

(1) Number of pages 18
(2) Date of repair 27.10.49
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Judicial

DEPARTMENT

G.O. No. 2362
B.P. No. _____

Press
Mis. *Original*

Dated 5th September 1885

Not to be folded or roughly handled

To

His Excellency

Mount Stuart Elphinstone Grant Duff,

Governor in Council,

Madras.

The humble petition submitted, under Section 641 of the Code of Civil Procedure, by DEVA DENA SREE LETCHMY SEGAI BHATTARACIER SWAMY, Matadipady and the Highest Priest of the Jains in Southern India, in the Jain Mutt at Sittamboor, in Tindivanam Taluq, Cuddalore District.

RESPECTFULLY SHOWETH,—

The said Jain Mutt analogous to the Sankara Chariar or Loca Guru Mutt at Sigeri, Sumuteendra Mutt at Mysore, Virupatcha Matam, in Northern Circars, and Sankarachariar Mutt, at Combaconum, was founded about 100 years ago, by the Respected and Revered Bhattaracker Swamy, an ascetic of a severe type, as the office of Priesthood of the Highest order for the Jains.

2. The office of Priesthood used to descend in the line of ascetic disciples of the several heads of the said Mutt, who were of the highest rank, learning and purity. Their duty was as is the case in Sankara Chariar and other similar Mutts, to spend their time in holy contemplation, to impart religious instructions of the highest type to the disciples, to regulate the religious observances of the sect of Hindu-Jains under their religious sway and to do everything calculated to promote the spiritual happiness of the said Jains. They were prohibited from interfering with secular affairs, as they had been persons who had wholly renounced the worldly affairs and whose profession and calling would not admit of their appearing in public, except for Religious ceremonies.

3. Petitioner belongs to the said order and is now the present Head of the said Mutt.

4. Petitioner is a man of high rank, learning, purity, professing asceticism, and presides over the Mutt, possessing extensive property; there are no debts whatever to the said Mutt; and he is a person entitled to claim exemption from personal appearance in Courts on account of his position, rank and religious order to which he belongs. His sole duty is to worship God in the Mutt, to impart religious instructions to his disciples, to be engaged in explaining the difficult and obscure principles of religion, and to regulate the observances in Ceremonial matters among the Jains. He commands a wide influence in the

religious sphere, not only from his disciples, the Jains, but also from other Hindus. He is considered sacred and respected also by the heads of other Mutts, of equal standing and importance.

5. His predecessors never appeared in Courts. When his immediate predecessor, Audisega Bhattaracker Swamy was summoned to give evidence on the Defendants side in O. S., No. 14 of 1881 on the file of the Sub-Court of Tanjore, on a motion made by him to the said Sub Court that his rank and position required a commission to be sent for his examination on the score of his being entitled to the exemption from personal appearance, the Subordinate Judge sent a Commission to the District Court of Cuddalore, and on a motion having been made in the Court of the Sub-Judge at Cuddalore, the Subordinate Judge by his Proceedings, dated the 8th December 1881, ordered that a Commissioner should be sent to the Mutt for the examination of Petitioner's predecessor.

6. While that is the case, Petitioner was cited as 2nd witness for plaintiff in O. S. No. 76 of 1884 on the file of the Sub-Court of Tanjore, by plaintiff, to attend the Sub-Court of Tanjore to give evidence on his behalf and to produce certain documents. Petitioner knows nothing of the Case and has not any document in his possession which was called for from him and plaintiff therein who bears a personal grudge to Petitioner in the settlement of certain religious matters, purely out of a motive to annoy and vex Petitioner, has summoned him to attend the Court. If he should so attend the public Courts, it will be an act not consistent with the dignity of the Mutt.

7. Petitioner put in a petition to the Sub-Judge to allow him the privilege of not attending the said Court, but the said Judge ordered that he had no power to exempt him from personal attendance, and that he should get an order from Government.

8. Your Excellency is fully aware that the heads of similar Mutts, viz., Sankara Chariar Mutts at Singeri, Combaconum, Virupatcham, Mysore, and of Audeenams of Theroovadoo Thorai and Gnanasambanda Mutt at Madura, are exempted from personal attendance in Courts. There is no difference whatever between the Mutt over which Petitioner resides and Petitioner on the one hand and the other Mutts mentioned above and their heads on the other hand in point of Religious importance and rank, so that Petitioner is entitled on account of his rank, to the exemption from personal appearance in Courts. Herein are enclosed the petitions submitted by Petitioner to the Sub-Judge of Tanjore; his Order and the Proceedings of the Sub-Judge at Cuddalore, dated 8th December 1881.

