..............................துறை

## குறிப்பிட்டவர் பொறுப்பிலிருக்கும் பதிவுக் கட்டினின்றும் எடுக்கப்பட்ட தாள்.

அச்சு
பல்வகை
வாலாயம்
எண்.................................... தேதி.......................200

| எடுத்த தேதி. | எதன் பொருட்டு | | | தாள் எடுக்கும் எழுத்தர் அல்லது சிற்றெழுத்தர் சுருக்கொப்பம். | திருப்பிக் கொடுத்த தேதி. | சிற்றெழுத்தரின் சுருக்கொப்பம். |
|---|---|---|---|---|---|---|
| | துறை. | நடப்பு எண். | ஆண்டு. | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
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GCP—201-1 [P3-1]

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# Judicial (1895) Department.

①

ORDINARY MS.

**G.O., No.** 1268

**Dated** 14th June 1895

**INDEXED.**

[Despatch Abstract.]

PLEADER'S FEES.

Sanctioning payment of a fee of Rs. 150 to M.R.RY.Ramanuja yengar, First-grade Pleader, for his services in the Kalugumalai riot ase and permitting the District Magistrate to defer the report until he disposal of the cases by the Sessions Court.

21/1

Spl work

## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. |
|---|---|---|---|---|---|---|
| 90 | 1038 |  | 95 |  |  |  |

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. |
|---|---|---|---|---|---|---|
| 26 | 377 |  | 95 |  |  |  |
|  | 4475 |  | 95 |  |  |  |

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4. This passed through the first and Second Appellate Courts and in all 3 Judgment was given against the Shanars. The final Judgmen of the High Court is dated 7th August 1894.

5. It is asserted by the prosecution that th Shanars then resolved to become Christians in order that they might be able to have such processions as they chose, 1st prosecution witness and others say "all the accused gave this out, 4th prosecution witness says 6th accused told him so, and 10th prosecution witness says 25th accused told him.

6. Be this as it may, 12th prosecution witness who is a Roman Catholic Priest says the shanars applied on 15th August 1894 to be admitted to the Roman Catholic Church. This was 8 days after the High Courts Judgment. On 22nd November he bought a certain site in Kalugumalai and a church was built on it.

7. This site according to 16th prosecution witness originally belonged to the Kalugum devasthanam but passed through various s till it reached one Kalumuthu Na

before the Joint Magistrate of Tinnevelly.

| er of rses the ce | Summary of the facts proved or confessed. | Result of the Enquiry | Date of offence | Date of Complaint | Date of apprehension or appearance | Date of close of enquiry | Explanation of delay |
|---|---|---|---|---|---|---|---|
| | 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| | This is a case arising out of the riot on 7th ~~May~~ April at Kalugumalai between the Shanars on one side and the other Hindus on the other, in the course of which the manager of the Ettiyapuram Estate and others met their death | Accused Nos 15, 17, 32 & 33 discharged under S. 209. C. P. C. The rest Committed to take their trial before the Court of Sessions | 7-4-1895 | 7-4-1895 | 7-4-1895 | 9-5-95 | |

2. Documentary and oral evidence is given showing the relations between these two parties for some time. The earliest fact mentioned is that 1st prosecution witness brought a complaint against certain Shanars in 1885 or 1886 for beating him when he protested against their taking palanquin through the Streets of Kalugumalai. He was referred to a civil court

3. On 17-8-86, the Zemindars of Ettiyapuram as temple trustee filed a suit for a perpetual injunction to restrain the Shanars from having processions in these streets. 1st, 6th, 8th and 25 accused were defendants in that suit.

4

On 28-4-84 he executed a muchilka binding himself to use it as a tobacco godown but not as a ~~building~~ dwelling place and not to open a door on the western side.

8. When it was known the Shanars proposed to acquire this site, the temple peishkar reported to the manager of the Ettiyapuram Estate (vide Ex: I', V, & F) and mahzars were sent to the Collector (Ex: Z and Y¹). The manager directed the Estate vakil to file a suit and enquiry was made by various officials including 20th prosecution witness, the Sub Magistrate of Sankaranainarkoil, 21st prosecution witness police inspector of the same taluq. Both reported the result of their enquiries to the Head Quarters Deputy Magistrate (Ex: U' & V') and expressed their opinion that a breach of peace was probable.

