[illegible] Prosecution of
a Sub Magistrate

CS
misc (Bernardus)

Judl. DEPARTMENT.

Eap

Again G.O., dated 29 June 1891, No. 1281 Judl.

Again G.O., dated 18 , No.

Current No. of 18 , dated from

Current No. 785 of 1893, dated Feb 93 from Dt. M. Salem.

Order 2 March 93 No. 456.

It is observed that in G.O. d/ 29 June 1891, No. 1281, Judl., the Govt. delegated to the Bd. of Rev. power to sanction prosecution in such cases & the Dt. Mag. should have addressed that authority on the subject.

2. So far as the Govt. can judge from the report of the Head Quarters Dy. Colr. & Mag. there is a *prima facie* case against the Sub-Mag. on the charges numbered I, VI, VII & VIII & on these charges prosecution is sanctioned. The other cases do not seem suitable for prosecution, at least on present showing. The prosecution should be conducted in the Court of the Head Asst. Mag. of the District.

3. As proposed by the Dt. Mag. the conduct of the prosecution may be entrusted to the Hd. Qrs. Dy. Colr. M.R.Ry. G. Kodanda Rámayya Gáru and if the Dt. Mag. thinks fit, he may be assisted by the local Public Prosecutor.

4. The Govt. is not prepared to give any assurance of immunity to alleged bribe-givers.

(True orders)

2 March 93

To the Dt. M. of Salem } issued 2/3
Copy to the Bd. of Rev. } With Report Despd 2/3

1281 & 29.6.

101 &

Con

Kodanda Ramayya's report is what he would himself probably call "graphic" but it does not state in sober detail what the actual evidence of bribe giving consists of. There seems however to be a prima facie case for some of the charges, & the Dist Magte expresses himself so strongly that he has doubtless examined the evidence in detail. I would sanction the prosecution of the Sub Magte on charges I, VI, VII & VIII in the Court of the Hd Assistant Magte. I don't think the other cases suitable for prosecution, at least on present showing, and I see no necessity to direct that the case should be committed to the Sessions Court. K. Ramayya should prosecute with the local Govt Pleader if the DM thinks fit ~~to empower him~~ with K.R. As to giving an assurance to the ~~[illegible]~~ bribe givers, who may give evidence, ~~[illegible]~~ of immunity from prosecution, I would refuse to do so. Necessity for anything of the kind is not shown as the people appear to have spoken freely. My opinion as to the scheme of immunities of the kind is stated in my note on Kunni Kannan's case. Complete immunity would mean that Govt should promise, not to prosecute themselves, & to pardon if any one else prosecute successfully. The latter should not be thought of & the former even is a measure which should not I think be adopted. It is not right for the Executive Govt to set aside the law, which such a course implies, & if it is as I believe a law of questionable expediency it ought to be altered in the proper way, and not, while it is the law, to be defeated by executive action. The fact that evidence is given under immunities of the kind greatly detracts from its value. I observe that in Manavallayya's case an immunity in general terms was given, apparently without any consideration of what immunity meant, viz assurance of pardon as well as of non prosecution by Govt.

U.O.
1 Mar

C. 28/2

E

H.M.

The papers called for are subd.
The discussion on the subject will be found in G.O. dy 14 Ap. 1888, No. 894, & G.O. dy 15 Sept. 1888, No. 1969, Judl.

25 Feb.

CURRENT NO. 785

Judicial Depart.

Confidential

From

G. Stokes Esq
Collector & Dt. Magte
Salem

CONFIDENTIAL No. 47.

To

The Chief Secy to Govt.
Judl. Depart.
Fort St. George

No ______

Dated Feb. 93.

CHIEF SECRETARY
23 FEB 93
GOVERNMENT OF MADRAS

Encl. 2

Subject

Requesting Sanction to prosecute M.R.Ry. C. Manica Mudali, late Submagistrate of Salem Town.

The question of indemnity in bribery cases was discussed while Mr Hutchins was in Council in connection with the charges against Kunjan Menon and afterwards in connection with those against the Dy Collr Kunhi Kannan (?). I want to see those papers before disposing of this.

