

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2237.

Dated 4th Nov 1895.

INDEXED.

[Despatch Abstract.]

PETITION.

Endorsing paragraph IV of the Petition rules C on--from
V.L. Gopalasamy Naidu, pensioned Police officer of the Ceylon
Military Police, residing at Erode, praying that the sentence
passed on his son in Criminal Case No.18 by the Deputy Magis-
trate of Kollegal may be remitted.

M. S.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	5741		95				
C	5479		95				

[$\frac{G}{D}$]
2,000-23-1-95.

Current No.

#8716

for

DEPARTMENT.

From

L. L. Sopalasamy Saidoo
Senior Military Police Officer
Rode

No.

Dated 11. 10.

Received 14. 10

Enclosures

SUBJECT.

Praying that the Sentence
passed on his Son in
Criminal Case 1.0 18 by
the Dy Magistrate of Kollegal
may be remitted -

Peter Ruler C

C.S.

4 Nov 1955 No 223

Para IV of the rules

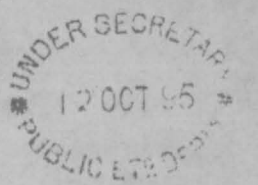
C.

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30. 2. 95

12/9/55
To the Secy, Collegal
5/11

Incl.
156
14/10.



To,

His Excellency
The Right Honorable Governor in Council
Fort St. George
MADRAS.

MAY IT PLEASE YOUR EXCELLENCY.

*The humble petition of V. L. GOPALASAWMY
NAIDU, pensioned Police officer of the Ceylon
Military Police force now residing in Erode,
Coimbatore District.*

MOST RESPECTFULLY AND HUMBL Y SHOWETH, that this is a petition in which your Excellency's humble petitioner beg for permission, to approach your Excellency's feet with sincere facts, as to his, and that of the important members of his family's connections, with Her Majesty's Government; and pray that your Excellency would be highly pleased, as to see the poor petitioner out of the miserable position he is placed under, owing to an unexpected misfortune of a thundering nature having befallen the petitioner at his old age *i. e.* 65; which tells upon him both mentally and physically as a dead blow which the poor petitioner is humbly of opinion should not effect him during *Her Majesty's reign*, for, your Excellency will notice that the most of the Members of the family have shed their blood for the sake of Her Majesty's flag and that too at critical moments.

2. That, your Excellency's humble petitioner is the son of late Lakshmana Naidu Subadar who breathed his last under Her Majesty's flag after rendering a very valuable and complete service.

3. That, two of the petitioner's brothers viz. Rungiah Naidu and Govintha-sawmy Naidu were also serving in the Military force as Subadar Major of 28th Regiment and Subadar of the 32nd Regiment respectively. The former departed from the world after rendering 42 years service and the latter after 30 years service both without a single moment's retired life.

4. That, here the petitioner with solemn sincerity begs to introduce very important facts which alone the petitioner is confident, would be quite sufficient to place himself as one fit for ready redress.

5. That, the petitioner's elder brother, deceased Rungiah Naidu Subadar Major of the 28th Regiment while in service in 1857 A. D. as an Havildar Major has made himself very useful in suppressing the Great Indian Mutany which broke

out owing to certain misunderstanding which rose amongst the Sepoys of both Bengal and Bombay Presidency under the ground, that Government was trying to make them christians by introducing a new set of cartridges.

6. When this mutiny (Styled by Historians as Sepoys mutany) broke out this 28th Regiment devided into two portions, as right-wing and left-wing of the Regiment, were encamped at Ushangabad and Candri Narasingapur respectively each in a considerable distance out of this 2 portions it was in the portion called left-wing the petitioner's brother was a Havildar Major; to Suppress the Mutiny it took a considerable time, during this considerable time, on what were these poor petitioner, together with other family members were existing on *green gram* and wheat.

7. That, to suppress this great mutiny what was the course adopted by the poor petitioner's brother at the consent of his the then superiors, was to hang every man that came across and who belonged to those parts, by this means he has *killed* with his own hands some thousands and thousands.

8. That, in this connection the petitioner begs earnestly for a note the bold, ferocious, and consiencious mode in which the poor petitioners brother made himself useful, and that too at a time of such critical moment. The petitioner is prepared to substantiate his statement, by the testimonials of his brother and also by the Pensioned Subadar Major Bahadoor Heemsing, who is now residing in Vellore Chittore District.

9. That, by the above brief statement the petitioner means to point out, the likely *to be nature* and qualifications of sons and close blood relatives of a family the important members having set out an example as to their behaviour. The humble petitioner is fully confident the following old sayings will answer the question to a certain extent. "*As is the father so is the son; As grows the old so grows the young*" &c.

10. By the above it is clear and evident that as a rule, the young members of this family would be no doubt straight forward honest and hardworking but of rude and fighting nature for right, which is a qualification possessed by these Military men and their issues, known universally as the spirit of the Military Walas. This is a sworne and an universal truth which none can deny.

