

1. Number of pages. 40

2. Date of repair. 5.1.37

3. Initials of person.

M.R.O. 1-12-10-10-10

MADRAS RECORD OFFICE.

Government of Madras.

Judl DEPARTMENT.

G.O. No.

731

~~Press~~
Mis.

Dated

25-4-1890.

Not to be folded or roughly handled

To
The Joint Magistrate

Krishna

Petition presented by Kotamraju Venkata Krishna
Dharmakartta of Nullaswara Suman temple in
Rama chandrapur agharam - Juntoor.

Most humbly sheweth—

That it is an established custom
from time immemorial to have processions
of the above mentioned goddess during 12 nights
in the month of Makham (January & February)
and that in one night the procession to continue
till day-break, and in 2 nights till 2 A.M. and
in the remaining nights till 12 P.M. with all
the drums, fireworks &c.

2 According to the said, custom the processions
are to take place this year, from 26th instant
to 7th proximo. On the 1st & 2nd of February,
till 2 A.M. On the 3rd February, till day-break
and on the remaining days till 12 P.M.

3 That the petitioner has applied for leave to
hold a procession of the Goddess on the 12th instant

till 12 P.M. for the last Ganbrahmi festival and the
town magistrate under the orders of the Joint Magistrate
permitted the petitioner to have the procession only, until
10 P.M. which is contrary to long established and immemorial
custom and it has been said that the Joint Magistrate gave
general orders to the Town Magistrate not to give permission for any
procession after 10 P.M.

(Vide $\frac{663}{1887}$ of the Joint Magistrate)

Even in Presidency towns where the population is more dense, such processions are not interfered with and are allowed to go according to established custom.

As this is a procession in which the whole Hindu public are interested, petitioner more humbly begs to request your honor to give him permission for the processions on the dates and until the hours above noted according to custom.

For which act of kindness petitioner, as in duty bound, will ever pray.

19 January
1871

x begs to remain

most honored Sir
your honor's most obedient servant

(Signed) Kotamraju Venkata Krishna

Petitioner

(True copy)

(Signed) B. Wolfe Murray

Off. Joint Magistrate

Petition No. 148

Name of Petitioner - Kotamraju Venkata Krishna

Residence of Do - Guntur

The procession cannot be carried on after 10 P.M. according to rule.

Sub Collector
Office - Krishna
21-1-87

(Signed)

B. Wolfe Murray

Off. Joint Magistrate

/ True copy /
[Signature]

To

O. Wolfe Murray Esq^r

Joint Magistrate, Krishna District

The humble petition of Kotamraju Venkata Krishnaiah and
residents of Guntoor

Most honored Sir,

Having been distressed very much at the
orders passed by your honor prohibiting the processions
of Sri Mullaswara Sivani waris after 10 AM. after
we beg to submit our poor case, once more, before your
honor trusting that justice will be shown to us on proper
representation of the matter as follows -

1 That the procession of Sri Sivani waris is
annual and immemorial like the Moharom festival
of the Mahomedans.

2 That the Local authorities have always helped
and encouraged the processions giving due regard
to religious feelings and ceremonies in sound harmony
with the Royal proclamation of Her most gracious
Majesty the Empress of India in the year 1858

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That the hours fixed for performance of ceremonies and processions can, on no account, be changed to suit the convenience, for, the rules of our religion are such and stringent that they should not be altered. That the damage resulting from an order like this, is not only very serious but sensational too.

Therefore your petitioners humbly beg your honor may be pleased to revoke the aforesaid order by permitting the procession to be conducted in same hours, which have been taking place from time immemorial.

For which act of kindness we, as in duty bound, shall ever pray.

29th January 1890
Juntor } We beg to remain, Sir
 } Most honored Sir
 } Your most obedient servants

(Sd) Kotamraju Venkata Krishniah
Dharmacharya of Melleswara
A. others -

Name of Petitioner - Kotamraju Venkata Krishniah &
of Juntor -

Residence of Do - Juntor

Inquiry shows that neither in the time of Mr Rice nor in that of Mr Kough, formerly Joint Magistrate were processions with music allowed in the town after 10 P.M. There is, therefore, no such immemorial and unbroken custom as alleged.

The present Joint Magistrate has no wish to interfere with any one's religious rites, but petitioners being educated men, should bear in mind the legal maximum sentence two at alienum nor lodas, and when it is considered that 16 hours out of the 24 are now available for the procession with music, that time may be well allowed thought enough. Considering however the important nature of the petition, the time may be extended on the night of Feb 3rd up to 11 P.M. as a special concession. The ordinance however 10 P.M. which has been invariably enforced since I have been here cannot be departed from on the other nights. Petitioners are reminded that letting of explains fireworks in the main streets is not allowed.

