-8-0 per mensem)

Letter No 169 enclosed

Letter No 173 Enclosd.

In a second letter dated the 24th August the Sub=ordinate Judge recommended that the petitioner be dismissed the service, for aiding the use of stamps which he knew or had reason to believe had been used with intent to defraud Government.

From the papers sent up with that letter, it appeared that the Plaintiffs in original suit No 43/65 on the Prin: Sadr Amin's file and appeal suit No 282/67 on the file of the Civil Court put in a petition 803/69 in the Principal Sadr Amin's Court – praying for execution of the decree. This petition was engrossed on an eight anna stamp, and being also a claim for mesne profits subsequent to decree amounting to Rs. 846" 5" 0 requiring additional stamps to be attached to it there were so attached 4 papers two of the value of Rs 30, one of Rs 20, and one of Rs 5. The memorandum on one of those valued at Rs 30, and on the one valued at Rs 20 had evidently been written in the first instance in order to put in an appeal in the Civil Court against the original decree, these papers being used as additional stamps to make up the proper value. Such parts as did not suit petition 803/69 were scored out seemingly without any effort at concealment, and the Malayalum letters required for that petition being interpolated. These stamps had doubtless been filed in the Civil Court, for on the back of the one for Rs 20 appears the initials, and a pencil date written by the then (now deceased) Sheristadar of the Civil Court. and the words "given back 23rd October"

The Subordinate Judge in his report wrote that the alteration on the stamp, and also the alterations in a draft produced by the vakil for petitioner 803/69 were in the handwriting of Petitioner – When examined by the Subordinate Judge Petitioner said he thought the handwriting of the alteration in the memoranda on the stamp were like his, and as to the draft he said he did write and give a draft like that to a man because the Principal Sadr Amin had told him to do so that as ordered him in the presence of the Court made the interpolation in the memoranda, and got the vakil to sign it – The Subordinate Judge denies that he gave such orders

The vakil was examined by the Principal Sadr Amin and said that he filed the petition, that petitioner 803 brought the petition ready written and gave it to him, he signed it and presented it in Court: he did not examine the stamps that petitioner 803 gave him the draft afterwards, having first said without giving the draft, that the petition must be put in immediately. The vakil objected to put in the petition without having a copy on which petitioner 803 gave him the draft, which he produced, that he saw the interpolations and asked his client whether such an interpolated paper could be put in, and the reply was "Don't you know that? The man who is to take them will take them. Give them quickly!" accordingly he gave them to Keshavan Nair Govt. Pt. who was the gumasta receiving petitions

Subsequently to the above letter being received Keshavan Nair put in seven petitions in which he argued his own cause – accused the Principal Sadr Amin of malicious deal=ings and interference in his quarrel about family matters with Madhavan Nair (abovementioned) – and with making the Head Messenger of his Court pull him out of Court by the ear and abusing him – with causing a gumasta of his Court to assault him, – and with corruption.

Pt's uncle

As to Petitioner's family quarrel I conceived I had nothing to do: and considering that Keshavan Nair's conduct had been marked by contumacity, I thought it necess=ary to uphold the authority of the Principal Sadr Amin by reducing Petitioner to the post of last gumasta in a Mun=siff's Court – an office bringing a salary of Rs 10: a light punishment, considering that he is an officer of only five years' service, and had been promoted to the post of Criminal Record Keeper (at Rs 17½ per mensem) over the heads of many entitled by long service to the promotion

In Petition No 350 it was in which the petitioner declared the Principal Sadr Amin had him pulled out of the Court by the ear. I called on the Principal Sadr Amin to explain and he did so in letter 192 dated the 20th September 1872 He denied having caused the petitioner to be pulled by the ear or having abused him: and said that it being reported to him that petitioner had entered the copyists' room, and meddled with the books in which particulars of copies given to parties are entered, he ordered him to go out petitioner refused, was insolent and therefore the Principal Sadr Amin had him turned out.