W.H.
27 Feb.

1281 d 29.6.91 S.C.
101 d 17.1.93 S.C.
Con 5 d 16.1.91.
1969 d 15.9.88.
894 d 14.4.88.

E

H.M.

For orders

The case seems sufficient to justify prosecution.
The Board of Revenue could have sanctioned the prosecution under G.O. dy 29.6.91, No. 1281, Judl.; the Dt. Mag. should have applied to the Bd. for sanction rather than Govt.
The Hd Quarters Dy Collr, Kodandarámayya, may be ordered to conduct the prosecution as suggested by the D.M.?
He may also be assisted by the local Govt. Prosecutor?
The Head Asst. Mag. may be ordered to make the preliminary enquiry &, if he thinks the accused guilty, to commit him to the Sessions?
With regard to promising indemnity to the bribe-givers attention is invited to the correspondence in G.O. dy 16/1/91, No. 5, D.O.; indemnity was offered in the Cocanada Sub-Judge's case subject to the condition that the whole truth was told in the witness-box.

24 Feb.

There seem to be ample grounds for prosecution, & the Dist. Magte's latter recommendation may, it is submitted, be accepted. It does not seem desirable to promise indemnity to the bribe givers save in very exceptional circumstances. The case is hardly of sufficient importance to warrant such a course.

27 Feb.

asked confidentially as the Sub magistrate being a local man and much feared has much influence in the Town.

I would ask for early orders of Govt. in this matter.

I have the honour to be
Sir
Your most obt. servant
Collector & Dt. Magte.

22/7/93.

the Deputy Collector's letter viz, how far any undertaking can be given that persons giving bribes will not be prosecuted. No undertaking or assurance of any kind has been given hitherto, and the statements given have been so knowing their liability I believe. I do not know what is the usual course in this matter and I therefore seek the instructions of Govt.

I have thought it necessary to prevent as much as possible further tampering with evidence to place this Sub-magistrate under suspension and I enclose a copy of my proceedings to that effect. For the same reason, I request that the orders of Government may be

clues from point to point in this case most admirably, and can be thoroughly trusted to make no truce with evil. There will be an Assistant Collector in this District very soon who may be placed in charge of the Head Quarters Division so as to give M.R.Ry. Kottanda Ramier Avergal the time which it will be necessary for him to devote to this matter. I presume that the trial will be held before the Sessions Court in which case I think the preliminary investigation should be made before a European Magistrate, say the Head Asst. Collector.

There is a matter in which I would seek the orders of Govt., which is referred to in the concluding remarks of necessary ~~that~~ this man should be punished with severity and I therefore seek the sanction of Government for his prosecution under Sec: 197 of the C.P.C. I request also ~~that~~ Govt. will determine as provided in ~~that~~ section the person by whom and the manner in which the prosecution is to be conducted as also the Court before which the trial is to be held. I would strongly urge ~~that~~ M.R.Ry G. Kottanda Ramier avergal should be ordered to prosecute in this matter aided by such legal assistance as Govt. may see fit to grant. I think some one stronger than the local Government Pleader should be appointed. M.R.Ry G. Kottanda Ramier has worked out the various

a widowed daughter dependent on him and the Submagistrate) who lives with the Submagistrate. This man could never have got the money to buy the lands. The Submagistrate manages the land as his own and as the Submagistrate is ultimately the uncle's heir, the nature of the transaction is apparent. None of these purchases are shown or reported in the Submagistrate's land statement returns. This is also a most serious breach of the Departmental rules, which has often been most severely punished.