9. The matter may be referred to the Collector of South Arcot and due investigation be made touching the same, if that is considered necessary.

10. Petitioner therefore prays that he may be exempted from personal appearance in Courts, and that temporary order be sent to the Sub-Judge of Tanjore to suspend the execution of his Order, dated 24th June 1885, pending the disposal of this Petition.

For which act Petitioner is duty bound,

SHALL EVER PRAY.

MADRAS,
19th August, 1885. }

S. Kalyana Ramaswami
Jahel High Court
for Petitioner.

To

His Excellency

Mount Stuart Elphinstone Grant Duff,

Governor in Council,

Madras.

The humble petition submitted, under Section 641 of the Code of Civil Procedure, by DEVA DENA SREE LETCHMY SEGAI BHATTARACKER SWAMY, Matadipady and the Highest Priest of the Jains in Southern India, in the Jain Mutt at Sittamboor, in Tindivanam Taluq, Cuddalore District.

RESPECTFULLY SHOWETH,—

The said Jain Mutt analogous to the Sankara Chariar or Loca Guru Mutt at Singeri, Sumuteendra Mutt at Mysore, Virupatcha Matam, in Northern Circars, and Sankarachariar Mutt, at Combaconum, was founded about 100 years ago, by the Respected and Revered Bhattaracker Swamy, an ascetic of a severe type, as the office of Priesthood of the Highest order for the Jains.

2. The office of Priesthood used to descend in the line of ascetic disciples of the several heads of the said Mutt, who were of the highest rank, learning and purity. Their duty was as is the case in Sankara Chariar and other similar Mutts, to spend their time in holy contemplation, to impart religious instructions of the highest type to the disciples, to regulate the religious observances of the sect of Hindu-Jains under their religious sway and to do everything calculated to promote the spiritual happiness of the said Jains. They were prohibited from interfering with secular affairs, as they had been persons who had wholly renounced the worldly affairs and whose profession and calling would not admit of their appearing in public, except for Religious ceremonies.

3. Petitioner belongs to the said order and is now the present Head of the said Mutt.

4. Petitioner is a man of high rank, learning, purity, professing asceticism, and presides over a Mutt, possessing extensive property; there are no debts whatever to the said Mutt; and he is a person entitled to claim exemption from personal appearance in Courts on account of his position, rank and religious order to which he belongs. His sole duty is to worship God in the Mutt, to impart religious instructions to his disciples, to be engaged in explaining the difficult and obscure principles of religion, and to regulate the observances in Ceremonial matters among the Jains. He commands a wide influence in the

religious sphere, not only from his disciples, the Jejuns, but also from other Hindus. He is considered sacred and respected also by the heads of other Mutts, of equal standing and importance.

5. His predecessors never appeared in Courts. When his immediate predecessor, Audisega Bhattaracker Swamy was summoned to give evidence on the Defendants side in O. S., No. 14 of 1881 on the file of the Sub-Court of Tanjore, on a motion made by him to the said Sub-Court that his rank and position required a commission to be sent for his examination on the score of his being entitled to the exemption from personal appearance, the Subordinate Judge sent a Commission to the District Court of Cuddalore, and on a motion having been made in the Court of the Sub-Judge at Cuddalore, the Subordinate Judge by his Proceedings, dated the 8th December 1881, ordered that a Commissioner should be sent to the Mutt for the examination of Petitioner's predecessor.

6. While that is the case, Petitioner was cited as 2nd witness for plaintiff in O. S. No. 76 of 1884 on the file of the Sub-Court of Tanjore, by plaintiff, to attend the Sub-Court of Tanjore to give evidence on his behalf and to produce certain documents. Petitioner knows nothing of the Case and has not any document in his possession which was called for from him and plaintiff therein who bears a personal grudge to Petitioner in the settlement of certain religious matters, purely out of a motive to annoy and vex Petitioner, has summoned him to attend the Court. If he should so attend the public Courts, it will be an act not consistent with the dignity of the Mutt.