In Petition 375 the petitioner charged the Principal Sadr Amin generally with having amassed a large fortune by corruption, giving more details of what is summarized in Para 7 of his petition to Government. I sent this petition to the Principal Sadr Amin for explanation. He replied entering into details as to the landed and other property he possessed: and denying the allegations of Petitioner – To ascertain all the circumstances connected with the acquisition of the property would require a lengthy and difficult enquiry

In Petition 417 Petitioner reiterates his accusations and declared he could prove them, and asked for copies of the Principal Sadr Amin's explanations which I declined to give

In Petition 428 Petitioner stated that he had engaged the services of Mr Gover, barrister at law, to appear in regard to his former petitions, and praying for an adjournment till 20 days when Mr Gover was expected to return. Petitioner was informed that the cases would be taken up as the Court had leisure I may mention that Mr Gover, though constantly here has never yet made any representation regarding these petitions

In another petition No 462 Petitioner put in certain papers – Of these the first he said was one containing a passage in the Principal Sadr Amin's handwriting for insertion in a plaint in the Principal Sadr Amin's Court at Calicut. This concerns a matter out of the Principal Sadr Amin's jurisdiction, and the private quarrel between Petitioner and his Karnavan I dismiss it from consideration for these reasons.

On the 27 January the Petitioner put in another petition with 16 Malayalam letters.

The first of these is he says in the handwriting of Krishna Menon, and addressed to a Tangal (Mopla priest) in South Malabar. The words which petitioner dwells on in it are "I shall keep in mind what was said in the letter" These words the Petitioner wrote could not but suggest, an inference that some recommendation regarding some case is referred to.

The second is a letter said to be from the Principal Sadr Amin's brother at a time when the Principal Sadr Amin was Munsiff of Ernad (South Malabar) It is addressed to a vakil at Calicut. The petitioner alludes to a passage in it which is translateable. "You must send so as to reach Manjery within two days the copy of your plaint, and vakalutnama; and then (I) will get it all in proper form, and get the plaint presented. Don't fill up the name in the vakilnama". A small note is pasted in it said to be in the Principal Sadr Amin's own handwriting translateable "I think it best for you to appoint Rama Krishna Pattar for your two affairs: and if Rame has not already so appointed there, you should do so.

Whether these two notes have any significance, enquiry only could determine

No 3 is declared by petitioner to be from a Karyasten of the Raja of Cherikal to Petitioner's uncle Madavan Nair. It is an enigmatical epistle addressed "Private to Madavan Nair" and signed "Friend: and the note which is short is as follows "As we personally spoke of about (I) will arrive tomorrow night positively with the amount of six. Do not be put out by the delay

No 4 is a letter, declared to be addressed to Petitioner himself and sent by the Raja of Cherikal to be shown to the Principal Sadr Amin. It bears no year & is addressed outside "Private", and it speaks of the Pudurally Kovilagam suits. These suits were a series of suits in which the Rajas of Cherikal and five other cognate Kovilagams sought to acquire the property of the Pudurally Kovilagam the members of whom had all died

No 5 is a similar letter said to be sent to Petitioner In it is acknowledged receipt of a letter, so it would appear petitioner had on his side communicated with the Raja – a word "marubadi" is underlined as important. It means answer, and occurs in the context "As Kisshnan" (or the name of one of the Raja's Karyastens) will arrive there immediately, I will send an answer"

No 6 is like No 5. It also acknowledges a letter sent and from it it appears another letter was promised, and therefore the writer would await its arrival to write all particulars

No 7 is said to be a letter from Mâdavan Nair to petitioner, and came by post. There does not appear to be anything in it primâ facie of importance.

No 8 is said to be a letter from Madavan Nair to the Raja's Karyasten Krishna Pishârody. It asks for some assistance in getting from the Raja some things to enable a nephew to live in Tellichery. The part marked by petitioner is to the effect that the writer had intended, but was prevented from going and saying something about a few matters to the Raja.

No 9 is said to be from the Karyastan mentioned in the last to Madhavan Nair. It is somewhat enigmatical, and contains little per se tangible. One part marked is to the effect. "Inst sent 20 directly."