1-2-90
Guntur

(Signed)

A. Wolfe Murray

Ag. Sub collector

True Copy

[Signature]

29 January 1890

Guntur

To

His Excellency

the Governor in Council

Madras

The humble Memorial of the undersigned Citizens of Guntur more respectfully sheweth
That there is an ancient Temple in this town dedicated to Giva in whose honor processions used to take place from time immemorial for 12 days during the month of Magham (January & February). That in some of these days the procession must, according to the tenets of the Sastras, last till 12 P.M. and day-break - the auspicious hours set apart for the due performance of certain religious ceremonies. That the Joint-Magistrate of this place has passed a prohibitory order that the procession should not last after 10 P.M. That this order is quite unprecedented in the history of Guntur, illegal, unjust, and opposed to the policy of the British Govt, and the recognized Manual of the Hindu Community. That the magistrate does not apprehend a breach of the peace.

1298790
10

is evident from the fact of his having given permission to continue the procession till 10 P.M. That he could not have prevented it on the ground of public nuisance, because ever since the erection of the temple, the processions are taking place and no complaint of its being a public nuisance, has ever been raised by anybody, whether Hindus or mahomaddans. The magistrate gives no reasons for the order. The truth is that the Magistrate has been recently given a notice for trespassing wilfully into the sacred precincts of the temple, & that the notice has not yet been withdrawn. That your petitioners believe that this prohibitory order is a consequence of the notice and, therefore, most humbly pray, that your Excellency will cancel the said Magistrate's order and allow the processions to take place as usual.

We beg to remain, Sir,

Your Most Obedient Servants

(Signed) N. Venkatakrishnaiah

Dharmapala, the Mullaswara

Swami's temple & others

Telegrams Received

21-1-1900

11

To Madras

From

The Chief Secretary

Guntur

Govt. of Madras

Kotam Raju Venkata

Krishnaiah Dharmapala

Mullaswara Swami Temple

Sub-collector - Mr. Murray - trespassed - Mullaswaraswami temple - Hindus' feelings - wounded. Great Excitement prevails. Notice for damages served. Hence order prohibiting Mool procession after 10 P.M. Greater indignation felt. Important Kalyanotsavam to be stopped Govt. St. Magistrate wired memorialised public clamouring for justice.

12989/3

(Telegram) Urgent

2-2-93

15

(C. O.)

(Telegram) Deferred

2-2-93

13

To

Madras

The Chief Secretary

Govt of Madras

From Guntoor

Kolamraja Venkata Krishnaiah

Dharmakirtha

Mullamaraswami Temple

Joint Magistrates order prohibiting Mullamaraswami procession after 10 P.M. is against Manual. No epidemics. No reason to apprehend breach of peace. Therefore order illegal ultravires. Matter laid before District Magistrate personally & by petition. No action yet taken. Hence great Kalyanaswami busting whole 2nd & 3rd night to be stopped. Great excitement prevailing. We acting immediate orders. Reply prepaid.

(Telegram) Urgent

2-2-90

15

To Madras

From

Guntur

The Chief Secretary

Kotamraju Venkata

Govt. of Madras

Krishnaiah

Procession of Mallaswariaswami vitally important.

Today and tomorrow whole nights as per immemorial

custom, serious damages, if not granted - reply

prepaid -

(Telegram) Ordinance

3-2-90

17

To Madras
The Chief Secretary
Govt of Madras

From
Quilon
Rakapalli Kupierayudu
& others

Sent memorial by post might reach your honor,
Public Documents showing custom, from long time
of processions of Naikumaraswami. Joint Magistrate
refused permission ignoring documents, because of
notice served on him, for his trespassing into temple
premises. Great Kalyantravani & stopped &
serious damages.

is evident from the fact of his having given

22-2-90 19

To:

A. T. Arundel Esquire

22-2-90

The District Magistrate, Krishna

The humble petition submitted by Kotamraju Venkata
Krishnaiah, Dharmacharya of Viallaswara Swami Varu
Guntoor.

Most honored Sir,

An appeal against the order of the Joint
Magistrate, Krishna, on the postponement of the festival
of the said Swami was preferred to your honor on 22nd
ultimo. About the same I represented orally to your
honor in Bezimada. Your honor was pleased to
promise a final order after arrival at Musulipatam.
About the same I wired to your honor on 12th &
15th of this month, reply being prepaid. But no reply
was received. The flag called Dhagam raised in
consequence of the procession has not yet been lowered
for non-completion of Swami's procession. Flag
not being lowered ~~non-completion~~ considerable
amount of money will be spent daily there.

