

Judicial (1895.) Department.

ORDINARY MS.

G.O., No. 2495.

Dated 2nd Dec 1895.

INDEXED.

[Despatch Abstract.]

PETITION.

Rejecting--from K. Virayya and P. Subbarayudu, late Process servers in the District Munsif's Court, Tanuku, Godavari district, praying for the issue of orders restoring them to their posts.

mut.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G
9]
2,000-15-8-95.

Current No. 5507.

DEPARTMENT.

Legos

CP Books

From

K. Vrayya L. Subbaraya
Late Process Server in the
Munshi Court, Tanjore

No.

Dated 18-11-95

Received 21-11-95

Enclosures 2 L. 2 - S. Books

SUBJECT.

Regd. orders restoring
the petitioners to their
posts.

There is no appeal against
the decision of the High Court.
Hear me Sec 22 of Civil
Courts Act, III of 1873. Para
I of the rules C. 10 is in
therefore apply in this case.

25/1/95 W. Vrayya

To the Petitioner
with S. Books

No 477

proceedings of the district court
of Godavari dated 2nd April 1894.

Read letter No 12 dated
10th March 1894 from the
dist. Munsiff Samukh
recommending transfer of
two process persons K. Veerayya
and P. Subbarayudu for
the reasons ^{therein} stated.

Order

Both men are now
dispensed with for miscon-
duct as part of the reduc-
tion of 11 persons in the Samukh
Munsiff's Court.

(signed) H. J. Ross.

Dist. Judge.

To
The dist. Munsiff
Samukh.
Service book of K. Veerayya
sent by book post.

Registrar appellate
dco

Proceedings of the High Court of Judicature
at Madras 19th October 1894.
Read letter dated 8th instant No 1143 from
the District Judge Godavari forwarding with
remark: petitions from R. Vurayya and
P. Subbarayudu late process servers in
the District Munsiff's court of Tanjore.
appealing against the order of the District
Judge, dated 2nd April 1894 dispensing
with their services.

The petitioners were dispensed with in
pursuance of orders necessitating a redu-
-ction of Establish^{ment} and though petitioners
do not appear to have been guilty of miscon-
duct in their official capacity, the High
Court is not prepared to say that they were
not properly selected for removal when the
reduction had to be made, the High Court
cannot interfere on their behalf but they
are at liberty to apply for reemployment when
a vacancy occurs.

(True copy)

(Sd/-) H. W. Foster

Registrar appellate

Secy

(True Copy)

District Munsiff (Sd/-) E. Subbiah
Court Tanjore
19th April 1894 District Munsiff

No 1220
23-10-94 (True Copy)

Forwarded to the District Munsiff of Tanuku for
his information and communication to the petitioners.
The enclosures are herewith returned to be delivered to the
petitioners. Signed, H. J. Ross.

District Judge.

(True copy)

To the Hon'ble C. Madhavaiah
1894. Head Clerk in charge.



CURRENT NO. 5507

To

His Excellency the Governor in
Council,

Fort St George,
Madras

The humble representation of
K. Narayana Venayya and Pullappa
Subbarayudu, late process-
servers of the District Munsiff
Court of Tanuku, Godavery District.

Humbly Sheweth,

That the petitioners having been
recommended to the District Court, Godavery, for
transfer from Tanuku in March 1894, by the District
Munsiff, Mr. Ross, the then District Judge ordered
their removal from service for misconduct
as part of the Reduction which was then under
contemplation (Vide the copy of the proceedings
of the District Court, Godavery, herein enclosed;
Enclosure no I)

2.

That, on an appeal to the High Court,
the Honorable the judges held that the petitioners
were not guilty of official misconduct and that
they were at liberty to apply for re-employment,
but they could not interfere on their behalf, since
their services were dispensed with, when necessitated
by a Reduction (Vide copy of the proceedings of the High
Court, enclosed; Enclosure no II)

3.

That the order of the High Court
sanctioning

Sanctioning the Reduction is not to remove men from service for the purpose but to retire superannuated servants and to leave vacancies unfilled which might occur till the number would come over to sanctioned scale;

4. That a subsequent Circular order of the High Court on the subject of Reduction having been misconstrued, some men on the Establishments were selected for Reduction for misconduct and were accordingly dismissed with by the District Court;

5. That on an appeal to the High Court, they were all reinstated on the ground that the order of the High Court sanctioning the Reduction did not direct the selection of men for the purpose but to carry it out by retiring superannuated servants and by leaving the vacancies which might occur unfilled;

6. That the petitioners appealed a second time to the High Court and represented that they might be restored in the circumstances stated in the foregoing para;

7. That to the great misfortune of the petitioners, the Honorable the judges of the High Court were not pleased to view the petitions came in the same light, as they were pleased to do in the case of those who were removed from service by District Court on account of Reduction and whom the High Court were pleased to restore on the ground that the Reduction should be carried into effect by throwing out men;

8. That the petitioners are men of more

more than 8, 10 years standing respectively
without any such proceeding prejudicial to
their character as would entail their removal
from service, as can be seen from the
Service Book enclosed;

9. That their removal from service,
if held to be due to the Restriction, is quite
against the spirit of the proceedings of the
High Court sanctioning the Restriction;

10. That their removal is much more
against the spirit of G.O. no 2290 dated 3rd Dec 83,
since they were not charged with any such serious
charge as would entail their removal from service;

The petitioners, therefore, pray that His
Excellency the Governor in Council will, in the
circumstances, be pleased to order the restoration
of the petitioners.

They beg to remain,

Tamuku }
1st & 2nd }
Sd/-

His Excellency's most obedient humble
servants

(Sd), Kottanadu Venkayya }
(Sd), Pullayya Subbarayudu }

Tamuku
Sd/-

Sd/-