

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2075

Dated 7th Oct. 1895

INDEXED.

[Despatch Abstract.]

PETITION.

Declining to interfere on behalf of T. Ponnambala Mudali,
late bailiff, Small Cause Court, Madras, praying for restoration.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1507		1896				
	Cw 5 248/97						

"Duplicate"

To

HIS EXCELLENCY THE GOVERNOR-IN-COUNCIL OF FORT ST. GEORGE.

*The humble petition of T. PONNAMBALA MUDALY,
late bailiff, Small Cause Court of Madras
and now residing at No. 7, Mungammall
Street, near Seven Wells.*

MOST HUMPLY SHEWETH,

1. With due respect and profound submission Your Excellency's humble petitioner begs to submit this his appeal for Your Excellency's benign consideration.

2. That Your Excellency's humble petitioner was entertained as a bailiff of the Court of Small Causes in the month of January 1879, and ever since then he had been discharging his duties as a bailiff to the entire satisfaction of his superiors up to 13th February 1893, when he was unfortunately dismissed from the service of the Court by P. D. Shaw, Esq., the then officiating Chief Judge of the said Court for the reasons hereinunder shown and that his service as a public servant amounted to more than about 16 years.

3. That in the month of September or October 1892 a writ against the goods of the defendant in Suit No. 594 of 1892 was delivered to Your Excellency's humble petitioner for execution and that he executed the warrant on the 29th October 1892 by attaching and seizing the property of the defendant as shown on the reverse of the warrant returned to Court.

4. That your humble petitioner had brought all the properties attached to the Court house on the very day it was attached, (i. e., 29-10-92) except the few jewels that were then seized.

5. That the jewels were not deposited into Court till 3rd November 1892, because the clerk in Court who makes the entries of articles seized did not enter them in the book till 3rd November 1892, though given to him on 31st October 1892, (29th and 30th being last Saturday and Sunday) for the purpose of being entered and because it was then the practice of the Nazir to receive the articles seized only after they were entered in the book kept for the purpose.

6. That Your Excellency's humble petitioner further submits that he did not deliver the jewels and other properties attached till 3rd November 1892 for the foregoing reasons.

7. That the complaint preferred against Your Excellency's humble petitioner by the defendant in the above suit was false, vexatious and frivolous, and His Honor the Officiating Chief Judge also found upon due enquiries that the said complaint was false (*vide* copy of his order of dismissal herein enclosed).

8. That Your Excellency's humble petitioner further begs to submit that the endorsement (*vide copy*) which he first made on the back of the summons delivered to him for service on one Mr. Tiroovengadasawmy Pillay, Attorney of the High Court, defendant in Suit No. 24894 of 1892, was a mistake and that he with the permission of His Honor the 3rd Judge, V. P. D'Rozario, Esq., altered it to (*vide copy*) which was correct.

9. That Your Excellency's humble petitioner is now suffering much for the maintenance of himself, and his large family consisting of 8 souls without employ.

10. That your humble petitioner has not preferred this appeal to Your Excellency in Council until now because he was absent from Madras at Rangoon for the last two years or thereabouts whither he went to procure any means of subsistence for his starving family.

That your humble petitioner is now in Madras, as the climate of Rangoon has made him dangerously ill and does not suit him.

That your humble petitioner under the foregoing circumstances prays that Your Excellency will upon consideration of his long service in Government employ, be graciously pleased to restore him his appointment or pass such orders as may seem to Your Excellency fit. True copies of his testimonials are herein enclosed for Your Excellency's perusal.

Most humbly sheweth,
Your Excellency's most humble and obedient
Servant,

16th Sept. MADRAS, }
August 1895.

Thommasbala Mudaly

16th September 1895-4456
Madras

His Excellency the Governor in Council of
Fort St George

for for for

CHIEF SECRETARY
18 SEP 1895
GOVERNMENT OF MADRAS
The humble petition of J. Ponnambala Mooti, late a Bailiff
in the Madras Court of Small Causes

Most Humbly sheweth

That your Excellency's humble petitioner
begs most respectfully to state that he has this
day submitted a petition to R. B. Mitchell Esquire
Chief Judge Small Cause Court Madras requesting
his honor to forward the said petition to your
Excellency in Council and submit this the
duplicate copy of the said petition to your
Excellency as provided in G.O. No. 1879 of 7th Sept 1895

Most Humbly sheweth
Your Excellency's most humble & obedient
Servant

J. Ponnambala Mooti

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Judicial Dept

From the Honble the Chief Justice of the Madras High Court

From the Honble the Chief Justice of the Madras High Court

T. Ponnambala Mudaly,

late bailiff, Small Cause Court of Madras

and now residing at No. 7, Mungammall Street, near Seven Wells.