9. Accordingly charge sheets were put in to bind over certain members of each party (vide Ex: W' and X') and in the end two maravas were bound over.

10. On 29-3-95 the peishkar reported to

## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. |
|---|---|---|---|---|---|---|
| 98 | 1038 | | 95 | | | |

## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. |
|---|---|---|---|---|---|---|
| 26 | 377 | | 95 | | | |
| | 4475 | | 95 | | | |

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# Register of Preliminary Enquiries hel

| Number of the Case | Name of the accused | Substance of the Complaint | Name of Complainant | Names of witness for the prosecution |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| 3/95 | 1. Arunachala Nadan<br>2. M. Kanda Nadan<br>3. Karuthava "<br>4. Mahalinga "<br>5. M. Subbia "<br>6. N. Arunachalam<br>7. Narayana "<br>8. Senthur "<br>9. Kalimutha "<br>10. Lakshmana "<br>11. Chokalinga "<br>12. Michael Pillai<br>13. Illayaperumal<br>14. Nammayalwar Nadan "<br>15. P. Vayanaperumal "<br>16. Marimuthu "<br>17. Kandasami "<br>18. Sinnathambi "<br>19. Gnanamuthu "<br>20. Sangu Nadan &<br>21. K. Subbia "<br>22. Peramuthu "<br>23. Krishna "<br>24. Muthusami "<br>25. Ramasami "<br>26. Muthu<br>27. Ramalinga<br>28. Aiyappa<br>29. M. Kalimuthu<br>30. V. Arunasala<br>31. Mukka<br>32. Shunmuga "<br>33. Annamalai<br>34. Seeni "<br>35 A. Arunasala "<br>36. A. Vayana-Perumal "<br>37. Arumuga<br>38. Sangaralinga Nadan | Murder under Sec. 302 I. P. C against 4th accused. Murder and voluntarily causing grievous hurt by dangerous weapons under section 302 + 326. I. P. C. against 3rd accused. Rioting, being members of an assembly. two members of which committed murder and grievous hurt under section 147, 149, 302 and 326 I. P. C against all the accused. | Regina | 1. Adinarayan Servai<br>2. Lakshmana Lal<br>3. Sundramoo<br>4. Alagiri Tevan<br>5. Karuppan Chetti<br>6. Subbiamaniah<br>7. Subramania Pillai<br>8. Asan Rowtar<br>9. Subba Naik<br>10. Subba Row<br>11. Kulandavelu Pillai<br>12. Father Caussanel<br>13. Venkatarama Rajan<br>14. Muthusami Naidu<br>15. Venkatacha Pillai<br>16. Ramasamin<br>17. Mr Peter Simon Hos: Asstt<br>18. Mulhari Row<br>19. Ramanujam Pillai<br>20. Mr Velayudha Pillai<br>21. Subraman Pillai<br>22. Panjanatha Iyer |

On 28-4-84 he executed a muchilka binding himself to use it as a tobacco godown but not as a ~~building~~ dwelling place and not to open a door on the western side.

8. When it was known the Shanars proposed to acquire this site, the temple peishkar reported to the Manager of the Ettiyapuram Estate (vide Ex: I', V, & F) and mahzars were sent to the Collector (Ex: B and Y'). The manager directed the Estate vakil to file a suit and enquiry was made by various officials including 20th prosecution witness, the Sub Magistrate of Sankaranainarkoil, 21st prosecution witness police inspector of the same taluq. Both reported the result of their enquiries to the Head Quarters Deputy Magistrate (Ex: W & V') and expressed their opinion that a breach of peace was probable.

9. Accordingly charge sheets were put in to bind over certain members of each party (vide Ex: W' and X') and in the end two maravas were bound over.

10. On 29-3-95 the peishkar reported to

to the manager that a pandal had been erected on temple land in front f the new Church. He deposes that no uch pandal had existed before. The Site of the church is on the Eastern Side of the East Car Street at the northern end, near the eighth Palipidam where puja is performed during procession.