7. Petitioner put in a petition to the Sub-Judge to allow him the privilege of not attending the said Court, but the said Judge ordered that he had no power to exempt him from personal attendance, and that he should get an order from Government.

8. Your Excellency is fully aware that the heads of similar Mutts, viz., Sankara Chariar Mutts at Singeri, Combaconum, Virupatcham, Mysore, and of Audeenams of Theroovadoo Thorai and Gnanasambanda Mutt at Madura, are exempted from personal attendance in Courts. There is no difference whatever between the Mutt over which Petitioner resides and Petitioner on the one hand and the other Mutts mentioned above and their heads on the other hand in point of Religious importance and rank, so that Petitioner is entitled on account of his rank, to the exemption from personal appearance in Courts. Herein are enclosed the petitions submitted by Petitioner to the Sub-Judge of Tanjore; his Order and the Proceedings of the Sub-Judge at Cuddalore, dated 8th December 1881.

9. The matter may be referred to the Collector of South Arcot and due investigation be made touching the same, if that is considered necessary.

10. Petitioner therefore prays that he may be *exempted* from personal appearance in Courts, and that temporary order be sent to the Sub-Judge of Tanjore to suspend the execution of his Order, dated 24th June 1885, pending the disposal of this Petition.

For which act Petitioner, as in duty bound,

SHALL EVER PRAY.

MADRAS,
19th August, 1885. }

To
His Excellency
Mount Stuart Elphinstone Grant Duff,
Governor in Council,
Madras.

The humble petition submitted, under Section 611 of the Code of Civil Procedure, by
LEYA DENA SREE LETCHMY SEGAI BHATTACKER SWAMY, Matadipady and the Highest Priest of the Jains in Southern India, in the Jain Mutt at Sittamboor, in Tindivanam Taluq, Cuddalore District.

RESPECTFULLY SHOWETH,—

1. The said Jain Mutt analogous to the 'Sankara Chariar' or 'Loca Guru Mutt' at Singeri, 'Sumateendra Mutt' at Mysore, 'Virepacha Matam' in Northern Circars, and 'Sankarachariar Mutt' at Combaconam, was founded about 100 years ago, by the Respected and Revered Bhattacker Swamy, an ascetic of a severe type, as the office of Priesthood of the Highest order for the Jains.

2. The office of Priesthood used to descend in the line of ascetic disciples of the several heads of the said Mutt, who were of the highest rank, learning and purity. Their duty was as is the case in Sankara Chariar and other similar Mutts, to spend their time in holy contemplation, to impart religious instructions of the highest type to the disciples, to regulate the religious observances of the sect of Hindu Jains under their religious sway and to do everything calculated to promote the spiritual happiness of the said Jains. They were prohibited from interfering with secular affairs, as they had been persons who had wholly renounced the worldly affairs and whose profession and calling would not admit of their appearing in public, except for Religious ceremonies.

3. Petitioner belongs to the said order and is now the present Head of the said Mutt.

4. Petitioner is a man of high rank, learning, purity, professing asceticism, and presides over the said Mutt, possessing extensive property; there are no debts whatever to the said Mutt; and he is a person entitled to claim exemption from personal appearance in Courts on account of his position, rank and religious order to which he belongs. His sole duty is to worship God in the Mutt, to impart religious instructions to his disciples, to be engaged in explaining the difficult and obscure principles of religion, and to regulate the observances in Ceremonial matters among the Jains. He commands a wide influence in the

religious sphere, not only from his disciples, the Jains, but also from other Hindus. He is considered sacred and respected also by the heads of other Mutts, of equal standing and importance.

5. His predecessors never appeared in Courts. When his immediate predecessor, Audisega Bhattaracker Swamy was summoned to give evidence on the Defendants side in O. S., No. 14 of 1881 on the file of the Sub-Court of Tanjore, on a motion made by him to the said Sub Court that his rank and position required a commission to be sent for his examination on the score of his being entitled to the exemption from personal appearance, the Subordinate Judge sent a Commission to the District Court of Cuddalore, and on a motion having been made in the Court of the Sub-Judge at Cuddalore, the Subordinate Judge by his Proceedings, dated the 8th December 1881, ordered that a Commissioner should be sent to the Mutt for the examination of Petitioner's predecessor.