I have never in my experience met any case in its nature so scandalous as the case of this Submagistrate. I consider ~~that~~ in the interests of justice and pure administration, it is

Methods of procedure adopted by the Submagistrate for getting money was to take a loan from a Merchant and then to incite a false case against him, when he compelled him to shew the loan as repaid in his accounts. Several men have and are ready to admit the loan but they won't go further for fear of committing themselves. These loans are in themselves a sufficiently grave breach of departmental rules to justify the Submagistrate's dismissal. It has also been found that the Submagistrate has been buying land for thousands of rupees all round Salem of which he is a native in the name of his uncle (a pensioner receiving 5 Rs a month and about 60 years of age with

serious

cases, accounts &c, and he could have obtained much more evidence but that the men while verbally stating what they knew would not allow a record of it to be made for the Submagistrate and his friends had as soon as the enquiry was started gone round the town telling those likely to give evidence the existing state of the law viz: that the giver of a bribe is equally guilty with the taker and that if they admitted the giving they would be punished, that I and the Head Quarters Deputy Collector were soon leaving the District and that when the Submagistrate came back acquitted he would make it very hot for them if they gave any evidence. One of the many

2/

Deputy Collector to make inquiries in the Town. His inquiries have revealed a state of things for which I confess, even I, was totally unprepared. The cases which he mentions are but a few of those of which he has obtained information. The Deputy Collector's report sets out in sufficient detail the various points in each case which can be substantiated against the Submagistrate and it is unnecessary for me here to make any recapitulation of them. In the cases mentioned he has obtained statements from the parties and witnesses concerned which are completely borne out by the records of the

t. only b the most serious

Submagistrate of Razipur and was acting sub pro tem as Town Submagistrate. He had been in the latter position for some years and I had long been dissatisfied with his work and was convinced of his dishonesty. I therefore put him into the English Head Accountant's appointment when introducing the new scheme and put another man into the Town. He however put in a petition claiming to be restored to a magisterial appointment, during my absence on leave. I had some information about this man and received some more on my return from leave, and I therefore directed the Head Quarters

Salem Collector's Office
February 1893.

CURRENT No 785

From

G. S. Coles Esq:
Collector of Salem

To

The Chief Secretary to Govt.
Judicial Department
Fort St. George

Sir,

I have the honor to submit in original for the perusal of Govt. a Confidential report, Extra No. 1 dated 21st Instant received from the Head Quarter Deputy Collector, and to request that it may be returned to me. When the stationary Submagistrates' Scheme was introduced, Manica Mudalear was permanent Deputy Tahsildar and

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the next serious

CHIEF SECRETARY
23 FEB 93
GOVERNMENT OF MADRAS

Enclosure to letter (Confidential) from the Collector of Salem to the Chief Secretary to Govt. Judl. Department Fort St. George, despatched on the 22.2.93 — in re the Rdg C. Manica Mudali, late Town Submagte and requesting Sanction to prosecute him -

~~Ilo~~
DHo
22.2.93

Collr's Office }
Salem }

1893
Judl Dept.
Enclos. No. 1
To
O. No. 785

to call for the most serious departmental punishment. The Collector and Dt. Magistrate therefore resolves to suspend C. Manica Mudali and to address Govt. with a view to obtaining sanction to prosecute him under Sec: 197 of the Criminal Procedure Code

(Signed) G. Stokes
Colr & Dt. Magte.

(True copy)

Dt. Magistrate

20/12/93.

Encl. No 1 to cne 785/1893

Proceedings of the Collector and Dt. Magte of Salem Dt:
22. 2. 93.

Read - Confidential report from the Head Quarter Deputy Collector dated 21. 2. 93 Ex. No. 1.

Order

From the above report, the Collector and Dt. Magistrate finds ~~that~~ very grave charges of bribery and extortion, during his time of the office of Deputy Tahsildar and Town Submagistrate, calling for his criminal prosecution, are prima facie established against C. Manica Mudali. He has also been guilty of very serious disregard of the departmental rules, designed to check and curb such misconduct, to such an extent, as, if established,

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II.

From
The Head Quarter Dy Collr
& Magistrate
Salem

To
The Collector & District
Magistrate
Salem

C

Dated 21st Feby 1893
Despd. 21st do.
Recd. do.

Extra No 1

Reporting on the
charges against
M.R.Ry. M. Manikka
Mudaliyar, late Sub-
-magistrate Salem
Town.

1893
S. Judl Dept.
Enclos. No. 2
To
G. No. 785

was brought over in the matter at a cost of some hundreds of Rupees.