11. On the 7th April the car procession was conducted. The manager of the Ettiyapuram Estate, who is trustee of the Kalugumalai Devasthanam was present. He Started it in the southern Street and it went along the western and northern street. At the north East Corner one chain had to be taken under the pandal of the new Church in order to turn the car south, but several Shanar objected. There were many & more of them in the pandal and the church.

12. Stones were thrown from that direction. The manager went forward and addressing 3rd accused said "Don't make any riot. You had better remove pandal. You can re-erect it" Then turned to the north, but he had taken only two steps he was stabbed on the right side of the abdomen by 4th accused and died almost immediate

13. Several of the witnesses and other went to his assistance. 3rd prosecution witness, his head clerk received wounds on the face which were probably caused by stones, but how exactly they were inflicted he cannot say as he was too terrified at the time.

14. Panjanatha Iyer 22nd prosecution witness held out his hand to help the manager and 3rd accused slashed at him and cut his arm so that a piece of flesh was cut loose.

15. Alwarsami Naik, a village munsif was also stabbed by 3rd accused on the left side of the abdomen and died the next day.

16. Maruda Kone was also stabbed in the back and died 19th of mortification of the right lung caused by the wound. How he came by this injury there is no evidence to show. Maruda Kone could only say it was a brown man.

17. Hasan Rowtan (8th prosecution witness was stabbed on both ~~the~~ Shoulders and

n the back but the person that stabbed as not yet been arrested.

8. Karuppan Chetti 5th prosecution itness received a wound behind the ight ear from a stone but who threw t does not appear from the evidence.

9. The Station House officer had been seeing to the erection of huts for te special constables or checking beats ind did not arrive on the scene for ome time. He fired a gun in the air hich to some extent dispersed the ioters.

2o. By this time the Roman Catholic Church was on fire. There is no evidence how they was done. Several witnesses speak to the fact that the Shanars retreated to the church after the attack n the manager.

21. The Station House officer with the assistance of 1st and 4th prosecution witnesses arrested 8 of the accused in a small building on the south side of the hurch to which the burning of the church ad driven them. They were 3, 4, 5, 6, 12, 28, and 36th accused.

When the Station House officer fired the gun, the Shanars on South and west and south of the church attempted to escape by the lane on the north of it, and 30 of them were surrounded and arrested by 13th prosecution witness, 14th prosecution witness who are constables, with the assistance of three other constables and some villagers. These are the rest of the accused.

23. All that are now charged were arrested in the building south of the church and the lane north of it immediately after the row.

24. These are the general facts. As regards the accused individually the evidence is as follows:—

25. 1st accused was a defendant in a civil suit. 4th and 9th prosecution witnesses say he obstructed the passing of the chain. 5th prosecution witness says he took a leading part among the people under the pandal. 13th prosecution witness and 22nd prosecution witness saw him in the crowd during the disturbance.

26. 2nd accused was seen by 9th prosecution witness

witness

witness preventing the taking of the chain.
7th and 13th prosecution witnesses saw him
in the crowd near the pandal.

27. 3rd accused was the man the Manager
addressed himself to in the pandal. It was
he that cut Panjanatha Iyer and stabbed
Alwarsami Naik, as deposed to by 1st pro-
secution witness & 4th prosecution witness
6th P.W., & 7th P.W., & 9th P.W. prosecution witnesses and by
Panjanatha Iyer himself. 5th prosecution
witness also saw him taking a leading
part and 8th prosecution witness saw
him in the crowd.

28. 4th accused struck the first
blow at the manager. This is deposed
to by 1st P.W., 3rd P.W. who saw about
½ a naligai before that, he had a knife,
4th P.W., 5th P.W., 6th P.W., 7th P.W., 9th P.W.
and by 22nd P.W., who however called him Sankaralingam,
Alwarsami Naik in his dying
declaration. 13th and 14th Prosecution
witnesses did not see the stabbing but
ry a cry was raised the manager was
illed by Mahalinga Nadan.