No 10 a letter, said to be written, to Madhavan Nair's Elder brother directly relates to a paramba bought by the Raja of Cherakal from Mâdhavan Nair

No 11 is addressed to the "Raja's friend". The petitioner declares Mâdhavan Nair is meant and it refers to some correspondence the nature of which is ~~[illegible]~~ not to be gathered from the letter.

No 12 is a letter signed ~~to~~ "Friend Krishnan" & declared to be from Krishna Pishârody the Karyastan of the Cherikal Raja to Madhavan Nair. It refers to an extract from the Diary, and asks the addressee to send it for the Raja, and also asks him to get a proclamation issued in a matter concerning the writer

No 13 is to "a friend" from "a friend", & said to be written by the same to the same and marked "private"

No 14 is similar to No 13. and signed Krishna Pisharody.

No 15 is a letter sent by post from Madavan Nair to petitioner acknowledging a letter and saying that he would come on Friday & intended to see the Raja of Cherakal & then go with him for an appeal.

No 16 is a letter signed "Friend Kri" with no address and declared by petitioner to be written by Krishna Pisharody to Madhavan Nair.

Just before the Christmas holidays I examined the petitioner. He then stated that he was ordered by the Principal Sadr Amin himself to prepare the draft petition – He cited to prove this one Malakal Nambiar who he said lived with the Principal Sadr Amin one Kelu Nambyar – a late Havildar of the Principal Sadr Amin's Court: and one Kanniparyil Kunhy Kutty

I examined the Havildar who deposed that the Principal Sadr Amin ordered. Petitioner to correct the draft – Kunhy Kutty who denied all knowledge of the matter – the petitioner in crossexamination eliciting from him that he had a younger brother employed as batta peon in the Principal Sadr Amin's Court – and asking him whether he had not that morning asked petitioner to excuse him from giving testimony – and one of the petitioners 803 – The Havildar was forced by the Principal Sadr Amin to retire when the Order came out requiring servants aged 55 to retire, and the Havildar appealed to me ~~when~~ against it; but I ~~maint~~ upheld the Principal Sadr Amin's decision – It may be or may not be that that has something to do with his giving this evidence – The petitioner 803 said that the draft was written by one Achutan Nair in the southern yard of the Principal Sadr Amin's house that he saw the Principal Sadr Amin in his house that nothing personally passed between the Principal Sadr Amin & himself: that he asked the Petitioner to see if it was all right: that Petitioner looked at it, and wrote something in it: that he asked Petitioner to ask the Principal Sadr Amin if he might use the stamps, and that Petitioner took the draft in, & brought it out and said there was no ~~any~~ objection to the admission of the stamps. Malakal Nambiar was summoned but could not be found

I also examined Achutan Nair. He is a native of Palghaut, and was here
He said he wrote the draft at Keshavan Nair's request, but at another place and not at the Principal Sadr Amin's house

I ~~At the~~ examined petitioner also as to his allegations in the petitions to Government & me, accusing the Principal Sadr Amin of corruption. As to his allegation that the Prin: Sadr Amin induced the Raja of Cherikal to buy the paramba bought by Madavan Nair in auction at Calicut he cited witnesses.

One is a Karyasten of the Raja of Cherikal. It is evident from his deposition that the paramba in question was bought by the Raja for Rs800 that it is the only property the Raja possesses in South Malabar; that it was not inspected before buying it: the excuse (a lame one) being it only cost 800Rs - the reason given for the purchase was that it was desirable to have a paramba in every place. He produced the draft of the document.

The other witness was Pālāt Rama Panikar a revenue gumasta in ~~the~~ Calicut. He said of the paramba that his father purchased it & had the freehold (janmam) deed & pledged it to Madhavan Nair - and that it was worth Rs 1000.

