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Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1873

Dated 6th Sept. 1895

INDEXED.

[Despatch Abstract.]

SUIT.

Sanctioning, with remarks, the defence in the first instance, at the public expense of the----for damages brought against Police Inspectors Mr. Elder and M.R.RY. Subba Aiyar and two Head Constables by one Namasivaya Pillai, a vakil in the District Munsif Court, Cuddalore.

BACK PAPERS.

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

FURTHER PAPERS.

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

Ind. (1895) DEPARTMENT.

896-215-95 Mis (Mileat)

FROM

M. HAMMICK, Esq., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

To

THE *Chief Secretary*
to Government,
Colacacumb.

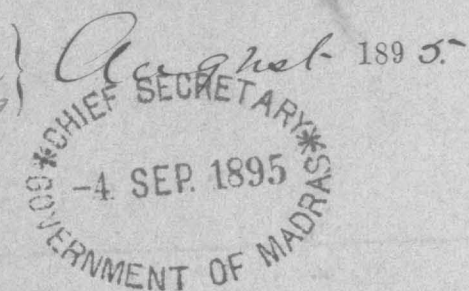
No. 4806.

Dated 30th

Received 4th

Reg^d 5/9

Encl^{os} 4



SUBJECT.

Submitting a letter from
the Supt. of Police, Tanjore
asking for sanction of
Govt. to defend at the
public expense a suit
for damages brought against
Inspectors Mr. Eldes and
Subba Ceyar by one Anna.
Sivayya Pillai, a vakil
in the Sd. Munsiff's Court,
Cuddalore.

126/9

(60)

To

The District Munsiff's Court,
Gudalur.

Enclosure No. 2

To 1 4506/730-8-95

1 on Inspector General of Police.

A.S. No. - of 1895

Plaintiff

Defendants

A. C. Amalinayana
Pillai, Fakir, District
Munsiff's Court, Gudalur,
residing in Manjakuppam,
Gudalur Taluk -

1. Mr. Elder, Inspector,
Town Police, Gudalur,
residing in Sotakalpet,
Gudalur Taluk -
2. Ranga Rao, Head Constable
No 176, Old Town, Gudalur
Taluk -
3. Subbappa, Inspector,
Town Police, Tanjore -
4. Arachalam Pillai
Railway Platform Head
Constable, No 603 of D.C.

The Plaintiff above named states as follows:-

1. The Defendants searched the house of the Plaintiff on the 3rd April 1895 on the ground that certain jewels belonging to one Venka Bai ammal of Madura had been stolen - None of the stolen property was (found) in the house, nor had they (the Police) any proper grounds to search the Plaintiff's house

house as they did -

2. There are six Magistrates' Courts including that of the District Magistrate in Manjakkuppam where the Plaintiff resided. Further the Defendants had time to apply to the Magistrate for search warrants. Whilst so, they have unjustly searched the Plaintiff's house without obtaining a warrant from the Magistrate and without just grounds. They searched only the office room in the Plaintiff's house and went away saying that none of the property they expected was found.

3. The aforesaid proceedings of the Defendants were quite illegal, unjust and contrary to law and due to enmity and malice.

4. The Plaintiff's father was a Tahsildar. The Plaintiff himself is a Pleader and a respectable man of a large family of rank and of good social position.

5. In consequence of the inimical and illegal proceedings of the Defendants above referred to, the Plaintiff has sustained loss of reputation, disgrace and pain of mind. As a relief for these, the Defendants are

are bound to pay him damages according to the law. Notice has been sent to the Superintendent of Police of this District in connection with this on the 30th May 1895 under the Police Act. Though the Plaintiff is entitled to a larger amount of damages as compensation, yet he is not willing to make such a demand and prays therefore that a sum of Rs. 100 may be recovered for him from the Defendants as damages.

6. The Cause of action arose in Manjakkuppam, Gudalur Taluk, from the 3rd April 1895.

Plaintiff prays under the circumstances that the Court may be pleased either to pass an order for payment to him by the Defendants of the sum of Rs. 100 as damages for the loss of his reputation with Court Costs or pass such orders as may in the nature of the case be a proper redress of his grievances.

Affidavit

(True Copy) Signed. M. C. Ramalingayam
Pillai
Plaintiff

Translated in Chief Office
20-8-95

DEPARTMENT.

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,

MADRAS, 30th August 1895.

No. 4806.

FROM

M. HAMMICK, Esq., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

TO

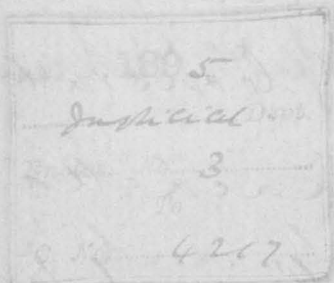
THE Chief Secretary
to Government.
Colacawant.

SIR,

Enclosures.

(3)

I have the honor to submit the accompanying letter with its enclosures from the Superintendent of Police, Tanjore, asking for sanction of Government to defend at the public expense a suit for damages brought by one Namasiwayya Pillai, a vakil in the District Munsiff's Court, Cuddalore, against Inspectors W. Elder and M. K. Subba Aiyar and Head Constables Ranga Row and Arunachellam Pillai for having illegally and maliciously, as alleged, searched his (Namasiwayya Pillai's) house for certain jewels.



on 5/12/1895

jewels stolen from a railway passenger.
2. The circumstances of the case are fully explained in the Superintendent's letter. As the Police officers acted in good faith I request that sanction of Government may be accorded for the employment of a Pleader of the Court to conduct the defence of the suit at the public expense in the first instance.

I have the honor to be,
Sir,
Your most obedt. servt.,
Mummick
Insp. Genl of Police.

Mr.

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following letter from

W. 4217/95.

(Here enter

189 .

ORDER THEREON, 6th September - 1895, No. ~~1873~~ 1873.

THE defence of the suit in the first instance at the public expense is sanctioned. It will be determined when copies of the Decree and Judgment are furnished whether the costs, if any, be adjudged against the defendants

shall be borne by the Government.

- 1 Mr. Elder, Police Inspector
- 2 Ranga Rao, Head Constable.
- 3 Subba Raju, Inspr.
- 4 Aruna chellam Pillai, Head Constable.

To

The Secy. of Police, & to
with Encls. 4/10.

9/9
11/9

MR
6-12-95

20
6/9/95

Note. The suit is posted to the 17th inst. for the settlement of issues: vide Supt's letter.

MR

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

LETTER 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.
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