Curiously further in this case although the Submagistrate discharged the accused, and should therefore have passed an order for restoration of the flock of sheep to the party from whose rightful custody, the defence were urging it had been taken, his order was that it should be returned to the complainant whose vital contention in the case was that the flock was his own; and that it was stolen away from his own custody only. In appeal on this single point, the Divisional Magistrate harmonized the order with the judgment by directing that the sheep should be made over to the custody of the accused's party. That the sheep actually belonged to the complainant was proved by the result of a civil suit subsequently filed by him.

7. Concluding Remarks. The evidence already available in a number of the above cases is strong enough for a regular enquiry either on the criminal or the departmental side, and further

enquiries are also being made. But it is hopeless to expect that truth will come out at all fully or openly unless some assurance could be given to the persons that speak out the truth that they would not be prosecuted as abettors or otherwise. Manikka Mudaliyar's conduct throughout appears to have been so scandalous that it would be a service indeed to the public to get him to justice; and so long as our own officials are of this stamp, and the remedy against their misconduct so rare and remote, it could scarcely be that the people who are threatened with immediate incarceration in jail or, loss of valuable property, could do otherwise than seek to appease the monster with what he wants, and to the best of their means.

I have the honor to be

Sir

Your most obedient servant

Deputy Collector and Magistrate.

→ the pleader for the defence giving hopes of their surrender soon, and asking the Magistrate to move for a transfer of the case from his file to that of the Town Submagistrate, Manikka Mudaliyar. The Omalur Submagistrate wrote to the then Divisional Magistrate giving his own inconveniences and requesting the transfer which the Divisional Magistrate ordered to the file of the Town Submagistrate. Before this Court the principal accused still kept absconding and moving for bail through their pleaders which the Submagistrate, Manikka Mudaliyar, equally with the Omalur Submagistrate was sternly refusing at first. An application for bail was finally put in by the pleader, and on it in right formality, the Submagistrate, Manikka Mudaliyar, passed an order calling on the pleader for the prosecution to show cause why bail should not be allowed fixing a day for disposing of it. Both parties with their pleaders were then heard; but after all no

written order was passed, while a verbal direction was given that the absconding accused should appear with a cash bail of Rs 200 each on the day of their appearance. On their appearance accordingly they were let on personal security only. The pleader for the prosecution as well as the complainant in the case speak in unmistakable terms as to such an order having been passed, and express their belief that there was peculation in the whole matter. Notwithstanding all the strength of the prosecution evidence as put forth, the Magistrate took on himself to secure interested witnesses whom the prosecution itself would not dare summon, and on their false statements and his own distorted facts made out a strongly worded judgment, and with specious arguments threw the case off.

Seerangammal has since learnt to see the folly of her ways, & turned back to her husband's family. She makes a clear confession of the falsehoods that she had been suborned to make and describes in graphic details how the Submagistrate Manikka Mudaliyar

Sreenivasa Mattachari graphically describes the circumstances of the two cases, and states that in respect of both, which were absolutely false & malicious, Manikka Mudaly, the Submagistrate, called him while he was passing in the street one day while the trial was going on, and warning him as to the gravity of the offences, advised him to consider well like an intelligent man and act, and subsequently demanded a bribe of Rs 100 for the former case, and Rs 300 for the latter. Sreenivasa Mattachar replied that Rs 50 was all that he had then & offered it. Manikka Mudaliyar received it and said that it would serve for case No 53 alone, & that a greater difficulty lay in respect of No 54. But Mattachar paid nothing more. The result was that the accused was let off in No 53, & convicted in No 54 & sentenced to a fine of Rs 25. The conviction in the latter case was however set aside on appeal. The complainants in both these cases are kinsmen of Kakkaveri Mittadar, a friend of Manikka Mudaliyar. The facts in this case are spoken to by Mattachari alone, and his statements are

in harmony with the record and the result of the trial.