Subsequently the Petitioner put in copy of an answer purporting to be and evidently that of Madhavan Nair in a suit in the District Munsiff's Court at Calicut, about his paramba and stating that

that he had sold it to the Raja of Cherikal and also copies of ~~a~~ two deeds ~~by~~ dated 1023 1848 one being a conveyance of the freehold to Palat Ramar Panikar in the year 1023 1848 and the other being a receipt for the janmam price - It appears that ~~Wen~~ the freehold of the paramba was bought for 900 Fs. = 180Rs

Whether the paramba was really bought at a price above its value or not is a matter which could be satisfactorily determined only in a formal Enquiry. The fact of its purchase by the Raja of Cherikal, and of his being involved in a great deal of litigation is indisputable.

The Petitioner when pressed by me to show & prove instances of the Principal Sadr Amin taking bribes said that if the Principal Sadr Amin were maintained in his present position people would not come forward, or that if in Court he stated particulars they would be suppressed. I therefore, as the Court was going to adjourn for the Christmas holidays made him write down what he had to say & sealed the statement up till a convenient opportunity. On subsequently opening it it was found to contain an allegation that in three original suits regarding the property of the extinct Peruvally Kovilagam mentioned above the present Raja of Cherikal was a party and was informed through Mádhavan Nair that Rs 6000 was required for a decree in his favour, and that the Raja sent rupees six thousand and the Principal Sadr Amin received it, and gave a decree in his favour. There is no doubt the decrees were favourable to the Raja – The statement further was to the effect that some others (beside the petitioners) knew this but would not give evidence in the present state of matters but would positively do so, if they knew the Principal Sadr Amin could do them no harm. A subsequent petition put in by Petitioners asks me to suspend the Subordinate judge ~~only~~ even for a few days and parties would come forward

As to the allegation in the petition that numerous petitions had been presented to the Civil Court, praying that cases may not be sent to the Principal Sadr Amin or be transferred from him – I find that there have been twelve instances of this sort 1872 and 1873 – I rejected six

Under these circumstances the recommendation which I have the honour to make regarding the Subordinate judge is that he should be transferred to Mangalore, the Subordinate judge there, being transferred to Tellicherry. I am led to make this suggestion because I believe that among many of the Europeans who have been officials in this District and among the natives Krishna Menon bears a bad reputation – The charges are not in my opinion sufficiently concise to act under Act XXXVII of 1850 – and ~~under~~ therefore his suspension would be objectionable. No one however who has ~~any~~ knowledge of the nature

character will I think doubt that those who could if there are real grounds to charge an official with corruption, give evidence, would in all possibility be disinclined to do so, while the official is still wielding a power which they fear might be afterwards employed to do them harm. Krishna Menon was appointed Principal Sadr Amin in 1868, his transfer now to a new ~~of~~ station will not be a great hardship to him, while then there would be nothing for those acting bonâ fide to fear: and then any charges specifically made might be enquired into.

I have not intimated the contents of this letter to the Subordinate judge; and make this a confidential report – believing it to be the wisest course and warrantable under the circumstances –

I think it right at the same time to enclose the explanations given by the Subordinate Judge to the petitioners' allegations and note the numbers & dating the papers in the margin.

No 191 dated 20 Septr 1872
" 192 " 2 Septr 1873
" 193 " 2 Septr 1873
Enclosures to 193 are not sent

I do not think that the petitioner Keshavan Nair, had any idea of cheating Government in the part he took regarding the stamps already used – By his own admissions his conduct with regard to corresponding about suits in the Principal Sadr Amin's Court has been such as to condemn himself – I abstain however from at present taking notice of his conduct and order he to continue to do duty in the Munsiff's Court to which he has been appointed till Government have been pleased to pass orders on the recommendation I have made

I have the honor to be
Sir
Your most obedient servant

F. W. Reid
District Judge
Tellicherry

Tellicherry
14 April 1873

From F. W. Reid Esq.
dd. 14 Apl. 1873
with 4 Enclosures

Confidential
No. 1725.

Judicial Department

To
Sir Walter Morgan Kt.
Chief Justice of the High Court of Judicature
Madras

Hon'ble Sir.

In continuation of my Confidential letter of the 27th instant, No. 1713, I am directed to forward for the opinion of the Hon'ble the Judges of the High Court a further Communication× from Mr. F. W. Reid, District Judge of North Malabar, relating to the transfer of Kistna Menon, the Subordinate Judge, to Mangalore.