9. 5th accused is said by 1st and
th prosecution witnesses to have obstructed
Hindus and was seen by 5th and 8th
& prosecution
prosecution witnesses in the crowd.

30. 6th accused was defendant in the
Civil suit. He was seen in the pandal
obstructing the passage by 1st P.W., 4th P.W., 5th P.W., 7th P.W.
4th P.W. also says this accused told him
the Shanars were becoming Christians
to get their revenge as the suit was given
against them.

31. 7th accused was seen in the crowd
that obstructed the Hindus by 1st p.w.,
8th and 9th p.ws.

32. 8th accused was another defendant in the
Civil suit. He was seen in the pandal
by 1, 3, 4, 5, 6, 8, 9, 13, and 22nd P.Ws
He is a man rather with a distinctive
head that would naturally be conspicuous

33. 9th accused was seen obstructing in the pand
~~by the 3rd prosecution witness, 1st P.W.~~
by 1, 3, 4, 5, 7, 8, 13 prosecution witnesses.

34. 10th accused was seen in the panda
by the 3rd prosecution witness.

35. 11th accused is said by 1st pro-
secution witness to have had a knife and
was seen in the crowd in the pandal
by 5, 8, and 13th prosecution witnesses

36. 12th accused is the catechist

Kalug

Kalugumalai. He was seen obstructing the passage of the chain by 1st prosecution witness, 3, 4, 5, 6 and 7 prosecution witnesses. Maruda Kone said he threw stones and cut with a knife.

37. 13th accused was seen in the pandal obstructing the chain by 1, 3, 4, 5, 8 and 13 prosecution witnesses. He was one of the men the police sought to bind over.

38) 14th accused was seen in the pandal obstructing by 1, 3, 7 and 13th prosecution witnesses

38. 16th, 18th, and 19th accused were seen in the pandal by 5th prosecution witrew and Maruda Kone says they threw tones and cut with a knife.

20th accused was seen in the crowd 13th prosecution witness. 1st prosecution itness says he obstructed the Hindus d Maruda Kone says he threw stones d cut with a knife.

21st accused was seen in the crowd 8th prosecution witness and obstructing chain by 1st and 4th prosecution witnesses.

22nd and 23rd accused were seen in al by 5th prosecution witness

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42. 24th accused was seen in the pandal by 8th prosecution witness.

43. ~~44.~~ 25th accused was a defendant in the Civil suit and was seen in the pandal by 5, 6, 7 and 8 prosecution witnesses and 10th P. w. says he told him the Shanars were to obstruct the temple by building the Church where it now is.

44 ~~45.~~ 26th and 27th accused were seen by 10th P.w. obstructing the passage of the chain and by 5th and 8th p.w. in the crowd near the pandal.

~~46~~45. 28th and 29th accused were seen in pandal by 5th prosecution witness.

~~47~~46. 30th and 31st accused were seen in the pandal by 5th P.w. (the latter also by 8th P.w.) and obstructing the chain by 1st and 4th P. ws.

~~48~~47. 34th accused was seen by 1st P.w. obstructing the passage of the chain.

48. 35th accused was seen by 1st P.w obstructing the passage of the chain in the crowd by the 8th P.w. Maruda Kone says he threw stones and cut with a knife is another of the men, the ~~pls~~ police

to be bound over.

~~50~~ 49. 36th accused was seen by 1st and 8th P.ws in the crowd obstructing the Hindus.

~~51~~ 50. 37th accused was seen by 3rd P.w obstructing and by 14th P.w. in the crowd.

~~52~~ 51. 38th accused was seen by 1st P.w, 4th P.w and 13th P.w in the crowd obstructing the passage.

52. The only evidence against 32nd and 33rd accused is that they were arrested in the crowd escaping by the north side. They are aged 12 and 15. No one saw them in the disturbance. Probably many were carried along with the escaping crowd who might have come from any part of the North and East ar Street. There is not enough evidence gainst them and I discharge them.

