

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 714.

Dated 4th Apr 1895.

INDEXED.

[Despatch Abstract.]

APPEAL.

Endorsing paragraphs V (5) and (7) of the petition
rules C on--from Virabhadra Pillai against the order of the
District Magistrate, Tanjore, in Criminal Revision case No. 14
of 1895.

Ind.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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2,000-23-1-95.

Current No. 1560

DEPARTMENT.

From

136 27 Jan 94
42 " Jan 94
Birabadhara Pillai

Kandys

Kandys taluk.

No.

Dated 24 3 95
Received 28 3 95
Enclosures 28 3 95

SUBJECT.

Appealing against the
order of the Dist. of Tanjore
in Civil Case No 14 of 1895

2.

order No 714 of 4-4-95
This

Para 1. (5) & (7) of the probate rules

(C)

3 4 95

3/4/95

To the prob.

DEPARTMENTED

8 APR 96

IN MS

R 2/4
205. 3/4

To: The Government of Madras

1 Veerabhadra Pillai a resident
at Tandiyur Tanjore Taluq Tanjore District

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petition
er

1- Pariatambia Pillai Road Maistty
a resident at Manombar Chavady
Arisekara Street Tanjore Taluq Tanjore
District

original
accused
&
respo
ndents

2- Amirtham - now residing at door no 264
Guadikana of Rengasamy Pillai
Ruthupoliam street Kaspas Ruthupoliam
Buddalore Taluq Buddalore District

APPEAL against the order of the
District Magistrate of Tanjore in criminal
Revision case no 14 of 1895 as to the fact of
cheating and thereby dishonestly inducing the
delivery of property under section 420 of I.P.C.

GROUND OF APPEAL

On my appeal to the District Magistrate of
Tanjore from the orders of dismissal
passed by the Deputy Magistrate Tanjore Division
(A) that the deputy magistrate (original court)
is wrong in believing the referred charge
sheet No 22 dated 30-11-94 of the Police Station
House officer Tiruvadi and in disbelieving
the sworn deposition of the complainant
(B) that the Deputy Magistrate failed to find out
the valuable property amounting to Rs 200
without issuing search warrant to the
alleged accused persons at the 1st instance
before he referred the complaint to the Police
as soon as the complaint has been received
(C) that he entirely failed to send notice to the
complainant to raise his objection on receiving

referred charge sheet from the Police immediately and at the point of the case being struck off from the file -

(D) That the Deputy Magistrate has not taken due care in considering the complaint full of witnesses & investigation made by the Police in such a big case -

(E) That the deputy magistrate is wrong to have passed proceedings of dismissal as if he had learned the circumstances of the whole case & the parties & witnesses with his own eyes while he has not touched the case & examined the witnesses particularly found in the complaint before the accused in his Court -

(The appellant has received Proceedings of dismissal from the District Magistrate Tanjore dated 4th March 1895. That there are no grounds for Magisterial interference and the petition is dismissed.

I If the District Magistrate had not believed the referred charge sheet of the Police as done by the deputy Magistrate there would have been no room to the District Magistrate to dismiss the poor man's petition

II It is in direct opposition to Law and Justice on the part of the Deputy Magistrate & District Magistrate to have placed confidence in the referred charge sheet of the Police - who falsely reported that there are no witnesses to speak of the facts of the complaint & no proof in the case -

III It is wrong on the part of the District Magistrate to have passed illegal Proceedings without due Consideration why the party has presented a

revision petition if there is no evidence in the case -

IV It is wrong and astounding even on the part of the "DISTRICT AUTHORITY" to have confirmed the order of the Deputy Magistrate believing the referred charge sheet of the Police who is accustomed to utter falsehood and disbelieving the sworn deposition of the complainant - an illiterate man who does not know to mist a particle of fallacy

V If the GOVERNMENT as illustration directs the case for the retrial by calling records of the Lower Court who has perpetrated injustice in my case through the Police Station officer Tiruvadi, the appellant has no objection to prove this complaint through his witnesses as 14 in number in his complaint under section 420 I.P.C.

Under these peculiar circumstances & by foregoing points the appellant begs praying to reverse the order of District Magistrate Tanjore and to pass order for the retrial of the case in which the Deputy Magistrate & District Magistrate both together concur with each other unjustly & without cause. Order of the Lower Court has been enclosed herewith
24th March 1894 }
in Handing attached }
Tiruvadi } *Done & Signed*

... from the Police immediately

CURRENT No.

When given or copying
When copied
When examined
When signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURE TO G. No.

ORDRE OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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