VIII. Kadiampet Sheep theft case 1891.

This appears to have been a true case of theft of sheep belonging to the complainant valued at some hundreds of Rupees. The principal accused out of the four were two, and they were well to do. Taking advantage of the separation of a widow, Seerangammal, from the undivided family of her husband after his death, and of her excommunication from the family on account of her illicit connections with the said two accused, these two duped her into the belief that they could obtain for her the share of family property which she could not obtain legally, and in her name were committing outrages on the property of the complainant (her deceased husband's brother). Among other acts the two accused with the aid of others took away to their own places a flock of 60 or 70 sheep belonging to the complainant from its grazing ground. The case of theft against the four accused was pending on the file of the Submagistrate of Malur, but the principal accused kept absconding as to its price. Meanwhile the master of the house wherein the Patel was a servant came up searching and said that the property had been stolen from his house. The Shroff at once put down the gold piece saying "if so take it away": and the Police took over the thief with the gold to the Station. Eight days after the thief's conviction the Shroff was seized under a warrant from the Submagistrate (Manikka Mudaliyar). with nothing whatever to criminate him but only to be let off after a sum of Rs 20 was taken on account of him.

Mottaya Chetti, brother of Ramasamy Chetti's mother in law speaks to having had to pay to the Submagistrate by selling away the only jewel that was on the person of his wife at the time. The record bears out the man's statements as to the facts of the case, and as to the result of the trial.

VII Byroji Agraharam Cases. Calendar Nos 53 & 54 of 1890. Charges against Srinivasachari, and his father in law Sreenivasa Thathachari under Sections 143 and 454 & 506 of the I. Penal code.

elsewhere. Each of these logs was worth about Rs 10 or 11. The owners were pressed very much to part with them, and it was promised to them that they would be paid the value of the wood or have other wood given in return. But neither the one nor the other was done, nor even is any such wood used for the works in the Court house at all. These logs of wood are said to have been actually used for the bazaars, Manikka Mudaly has built for himself near his house. Another person (a merchant) speaks to having been present when the Submagistrate came up and looked at these logs at the place where they had been stored for the purpose of the Chattram, and to having been told sometime afterwards by the owners that they had been taken away by Manikka Mudaliyar.

VI Shroff Ramasamy Chetti's Case 1892:

This shroff was arrested on the charge of receiving a stolen piece of gold - the thief himself having been convicted and punished by the Submagistrate. In open bazaar a Patel servant brought the piece of gold for sale, and the Shroff receiving it was testing it and bargaining

as

denies the genuineness of the entry in no uncertain strain, and reveals the whole humbug practised by Kandasamy in order to save Manikka Mudali just a day or two before I turned up to look into Kandasami's books.

IV Two Patrul Cases under Section 406 of the I P Code — C Nos 341 & 379 of 1882.

A loan of Rs 200/ was taken by the Submagistrate from two brothers with a promise to repay it in four equal monthly instalments. Some months after, under circumstances leading to a suspicion that the Submagistrate himself was at the bottom, two cases sprang up against them under Section 406 I P C — in respect of which the Submagistrate had a search made of their house, turning the inmates (including women & children) out starving, and keeping the house locked up from 6 O'clock in the evening till 10 O'clock the next morning. After all, the cases ended in the acquittal of the accused by Manikka Mudaliyar himself.

The entries in the business accounts of

of the brothers which I have secured, are most suspicious and meaningful, & confirm my previous information that the loan had been got written off during the pendency of the criminal cases in question either as a matter of bribe or one of extortion. This phase of the transaction however the men concerned, strongly as they evidently feel the recollection of it, are naturally afraid to speak of in view of the provisions of the Penal Code criminating the giver of bribe equally with the receiver. If this fear be put out of the question, there is practically ~~of~~ a certainty of full evidence forthcoming to sustain a criminal prosecution.

V The Vengai wood Case — 1881.

Two brothers of Shevapet depose that Manikka Mudaliyar took away from their stock of valuable logs of Vengai wood which they had secured for the purpose of erecting a charitable Chuttram, about eight logs saying that they were required for the purpose of constructing a prisoner's dock or a platform in his court-house, and that he could get none so suitable and of their having by that means got one of the cases withdrawn (by the active interference of the Submagistrate), and the other case disposed of with a mere fine.