31/10

× of 25 October /73
Confidential.

Ootacamund
29 October /73

To

His Excellency The Right Honorable
The Governor in Council of Madras
the humble petition of K. Keshvan
Nair, North Malabar.

Sheweth,

That Your Petitioner had presented a Memorial to Govt. some 10 or 11 months ago against his dismissal from the late Principal Sudder Ameen's Court (now Sub Court) of Tellicherry and against other unjust acts of the Principal Sudder Ameen Krishna Menon.

That the Govt. was pleased to refer it to the District Judge of Tellicherry for his report who thereupon held some inquiries into the Principal Sudder Ameen's conduct and Petitioner then maintained the charges which he had preferred, in the said Memorial, against him.

That Petitioner learns that the

District Judge has not yet submitted his report nor have the Govt. furnished Petitioner with any order in reply to his memorial.

He therefore prays that the District Judge of North Malabar may be called upon to submit his report and a reply redressing grievances sent to Petitioner by Govt. For which act of kindness he as in duty bound will ever pray

K. Keshvan Nair

Taliparamba
1st Novr. 1873

Petition of K Keshavan
Nair -
d/. 1 Nov 73

W. H.
This matter is to be [illegible]
Govt [illegible]
keep the pa[illegible]
here for the pre[illegible]

herry 25 Octr. 1873

tial

No. 128

From J. W. Reid Esqr
District Judge
North Malabar

To The Hon'ble W. Hudleston
Chief Secretary to Govt.
Fort St George

Sir

With reference to my confidential report dated 14 April 1873 regarding Kiyakepar Krishna Menon Subordinate Judge of Tellichery I have the honour to forward copy of a demiofficial and confidential note from Mr Wm. Logan who acted for me while absent on special leave, from which it will be seen that he quite agrees with me as to the great desirability of transferring Krishna Menon from rt the estimation in ield makes the general munity distrust the administration of justice at his hands, and also makes my duty in having necessarily to refer a large number of appeal suits to him for disposal, and in having to overlook his work, and decide appeals from his proceedings an extraordinarily difficult and disagreeable one — Mr Logan it is hardly necessary for me to add is an officer whose long acquaintance with the District, and its inhabitants renders his opinion one of great weight

I therefore take the liberty of again suggesting that the connection of K. Krishna Menon with North Malabar be at once severed by his transfer elsewhere I have the honor to be

Sir your most obedt. servant

W Reid
Dist Judge

Tellicherry
Oct 24 - 1873

Confid

My dear Reid

With reference to our conversation regarding the Sub Judge. K. R Krishna Menon's position in this District I shall now put down the impressions I have formed during my temporary tenure of your office — The Sub Judge is thoroughly hated by all classes of natives, and he is just to an equal ~~degree~~ or extent feared by them — He has among all classes the reputation of having by corrupt means acquired a large amount of property and of being quite unscrupulous — My own impression is that if not now, as he has himself assured me, he was sometime

ago corrupt - [illegible]
about him men who -
informed trade upon [illegible]
standing in his good opinion,
and upon his reputation -
possibly for their own advantage
alone, but even if that is the
case their proceedings add
to his bad name

Besides that, he has
a bad temper, and he is care-
less about offending those
who are not on good terms
with him — I feel convinced
that he has laid himself
under such obligations to many
influential people here -
notoriously the litigious
Rajah of Cherikal - that in

e they are concerned
he [illegible]nable to give impartial
judgments — He has been
here too long I consider, and
it would be a relief to the
District if he were moved -
He is a very able man and
might have done great good
service — I can almost confi-
-dently predict, that if
he remains here & retains
his Small Cause jurisdiction
there will be some day a
great scandal — If the
opinions of all officers
under whom he has served
coincide with the one I
have expressed he sh.d

certainly not be
remain where he is
-self I know would be glad of
a change, and the sooner his
present connections with
Malabar are broken the
better it will be for all con-cerned.

I have no objections to your
forwarding this letter or a
copy of it to Govt. — as I know
your opinion coincides to some
extent with mine.