11. That, perhaps it may be viewed that your Excellency's petitioner is dwelling unnecessarily on the subject of honesty, while the subject honesty with the members of the family in question as a rule would stand unimpeached. In this connection may he be permitted to mention that as he is to represent of a *flaw* that has touched the conduct of his *son*, who had sufficient attainments to qualify himself for Government Service, and who was a Forest officer in the North Coimbatore division, Coimbatore district.

12. That, while continuing in the said service, his rude and quarrelsome behaviour, brought on him, punishments after punishments in fact series of miseries Here the petitioner means to show that had his son been a town Wala he wouldnt have committed himself to the ill feelings of the ryots, for he would have known the cunningness he should act under.

13. That, the petitioner prays for allowance to lay down the whole case which was the cause for repeated puishments and which compelled the petitioner to approach your Excellency.

14. That, the poor petitioner's son named G. Chelliah Naidu (and styled as first accused in C. C. No. 18, on the file of the Deputy Magistrate Kollagal and criminal appeal No. 8 on the file of the District and Session's Judge, Coimbatore and No. 289 in the revision side (criminal appeal) on the file of the High Court of Judicature, Madras) was in the services of the Madras Forest Department north Coimbatore division in such capacity he was posted to Kollagal Taluq which place he joined on 7th May 1894 and assumed duties; As a portion of legitimate functions he collected grazing fees and remitted the amounts so collected in the very same month and also made such arrangements and got the grazing collections to come to a close within a short period, thereby he has shown the speedy grazing revenue collections.

15. That, he (the petitioner's son) has detected many illegal graziers and got them convicted. A reference would show and satisfy your Excellency how hardly and straightforwardly this youngster has worked during his short stay there.

16. That, this proceedure being not liked by the ryots of that locality, (for every mauul practitioner was in hot waters) they all jointly profered a complaint in the month of September 1894 before the Deputy Magistrate Kollagal, complaining that the petitioner's son misappropriated (a sum of Rs. 25) Government money by granting them receipts for a lesser an amount, than they actually paid. This complaint was enquired into by the Depnty Magistrate Kollagal and convicted the the first and third accused by sentencing the first accused to pay a fine of Rs. 250 and to be simply imprisoned till the rising of the Court and third was fined Rs. 50 and was also equally imprisoned.

17. That, on preferring an appeal to the Session's Judge Coimbatore district He unfortunately confirmed the decision in his No. 18 though there were enough of grounds such as the delay in preferring the complaint for an upword of three months, *one single witness' oral* testimony, absence of documentary evidence &c. &c.

18. That, as there was no further steps could be taken except that of approaching your Excellency and as the poor petitioner fell *seriously ill* at this shock he was waiting for an opportunity; in the mean while Madras High Court of Judicature sent a notice in the month of August 1895, to show cause why the punishment should not be enhanced.

19. That, on receipt of this and in obedience to the orders showed reasons and prayed that the decision of the lower Court should be quashed. Their Lordships expressed their regard to the prosecution and declined to enter into the facts of the case as a Court of revision and enhanced the punishment by sentencing the first accused alone to undergo six weeks regorus imprisonment.

20. That, even admitting the blame, the decision and sentence of the lower court made the poor petitioner's son loose his position, loose all future prospects

&c. &c. which is a severe punishment possible for a man of his understanding at this stage to introduce another punishment on him is exactly like pricking a sore again and again with a sharp needle.

21. That, in fact this imprisonment is likely to act on him more as a killing instrument than any thing else on his weak constitution which is really painful to the petitioner and he thinks that this would be the cause to shorten his future existence in the world. Except this piece of pain &c. there appears a very strong thing *i. e.* disgrace to a family which as said above worked hard and hard for Government.

22. That, to a member of a family who have poured their blood for Government, to a person against whom no good case was made out, to a person against whom ryots turned out owing to his rude behaviour, (*i. e.* his actions stickings up to the very letters of the law) to a person in whose favor his past conducts were not taken notice of, to a person who was spoken by his immediate superiors to have been always working very honestly, and hardly on public interest, to a youth, to a person of sufficient, educational attainments to make him suffer a punishment of any capacity, the petitioner is confident would appear to your Excellency as unjustifiable. Again to *enhance* a punishment would no doubt appear worse.

23. That, under the foregoing circumstances your Excellency's loyal petitioner prays for consideration and *remittance of the sentence* and thereby to manifest your Excellency's benevolent kindness and to establish British justice.

23. (a) Should the petitioner's misfortune avail even your Excellency which trusts will not he prays most solemnly to cause the sentence to *remain under suspension* until the petitioner throws himself to HER MAJESTY'S FEET for redress.

24. That, at the eve of your Excellency's *departure* the petitioner humbly and respectfully prays, trust, and awaits a favourable disposal at your Excellency's merciful and just hands.

25. For which act of kindness your Excellency's humble and loyal petitioner as in duty bound shall ever pray for your Excellency's Long life health wealth and prosperity.

(PUTHOO AGRARA STREET) ERODE, }

11th October 1895. }

V. L. Gopalaswami
Koivoo

(a Pensioned Military Police Officer.)

PETITIONER.

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

189 .

READ AGAIN G.O., No.
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DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO.

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