The evidence against the 15th and 9th accused is the same, supplemented Marudakone's Statement that they hrew stones and cut with a knife. No one else saw them in the row. According to the Hospital Assistant, Marudakone [illegible] man of 70 and his identification [illegible]rated as it is, is un[illegible]tory. 9 & 16. I discharge them also.

54. The witnesses for the prosecution besides those who merely prove documents are all non-Shanars. 1st prosecution witness is a marava of Kalugumalai, an ex-temple peon who now describes himself as a Kavalgar. 4th P.W. is a Kalugumalai marava who was dragging the car. 5th P.W. is a vellala from a village 6 miles from Kalugumalai, who was dragging the car. 8th P.w. is a rowthen from a village ½ a mile from Kalugumalai and an ex-Zemin peon. He seems to have been helping to keep order in the procession. 10th P.w is the peishkar of the temple. 16th P.w is a vellala of Kalugumalai.

55. The others are all officials. 9th P.w is the village munsif: 17th P.w is the Hospital Assistant; 20th P.w. is the Sub-Magistrate; 3rd P.w and 22nd P.w Zemin clerks, 6th P.w. a zemin peon, 11th P.w. the Station House officer of Kalugumalai: 7th P.w. a constable on special duty in Ettiyapuram estate and 13th and 14th P.ws

Constables specially sent for the festival:

56. They have not been Cross-examined as the accused reserve their defence:

57. The accused all state that their houses were fired and plunderd and they were beaten and taken to the Station All except two were wounded when the Sub-Magistrate saw them at 4-30 p.m

58. Charges were framed against the remaining accused as follows:—

59. 1st accused under Section 302,
3rd accused under Ss. 302 and 326 I. P. C.
All under S. 147, 149, and 302 in Connection with the murder of Venkata Râyer, 149 and 302 in connexion with the murder of Alwarsami Naik and S. 149 and 326 in Connection with the grievous hurt caused to Caujanatha Iyer. There is no doubt the body of Shanars assembled at the Roman Catholic Church, had assembled to obstruct the Hindus taking their car that way, and that is the common object they are charged with

60. All pleaded not guilty and filed a list of witnesses through their Counsel also request permission to file a [illegible]mental list.

I therefore Commit the accused as charged by me to take their trial in the Court of Sessions on the said Charges.

61. They have employed Counsel in the Court and will, no doubt, be able to do so in the Court of Sessions.

(Signed) J. A. Cumming
Ag: Joint Magistrate

Tdk 27/5/95

(True Copy)

District Magistrate

Compd PR 27/5.

1016
Tud.
No. 1
To
2695

Witnesses for the defence.

1. Ramasami Nadan
2. Appavu Nadan
3. Govindappa Naik
4. Palamadan Pandithen
5. Sivananjaperumal Nadan
6. Gurusamy Nadan
7. Ananthappa Nadan
8. Ramasami Nadan
9. Sivamuruga Nadan
10. Shunmuga Nadan
11. Arunachala Nadan
12. Kālai Nadan
13. Aravalaya Nadan
14. Mailori Nadan
15. Subbaya Nadan
16. A. Subbaya Nadan
17. Subramania Nadan alias Kuttia Nadan.
18. Illangamani Nadan
19. Periaperumal Nadan
20. Marimuthu Nadan
21. Arunachala Nadan
22. Pira Mohomed Rowther.
23. Aiyappa Nadan
24. Ramasami Nadan
25. Yettappa Naik

26. Koppala Naick
27. Sangaralinga Nadan
28. Lakshmana Nadan
29. Peria Nadan
30. Subbaya Nadan
31. Mahalinga Nadan
32. Sundara Nadan
33. Arunachala Nadan
34. Sankaranarayana Nadan
36 K. Sankaranarayana Nadan
36. Krishna Nadan
Solaiyappa Nadan
37 Pandara Nadan
38 Subbaya Nadan
39. Arumuga Nadan
40. Seeni Muppan
41. Subbaya Nadan
42. Narayana Nadan
43. Alwar Nadan
44. Sini Nadan
45 Marimutha Nadan
46 ~~Arumukkanadan~~
47 Arumukkanda Nadan
Ramalinga Panikan
48. Thiruvadi Panikan
Shunmuga Sundara Panikan

