

30.11.44.V

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1375

Dated 28th June 1895

INDEXED.

[Despatch Abstract.]

AGAPA NATESWARA PANDARA SANNADHI OF TIRUVALUR.

Declining to accede to the request of---, Tanjore district, *for*
exemption from attendance as a witness before the Courts of Law.

41.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	456		29/5/95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	4425		95				

[9]
2,000-24-05

Current No. 2974
Judicial DEPARTMENT.

From W. S. Gantz Esq.
Counsel for Asapa
Nateswara Pandara
Sanadi of Tiruvallur,
Tanjore Dt.

No. -

Dated 19th }
Received 20th } June 1895
24th 21st
Enclosures 1

SUBJECT.

Forwarding a further copy of
memorial signed by his client,
the memorialist himself,
praying for exemption from
attendance as a witness before
the courts of law.

R 21/6.

Sp. 1156: 29.5.95 mis
& papers

H. M. 2
under 428 to June 95.
29.1375
mis

The Court is not prepared
to accede to the petition request.

25.6.95
26/6/95

22/6/95

To the Pet.

This W. S. Gantz Esq. Pandara
at Tanjore

6 JUL 95

MS. 173/7

C 27/6
1896

To

H. E. THE RIGHT HON'BLE

BEILBY LAWLEY, BARON WENLOCK, G.C.I.E.,

Governor in Council,

FORT ST. GEORGE, MADRAS.

The Humble Memorial of AGAPA NATESWARA PANDARA SANADHI, residing at Tiruvalur, in the Negapatam Taluq, Tanjore District, and also holding the dignity of Adinakarta of Veylacoorchy Muthathipati, in the Tinnevelly District.

MOST RESPECTFULLY SHOWETH,

I. That your Memorialist, by virtue of his rank and position of Pandara Sanadhi aforesaid, is a personage of considerable ecclesiastical and social importance in Southern India, but more especially in the Tanjore District, in which he exercises the function of a Guru over more or less five thousand followers.

II. That the Pandara Sanadhiship is a hereditary office, which Memorialist's ancestors for generations past have held before him, and which, by virtue of its being now vested in him, gives him spiritual and temporal dominion over the following important Devastanams in the Tanjore District, viz. :—

- (1) Tiruvaroor Devastanam Abishaka Katlai,
- (2) Do. do. Anadana Katlai,
- (3) Tirupoochaloor Devastanam,
- (4) Tiruchankatancoody Devastanam,
- (5) Tirumacheeoor Devastanam,

as well as the Kalladacoorchy Muttam and lands pertaining to it in the Ambasamoodrum Taluq of the Tinnevelly District.

III. That of these, the Tiruvaroor Devastanam, consisting of (1) the *Abishaka Katlai* and (2) the *Anadana Katlai*, is endowed with 500 velies of Nunjah and Poonjah lands distributed over 20 villages in the Negapatam and Tirutara-poondy Taluqs.

The *Tirupoochaloor Devastanam* with 200 velies extending over 19 villages in the Nanilam Taluq.

The *Tiruchankatancoody Devastanam* with 150 velies extending over five villages in Nanilam Taluq, and

The *Tirumacheeoor Devastanam* with 30 velies in one and the same village; while, so far as the Tinnevelly District goes, the Kalladacoorchy Muttam

Agapa Nateswara Pandara Sanadhi

owns 30 velies, thus making a grand total of 910 velies, yielding a net income of Rs. 60,000.

IV. That the lands aforesaid are, for the most part, leased out to somewhere about 2,000 lessees, against a fair proportion of whom Memorialist eventually has often to enforce his remedies in the Civil Courts of the District having jurisdiction over the Devasthanam lands, and the subject matter of dispute.

V. That it is in connection with the litigation so forced upon Memorialist that he respectfully approaches Your Excellency, in view to obtaining exemption from personal attendance as a witness in such courts.

VI. That as Your Excellency will doubtless realize Memorialist's high position, as well as the many urgent and pressing demands upon his time in connection with the discharge of his varied and numerous spiritual and temporal duties as Pandara Sanadhi, are too often taken advantage of by unscrupulous lessees to harass Memorialist by vexatious applications to examine him as a witness in suits, for the most part, of trifling pecuniary value based on, or connected with, such leases, the Courts being naturally reluctant to reject such applications, although they know them to be vexatious, inasmuch as, *prima facie*, a party to a suit has an inherent right to examine his adversary as and when he chooses.

VII. That Memorialist has never yet attended and given evidence in any Court of law, preferring rather, when subpoenaed, to compromise the particular suit, on terms more or less unfavourable to the interests of the Devasthanams than lose the time, and incur all the inconveniences of, more or less lengthy and tedious journeys to and from such Courts.

VIII. That on an average 100 to 150 suits have to be filed in the course of a year in connection with Devasthanam lands in the Negapatam Sub-court, and the Munsiffs' Courts of Negapatam, Tirupatarapoondy, and Tiruvaroor, in addition to 50 or 60 summary suits under the Rent Recovery Act, so that opportunities for such vexatious applications are numerous.

IX. That, in order to show this is no mere matter of sentiment, Memorialist would specify his ordinary and daily routine duties. In the first place he has to begin the day by the usual ablutions and poojah, followed by meditation and prayers, extending altogether from about 6 A.M. to 10 A.M. Allowing a short interval for meals, Memorialist has next to attend to the temporal affairs of the Devasthanams which take up a more or less indefinite period of time during each day, involving as they do such extensive interests, and the supervision of some five hundred temple servants, whose work and doings have to be constantly kept under close and unremitting observation.

That Memorialist trusts he has made it plain that, though his office is one of dignity and importance, it has also its corresponding duties and disadvantages.

That Memorialist would also venture to hope he has made it plain that his request is but a reasonable one, not only when judged by the light of the facts above set out, but also in consideration of the circumstance that others holding

[Signature]

corresponding positions, such as (1) Mahamud Manavar Khan Bahadoor, Prince of Arcot, (2) Rai Bahadoor Thirugna Sammandha Pandara Sannadhi Avl. Madura Siava Guru, (3) Sri Vidhiya Narasimma Bharathasami Avl. Pushpaghiri Madam, Kadappa Taluq, Kadappa District, have obtained the exemption which Memorialist respectfully craves at the hands of Government.

Memorialist therefore most respectfully prays that this his memorial may be complied with, and that early orders may issue under Section 641, Civil Procedure Code, directing his exemption from attendance as a witness before the Courts of law.

And Memorialist will, as in duty bound, ever pray.

[Signature]
18-6-95

[Signature]

CURRENT No. 2974.

High Court.
Madras.

19 June.
1895

To
The Hon. Mr Price. C. J. J.
Chief Secretary to Govt.
Fort St George.

Sir.

With reference to Proceedings of Govt
No 1156 of 29th ult. I have the honor to
forward herewith a further Copy of
Memorial signed by my client, the
Memorialist himself, as required by
Petition Rule book and said Proceedings.

I have the honor to be

Sr

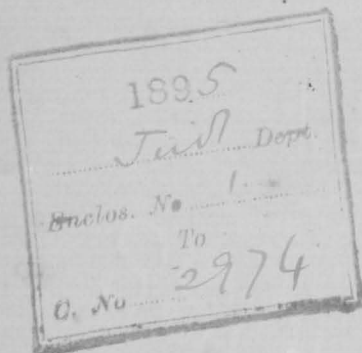
Your most obedient servant

Muniam S. Anth

Counsel for

Agapa Kateewara Pandare Saund
of Tiruvalur.

Tanjore District.



When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189 .

READ AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTERS OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.