I had intended bringing
this subject to the notice of Govt.
but as you have already expressed
to Govt. an opinion similar to
mine I consider it best to address
you

Yours sincerely
(Sd) Wm. Logan

True Copy [illegible] Reid

---

* 825 dated [illegible]
Sent to High
Court with
No. 1725 dated
[illegible]

Chief Secretariat,
Ooty 28. Oct. 1873.

My dear Robinson

I suppose the
enclosed had better go
to the C. J. in contn.
of the letter* asking
the C.'s opinion.

A.

My dear Hutchison
I wd. certainly
send. Of course we
scarcely know how the
Court will take it
But they are right &
we may try. It
can't be worse
Yr. ever
W Robson
Sorry to hear of illness

Despatch

High Court. Madras
8th November. 1873.

From
H. Wigram Esqr
Registrar of the High Court
Appellate side

To
Honble W. Hudleston
Chief Secretary to the Government
of Fort St. George

Honble Sir

I am directed to acknowledge the receipt of your letters to the Chief Justice dated 27th and 29th October 1873 - Judicial Department. Nos. 1713 & 1725 and marked Confidential, requesting the opinion of the High Court as to the expediency of acting on Mr. Reid's recommendation for the transfer of Kristna Menon, Subordinate Judge of North Malabar to South Canara.

In reply I am directed to

state that the Judges have conferred on the matter and (except the Chief Justice) are of opinion that Kristna Menon should be transferred to Mangalore.

The Chief Justice is of opinion that the Subordinate Judge should not be permitted to continue to hold office in Tellicherry and that while resting under such imputations and suspicions as appear in these papers he should not be transferred elsewhere.

The enclosures received with your letters are herewith returned.

I have the honor to be
Hon^ble Sir
Your most obedient servant

Wigram
Registrar of the
High Court

So far as the family quarrel, which underlies all this is recrimination, goes, it seems to be of a kind, which is very usual in Malabar, viz. a dispute between an uncle and his nephew and heir about the alienation of family property (which descends in the female line i.e. to nephews) for the benefit of his own offspring begotten on a woman of another Tarwad (There is no legal marriage (Malabar))

There appear to be

two

Confidential

Judicial Dep

G.O. 17 Nov 73 - 18[illegible]

From, The Registrar of the High Court

To, The Chief Secretary to Govt.

Dated. 8th November/73

Received. 11th Do.

R. No. 2395.

For orders

Communicating the views of the Judges as to the transfer of Kristna Menon to Mangalore -

With an Order

[illegible] the same for record

out. [illegible]

12/11

two Sisters in the Palat Terward – with one of whom the Principal Sudr. Ameen, and with the other Petitioner's Uncle lives as husband and wife, and apparently both have families.

Petitioner and his Uncle belong to the Kavushire Vilat Terward, whose family property is apparently under the management of the Uncle, as Karnavan, and is being – as the heirs hold – improperly transferred by him (the Uncle – Karnavan) to his own children of the Palat Terward.

Petitioner believes no doubt rightly that the Principal Sudr Ameen's aid is afforded to his Brother-in-law in this fraudulent course of conduct. Out of these conditions the bitterest family feuds arise amongst a hard and vindictive people of Malabar, and I can easily believe that the Principal Sudr Ameen – formerly Petitioner's patron – has become animated by the rancorous personal enmity which Petitioner ascribes to him and which his actions towards him suggest ever since the family quarrel

quarrel in the Kavushiro Vitel Terward began some two years back. Of this I think there is abundant proof.

On the other hand Petitioner steps forward — animated by equal rancour and the sense of injury sustained — and accuses the Principal Sudr Ameen of gross Corruption and Misfeasance, and produces papers &c which, he alleges, would go to establish these charges if the Principal Sudr Ameen were suspended and full inquiry instituted. The papers have been

Examined

Examined by the Judge. They may be links in some chain of evidence in support of Petitioner's charges, but are useless without fuller and general investigation

The judge does not recommend the suspension of the Pl. Sudr. Ameen & proceedings under Act 37 of 1850. But on the ground that he bears an universally bad reputation, which the judge seems to consider well deserved — an opinion which I share based on testimony from the spot a while [illegible] — he wd. have the Pl. Sudr Ameen exchange places with the Pl. Sudr. Ameen of Mangalore & he seems to expect that if the exchange were effected specific charges wd. be made, which wd. justify inquiry of a more formal kind.