Devadai Chetti speaks to Pattabi Naik's having informed him soon after the disposal of the cases of his having bribed the Submagistrate.

The accounts of Kandasami Chetti having been called for and examined on information previously received that the loan paid by Kandasami Chetti to Manikka Mudali would appear in the account under date 12th Masi of the year Kara (22nd February 92), it ~~wa~~is found that an entry of payment of Rs 200 under the same date does exist in the account, but that the entry as regards the name of the payee and the nature of payment has been ~~inserted~~ clearly and wilfully erased so as to leave no vestige of the original writing, and the name of another person inserted instead as the borrower. This person however, on being called on suddenly and examined ~~with~~ with reference to the altered entry as it now stands, and his indebtedness,

settlement of Muthusami Mudali's accounts with Kuttu Chetti.) the Submagistrate struck out of the list the names of Kutta Chetti and Ariya Chetti with the remark "since found to be doubtful, and may be excluded from the list", and then allowed the final copy to be made up and despatched, so that, after all the reminders issued, the list reached the Tahsildar only on 21st April 92. The receipt signed by both the parties was granted on 4th May only for Rs 235 as settled by Manikka Mudali.

III Two Cases against Pattabi Naik by Kandasamy & his concubine.

These two cases arose from the same cause, viz jealousy for the love of the same concubine – Kandasamy himself being emboldened by his previous intimacy with the Submagistrate, and by the loan said to have been granted by him to the Submagistrate, to bring these false complaints against his rival, Pattabi Naik. Both Pattabi Naik, and his brother Venkatarama Naik speak of a bribe of Rs 50 as having been paid by them to the Submagistrate, and when he came to know this subsequently grew much annoyed at his partner brother's conduct, but nevertheless was bound to endorse his act and grant the receipt, which however he seems to have done only after satisfying himself that the Submagistrate had actually kept to his promise or undertaking with him.

The statements of the brothers and their accounts, and the statements of independant witnesses and of Muttusami Mudaly himself and of the clerk in charge of Income tax work in the Submagistrate's own office - and above all the successive rough III lists and the entries therein in Manikka Mudali's own hand - afford to my mind conclusive evidence of the Submagistrate's corruption in the matter. The said rough lists were no less than three in number (excluding the Village Munsiff's list in which also the Submagistrate made his own notes), and in each of them Kutti chetti and Ariya chetti's names appeared with an income of Rs 2000. and it was only in returning the last list for fair copying on the 20th April (which was just the very day after

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name of the firm removed from the Dy. Collector's list altogether.

This firm holds decrees against one Muttusamy[+] Mudali, acting translator of the Collector's office for about Rs 360.

Manikka Mudali tried all requests with Ariya chetti, the elder of the two partners (brothers) in view to getting his consent to reduce his demands against his (Submagistrate's) friend Muttusami Mudali but in vain.

Muttusami Mudali tried other persons to intercede in his favor with Kutti chetti, and this also proved fruitless. II Just on the very day before closing the list of assesses for the Dy. Collector, and submitting it to the Tahsildar, Manikka Mudali with Muttusamy Mudali went over to Kutti chetti's house in the absence of his brother, and pressed him to accept Rs 235 only in full discharge of his whole demand of Rs 360, giving him to understand, or at all events not taking care to prevent such an open understanding as he (Kutti chetti) expressed, that should he fail to do so his tax would be confirmed at the higher figure shewn in the rough lists theretofore. Ariya chetti

4 It

[+] This man is himself a reduced Sub Magte (Vide G.O. No. Dated). The only palliation of his offence in this matter is that he has told fairly truly what happened.

(3) 5

from the Submagistrate's conduct that no justice could be got from him except on payment of money, & to his having advised Devadai and his brother when they informed him of their proposal to buy up the Submagistrate, to be careful not to be deceived by the mediator whom they named.

The record is in accord with Devadai's statement in all essentials, and as he had been promised he was let off with a small fine.