That your humble petitioner was entertained as a bailiff of the Court of Small Causes in the month of January 1879, and ever since then he had been discharging his duties as a bailiff to the entire satisfaction of his superiors up to 13th February 1893, when he was unfortunately dismissed from the service of the Court by P. D. Shaw, Esq., the then officiating Chief Judge of the said Court for the reasons hereinunder shown and that his service as a public servant amounted to more than about 16 years.

That in the month of September or October 1892 a writ against the goods of the defendant in Suit No. 594 of 1892 was delivered to Your Excellency's humble petitioner for execution and that he executed the warrant on the 29th October 1892 by attaching and seizing the property of the defendant as shown on the reverse of the warrant returned to Court.

That your humble petitioner had brought all the properties attached to the Court house on the very day it was attached, (i. e., 29-10-92) except the few jewels that were then seized.

That the jewels were not deposited into Court till 3rd November 1892, because the clerk in Court who makes the entries of articles seized did not enter them in the book till 3rd November 1892, though given to him on 31st October 1892, (29th and 30th being last Saturday and Sunday) for the purpose of being entered and because it was then the practice of the Nazir to receive the articles seized only after they were entered in the book kept for the purpose.

That Your Excellency's humble petitioner further submits that he did not deliver the jewels and other properties attached till 3rd November 1892 for the foregoing reasons.

That the complaint preferred against Your Excellency's humble petitioner by the defendant in the above suit was false, vexatious and frivolous, and His Honor the Officiating Chief Judge also found upon due enquiries that the said complaint was false (vide copy of his order of dismissal herein enclosed).

Forwog: duplicate copy of his memorial praying for restoration to his app^t

24/9/95

24/9/95

24/9/95

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24/9/95

24/9/95

24/9/95

24/9/95

To

HIS EXCELLENCY

THE GOVERNOR-IN-COUNCIL

OF FORT ST. GEORGE.

The humble petition of T. PONNAMBALA MUDALY,
late bailiff, Small Cause Court of Madras
and now residing at No. 7, Mungammall
Street, near Seven Wells.

MOST HUMBLY SHEWETH,

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That your humble petitioner under the foregoing circumstances prays that Your Excellency will upon consideration of his long service in Government employ, be graciously pleased to restore him his appointment or pass such orders as may seem to Your Excellency fit. True copies of his testimonials are herein enclosed for Your Excellency's perusal.

Most humbly sheweth,
Your Excellency's most humble and obedient
Servant,

16th Sept 1895. MADRAS, }
August 1895. }

T. P. Mambala Mutaly

CURRENT Causes

No. 853.

Madras, 21 Sept. 1895.

From

R. B. Mitchell Esq.,
Chief Judge,
Court of Small Causes,
Madras.

To

The Hon'ble Mr. J. F. Price, C.S.I.,
Chief Secretary to the
Government of Madras.

Sir,

At the request of one T. Ponnumbala Mudaly made in a letter to me bearing date the 16 Inst., I have the honor to forward to you herewith a petition by him to His Excellency the Governor in Council, with its enclosures, viz., (1) a paper headed "594/92, Complaint against bailiff Ponnumbalam", purporting to be a copy of a document signed by the late Mr. Patrick D. Shaw, acting Chief Judge of this Court, dismissing him from the service of this Court on grounds therein stated, and (2) some documents purporting to be copies of certificates relating to T. Ponnumbala Mudaly.

I have the honor to be,

Sir,

Your most obedient servant,

Ms

R. B. Mitchell
Chief Judge.

4456
CURRENT No. 4456
1895. *prol. 1895*

4456 (95) (abs)
1879 87.9.95 Mis.

From

The Chief Judge,
Court of Small Causes,
Madras.

(Nos. 4456 & 4498)
C.O.
order 7-10-95 No 2075
In

The pet. will be informed
that the Govt. declines to
interfere in his behalf.

To
The Chief Secretary to the
Government of Madras.
No 853.

Dated 21 }
Despatched } Sept. 1895.
Received 23 }
Regd. 26 }
Encs. no 20.

2.10.95
4/10/95
At 1/10/95 }
To the pet. } desps 15/10/95
} *init. under rep.*

Subject.

Forward a petition by J. Ponnambala
undrs. to H. E. the Governor in
Council, with its enclosures.

2 1/2 years delay in appearing. Petition
not adequately explained.

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

189.

READ AGAIN G.O. No.
189.

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING WANT FOR DETATCH
IN ORIGINAL.

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