The exchange wd. involve no personal inconvenience as regards the Pl. S. Ameen of Mangalore. He is a Malabar man & wd. be delighted to get into his own district again. Mangalore might I know be exchanging an upright for a corrupt judge; but the exchange would [illegible] [illegible] beyond the reach of local influences and temptations and might enable him to retrieve a marred reputation.

Removal ought to content all so far as this Petitioner is concerned.

But before any definite conclusion can be come to, I think that the papers ought to be sent confidentially to the Chief Justice in order that the Court may advise the Govt. The Pl. S. Ameen is an old protegé, I think of Mr. Holloway's and he may perhaps have formed a correct opinion of his character. At all events the Court's opinion of the man will be a useful guide in disposing of the matter.

JDS

23/10

It wd. appear that the change to Mangalore is desirable. But I quite agree with the suggestion of a confidl. refce. to the Chief Justice, which may be very useful

Oct 24/70

Confidential

Judicial Department

No. 1713.

To

Sir Walter Morgan Kt.

Chief Justice of the High Court of Judicature
Madras

Hon'ble Sir,

I am directed to forward confidentially the papers× noted in the margin with the request that the Government may be favored with the opinion of the Hon'ble the Judges as to the expediency of acting on Mr. Reid's recommendation for the transfer of Kistna Menon Subordinate Judge of Tellichery to Mangalore under the circumstances stated.

× Petition from Kavathair Veetil Keshavan Nayar. of 18th November /72. Letter, with five Enclosures, from J. W. Reid Esq. District Judge of North Malabar, of 14th April /73.

Wb 31/10

Ootacamund
27th October 1873.

21. Oct. 73 –

My dear Robinson

Will you look
thro' these papers & note
your opinion on them

You will see that they
consist of a petition from
the Criminal Record keeper
[illegible] P.S.A.A.

of this documentation – but that
if [illegible] assumed to be a very
question altogether [illegible]
been tried – it sh.d be under
[illegible] own supervision – &
then from [illegible] by
me under [illegible] I have
should [illegible]
[illegible] from [illegible]
Report of his [illegible] – & a
not a thing [illegible]
have [illegible] passed on [illegible]
confidential communication
to [illegible] Gov:

[illegible]

Judicial Con-
fidential

Mangalore,
17 Decr 1873.

Dear Mr Huddleston,

I am much obliged to you for the perusal of the papers which I return.

I trust that Krishna Menon will do good work in this District, & there is much to be done.

I believe that he feels the punishment very much. This District is not liked by Strangers for very good reasons.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

~~Read the following letter~~

Dated, Ootacamund, 12 Novr 1873. No 1820.

The Governor in Council directs that K. R. Krishna Menon, Subordinate Judge of Tellicherry, be transferred to Mangalore, and K. Kunjee Menon, Subordinate Judge of Mangalore, be transferred to Tellicherry.

E.R.

12/11

The Hon. the Judges of the High Ct.
The Dt. & Session Judge of N. Malabar.
Do. — of Mangalore.
} despd. 12/11

Gazette 18/11

Inserted
18 Nov 73

K K Keshava Menon
Sub Judge Tellicherry

Govt. of {187 } Madras.

To

Dated 12th }
Recd. } Nov 1873, No. 1820

Nos.

Memo of Papers sent to A C Burnell Esq. on the 29 Nov 73 as ordered in Council of 25 idem.

1. Petition of K Kishavan Nair dt. 18 Nov 1872
2. Letter from J. W. Reid Esq. with 4 enclos — 14 Ap 1873
3. —do— 25 October 1873
4. Petition of K Kishavan Nair dt. 1 Nov 1873.
5. Letter from Reg H Court - 8 Nov 73.