II Ariya chetti and Nutte Chetti's Income tax Case

This is a firm of money lenders which has been paying an Income tax of Rs 35 on an income of Rs 1500. The Village munsiff's list received by the Submagistrate on the 11th April 92 showed Rs 1500 as the income, and against this figure the Submagistrate entered 1750. There were subsequently three draft lists made up in succession in all of which the income of the firm was entered by the Submagistrate as Rs 2000 – the minimum for the Dy Collector's list. Suddenly almost on the very day of despatch of the final list to the Tahsildar i.e. on 20th April 92, the figure was restored to the original 1500, and the

4

the Civil Courts and who were themselves witnesses in the case, coupled with the enmity of the Station House officer. He speaks to the grossly unfair treatment he was receiving in the whole trial from the Submagistrate, and to his meaningful remarks to the effect that the accused could get out of the case by paying the magistrate rather than the pleader, and says that thereupon he went to the Submagistrate and paid him Rs 100 as the only way of getting justice. His brother supports his statements, and speaks to having gone with Devadai to the Submagistrate's house although the latter alone went inside the house and made the payment.

A fellow bazaarman speaks to Devadai having been reporting to him from time to time the circumstances of the case and says that Devadai went to the Submagistrate with money & tears in his eyes to make the payment, and that after returning, Devadai informed him of having paid the money away.

The pleader for Devadai also speaks to the manifestly unfair treatment
latter was receiving at the hands
Submagistrate, and to his impression

4 It from

aim in taking up a criminal case has been to ascertain how best to make money out of it, every other feeling of humanity or public duty being only subordinate to this.

5. In 1892 the Tahsildar for the first time called on the Deputy Tahsildar Manikka Mudali to help him in revising the Income tax assessments, and submit to him his recommendations. This seems to have opened out to him a fresh field for harvest.

6. I give below the salient points in a few cases which would show him in his true color, and point to the necessity for serious action against him.

I **Subbaraya Sari versus Devadu Chetti.**
Bullock theft Case – 1892.

This man was put up before the Submagistrate on a charge of theft of a bullock worth Rs 25 which he asserted he had received from the complainant in return for an overdue loan of Rs 16, paying up the difference of Rupees nine, and explains the case as having had its origin in the malice of his debtor against whom he had filed a suit and the

to light. Notwithstanding persistent endeavours on the part of some to suppress them, it has not been possible for me to undertake, pressed as I am with other duties. But so far as I have been able to proceed, enough has come to light to shew that Manikka Mudali has certainly been a most daring and cruelly corrupt magistrate whom in the interests of justice and of the Administration it would necessary to make an example of.

3. That Manikka Mudali has been resorting to doubtful loans from persons (merchants, contractors or others) who are subject to his official influence, and who as a fact were sooner or later involved in criminal cases before him, and that he has been purchasing valuable property in land in the name of his poor uncle — a pensioner of sixty or seventy living with him — without showing the same in his statement of landed property, are but true charges against him.

4 It seems much as if his chief

aim

Confidential

Head Quarter Dy Collector's office
Salem
21st February 1893

RECEIVED
21 FEB 93
G. STOKES

From

M. R. Ry G. Kodandaramayajeeu Mt
Head Quarter Dy Collector
and Magistrate Salem

To

The Collector and District Magistrate
Salem

Sir

In pursuance of information received as to the gross misconduct of M. R. R. Manikka Mudaliyar, late a Submagistrate of my Division and now English Head Accountant of the Collector's office on leave, I beg to report that I have made the necessary enquiries, and feel satisfied that the wide reports against him are by no means exaggerated.

2. An exhaustive enquiry into the numerous acts of misconduct coming

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Read again Order of Government, dated
189 , No.

Back Paper, No. 101
17.1.93 of 1893.

Further Paper, No. 80 796
19.4.93 of 189 .

Enclosures.

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[7]

Confidential No. 29
1893.

Judicial DEPARTMENT.
G.O., DATED 2-3-93
No. 456
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[Despatch Abstract.]

Sanctioning prosecution of C. Manikka udali late Submagistrate of Salem own.

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