51. Nagamani Panikan
52. Kali Samban
53. Mr Ramasamia Pillai
54. Mr Amirtha Sami Pillai
Assistant Surgeon

(True Copy)

District Magistrate

Prosecutor were not available at

1895
Jud^l Dept.
Proclos. No. 2
To
G. No. 2695

Sheruvadi Vankan
Shunmuga Sundara Panikan

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Tinnevelly District Magistrate's
Off
13 Camp - Tiruchendur
Dated 27-5-95

No [illegible]

CURRENT NO. 269

From

A. W. B. Higgens Esquire
District Magistrate
Tinnevelly.

To

The Chief Secretary
to Government
Judicial Department
Madras

Sir,

I have the honor to recommen
a fee of Rs 150 to be paid to M.R.Ry
S. Ramanuja Aiyangar Avergal,
1st grade pleader, for his services
conducting the prosecution in the
case, before the Joint Magistrate, in
which, M.R.Ry V. Venkata Row,
late Manager, Ettiyapuram Estate
and others were stabbed in the
course of a rioting at Kalugumala
in April last. The services of the Pub
Prosecutor were not available at

that time as he was engaged in sessions.

2. The inquiry into the case lasted for 7 days. The pleader also put in three appearances in connection with the case, one before the District Magistrate in connection with the application for transfer of the case from the file of the Sub-Magistrate on special duty and two before the Sub Magistrate on special duty. The case ended in the committal of 34 out of 38 accused to the Sessions Court, and in the discharge of the remaining four. I enclose a copy of the Register of Preliminary Enquiries No 3 of 1895 for the information of Government

3. The Sessions Court has been closed for recess and the trial of the case will commence probably at the beginning of July next when the Court re-opens

4. In this connection I have the or, in reference to Government Order

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and also G.O. 1038/16.5.95 Judl
[illegible]
25.5

Judicial Department No 1054/16.5.95, to request that, as the case against the Shanars is above stated still subjud and the Joint Magistrate has still to dispose of some 10 complaint made by Shanars against ~~the~~ other Hindu in connection with the same riot, some of which may ~~be~~ result in the committal to the Sessions Cour I may be permitted to defer report ordered by Government until the disposal of the cases by Court of Sessions.

[illegible] L. Sugg [illegible] 1038 J.D.

I have the honor to be
Sir
Your most obedt Servan

District Magist

11k/27-5-95

Compd.
29.5

Judicial Dept

Urgent

Tinnevelly Dt Magtes Office

CURRENT NO. 2695

From

The Dt Magistrate
Tinnevelly

Enst No 10 4/95

To

The Chief Secretary
to Government
Judicial Dept

Dated 2[illegible] May 1895

Recd — 2 JUN. 1895 GOVERNMENT OF MADRAS

No 28

Regd 5.6.95

Encl 2.

Submitting for orders that a fee of Rs 150 may be sanctioned for the services of Ramanuja Aiyangar in the Kalugumalai Case.

3/6.

Was put up G.O. d/ 16 May No 1038

5/6/95

C.W.O.

Encl No 10

G.O 1038: 16

G.O 836: 24.4.95 Jud

Law officer Magis

**Order** Mis d/ 14th June 1895 No 1268

The payment ~~of~~ a fee of Rs 1

is sanctioned ~~accordingly~~.

2. The D.M. will accordingly be permitted to defer the report until the disposal of the
by the Sess. Court.

D 9.6.95

13/6/95

To the D.M. Tinnevelly Q to
" Acct. Genl.

DESPATCHED 26 JUN 95

14/6 M.S.

For orders.

As to whether the D.M.'s request to def
the report on the riot called for in G.O. 16 May 9
No. 1038 Judl & Govt. Tel. No. 1057 16.5.95
may be admitted? Perhaps the accuracy of th
details will suffer if the report is postponed.
The question of the establishment of a Punitive
Police force at Kalugumalai however needs no
It is not clear why the D.M.'s office marked the pa
"Urgent".

I think that it would be desirable to wait until the whole hearing before the Court is closed.

13/6.

Issue D
13.6