6. While that is the case, Petitioner was cited as 2nd witness for plaintiff in O. S. No. 76 of 1884 on the file of the Sub-Court of Tanjore, by plaintiff, to attend the Sub-Court of Tanjore to give evidence on his behalf and to produce certain documents. Petitioner knows nothing of the Case and has not any document in his possession which was called for from him and plaintiff therein who bears a personal grudge to Petitioner in the settlement of certain religious matters, purely out of a motive to annoy and vex Petitioner, has summoned him to attend the Court. If he should so attend the public Courts, it will be an act not consistent with the dignity of the Mutt.

7. Petitioner put in a petition to the Sub-Judge to allow him the privilege of not attending the said Court, but the said Judge ordered that he had no power to exempt him from personal attendance, and that he should get an order from Government.

8. Your Excellency is fully aware that the heads of similar Mutts, viz., Sankara Chariar Mutts at Singeri, Combaconun, Virupatcham, Mysore, and of Audeenams of Theroovadoo Thorai and Gnanasambanda Mutt at Madura, are exempted from personal attendance in Courts. There is no difference whatever between the Mutt over which Petitioner resides and Petitioner on the one hand and the other Mutts mentioned above and their heads on the other hand in point of Religious importance and rank, so that Petitioner is entitled on account of his rank, to the exemption from personal appearance in Courts. Herein are enclosed the petitions submitted by Petitioner to the Sub-Judge of Tanjore; his Order and the Proceedings of the Sub-Judge at Cuddalore, dated 8th December 1881.

9. The matter may be referred to the Collector of South Arcot and due investigation be made touching the same, if that is considered necessary.

10. Petitioner therefore prays that he may be exempted from personal appearance in Courts, and that temporary order be sent to the Sub-Judge of Tanjore to suspend the execution of his Order, dated 24th June 1885, pending the disposal of this Petition.

For which act Petitioner, as a duty bound,

SHALL EVER PRAY.

MADRAS,
19th August, 1885. }

To

His Excellency

Mount Stuart Elphinstone Grant Duff,

Governor in Council,

Madras.

The humble petition submitted, under Section 641 of the Code of Civil Procedure, by DEVA DENA SEER LETCHMY SEGAI BHATTARACKER SWAMI, Matadipady and the Highest Priest of the Jains in Southern India, in the Jain Mutt at Sittamboor, in Tindivanam Taluq, Cuddalore District.

RESPECTFULLY SHOWETH,—

The said Jain Mutt analogous to the Sankara Chariar or Loca Guru Mutt at Singeri, Sumuteendra Mutt at Mysore, Virupatcha Matam, in Northern Circars, and Sankarachariar Mutt, at Combaconum, was founded about 100 years ago, by the Respected and Revered Bhattaracker Swamy, an ascetic of a severe type, as the office of Priesthood of the Highest order for the Jains.

2. The office of Priesthood used to descend in the line of ascetic disciples of the several heads of the said Mutt, who were of the highest rank, learning and purity. Their duty was as is the case in Sankara Chariar and other similar Mutts, to spend their time in holy contemplation, to impart religious instructions of the highest type to the disciples, to regulate the religious observances of the sect of Hindu-Jains under their religious sway and to do everything calculated to promote the spiritual happiness of the said Jains. They were prohibited from interfering with secular affairs as they had been persons who had wholly renounced the worldly affairs and whose profession and calling would not admit of their appearing in public, except for Religious ceremonies.

3. Petitioner belongs to the said order and is now the present Head of the said Mutt.

4. Petitioner is a man of high rank, learning, purity, professing asceticism, and presides over a Mutt, possessing extensive property; there are no debts whatever to the said Mutt; and he is a person entitled to claim exemption from personal appearance in Courts on account of his position, rank and religious order to which he belongs. His sole duty is to worship God in the Mutt, to impart religious instructions to his disciples, to be engaged in explaining the difficult and obscure principles of religion, and to regulate the observances in Ceremonial matters among the Jains. He commands a wide influence in the

13-12-24

31-3-22

5621
57-22

From Dewa Dewa Tree
Letchmy Sepai B
Dawany.

Order: 5 Sept 1925
i.e. the Gov. in Council regrets
that he is unable to grant
the exemption asked for in
the foregoing petition.

No.
Dated 19-8-25
Received 22-8-25
Enclosures 3 & 3 S.C.

SUBJECT.
Praying for
from Gov
in Council

To the Petitioner
These are many precedents put