also great damage is accruing. The joint-magistrate
Mr. O. Wolf Murray, was pleased to opine by his subsequent
order that neither in the time of Mr. Rice nor in that
of Mr. Kough, formerly Joint-Magistrates were
processions with music allowed after 10 P.M. There is
the public record to show (notwithstanding the existence
of which was refused although tendered for perusal)
that processions with music were allowed throughout
the whole night in the time of the said joint-magistrate
(Mr. Rice & Mr. Kough) and in that of the European &
native Magistrates from time immemorial, previous to
that of the said two Magistrates down to the ^{period} of
Mr. Russel, predecessor of O. Wolf Murray the present
Joint-Magistrate who refused to admit them notwithstan-
ding the petitioner's filing them. The same was represented
to your honor at Beguada. If your honor be pleased to think
that a perusal of the said record is necessary copies of the
same will be immediately submitted. Therefore under the
above circumstances I most humbly and respectfully beg
that your honor may be pleased to favour an early order
for my petition dated -23-4-90. and to favour copies of
the orders & petitions, as for application for copies here-with

submitted. Charges for preparation of copies are this
day sent by Money-Order.

I beg to remain Sir
your most obedient servant
Digney K. Venkata Krishnaiah.

Dharmabhatta of Mulleswara Swami
Guntur

/True copy/
D. Venkata Krishnaiah
Dy

approved procession of the Mulleswara Swami for

Ex. 1617

Proceedings of the District Magistrate, Kistna dated, Korum
8th March 1890.

Read Petition of K.V. Krishniah and others of Guntur
dated 22nd January 1890. against the order of the Joint
Magistrate dated 21st January 1890 prohibiting a procession
with music after 10 P.M.

Read also letters No. 167 dated 6th February
and No. 256 dated 20th February from the Joint Magistrate
on the same subject. Read also petition of K.V. Krishniah
dated 22nd February 1890 ~~1890~~, requesting orders and a
copy thereof.

On the 26th January Pleader Purushottam was
heard in support of the first petition.

Order

Two distinct things appear to have been confused
in the foregoing papers and the confusion has
probably given rise to the protest raised in
petition against the Joint Magistrate's order.
It appears to be the custom in Guntur for
parties who desire to play music in the public
streets after 10 P.M. to obtain the previous per-
mission of the Magistrate. Permission was
applied for by K.V. Krishniah to conduct the
annual procession of Simulicoumami for

12 nights after 10 P.M. with music accompaniments.

The Joint-Magistrate passed the following order dated 21st January on this petition No 148. "The procession cannot be carried on after 10 P.M. according to the rule. It appears from the Joint-Magistrate's report" that it is not the procession at night which is a nuisance to the public but the music with which it is ordinarily accompanied. The Joint-Magistrate should therefore not have forbidden the procession but merely the use of the music after 10 P.M. in connection with it. It is now no uncommon thing for the processions connected with Hindu Festivals to take place at night with tonkas, cabs and other accompaniments but without music. In the present instance the District-Magistrate agrees that it would be a nuisance to a large section of the public if processions with music had gone on for twelve nights after 10 P.M. as desired by the petitioners. At the same time there could be no objection to the processions without the music. The Joint-Magistrate is therefore requested to modify his order accordingly.

As the regulation of music in the streets is placed by law (Sec-30 Act V of 1861) primarily in the hands of the Police who are of course under the Magistrate's control the District-Magistrate considers that it will be more convenient if applications of this nature are made in the 1st place to the Assistant Superintendent or other superior Police officer following the custom observed in Muzilpatam, and requests the Joint-Magistrate to issue orders accordingly.

(Signed) A. T. Arnold

District-Magistrate

(True Copy)

8.3.90

(Signed) W. E. Hall

For District-Magistrate

/True copy/
if ever objected

- I. Abstract List of papers enclosed in the Memorial to Govt.
Copy of - ~~(H. C. by Master)~~ Showing the long established custom -
- | | Order | Date of order |
|---|---|--------------------|
| Petition to the Hd. Magistrate (Mr C. G. Master) of Guntoor Zillah requesting permission to celebrate the festival till midnight for 5 days and for the whole night of the 6th with music & its accompaniments. According to the custom | Ordered that the procession may be carried out with music & without causing any offence | 17th February 1857 |
- II. Petition to Mr. Gullinab, Sub collector Krishna District, requesting permission to celebrate the festival till midnight for 5 days and for ^{3 days} whole night with music & according to the custom.
- | | Order | Date of order |
|--|-------|---------------|
| ordered that the procession may be carried out without ~~unreasonable~~ noise | | 24th Feb 1862 |
- III } Petitions to the Municipal
IV } authorities with the above
V } prayer with fine works
- | Orders passed | Date |
|---------------------|---------|
| according to the | 15-2-71 |
| prayer after fixing | 3-3-72 |
| | 3-3-75 |
- some fees according to the Municipal Act.
- VI } Petitions to the 2nd class
VII } Magistrate of Guntoor
VIII } with the above prayer & with fine works.
- | Order passed | Date |
|------------------|---------|
| according to the | 21-2-76 |
| prayer | 4-2-77 |
| | 21-2-80 |
- IX. Petition to Mr. Gordon Mackenzie, 2nd Joint Magistrate Krishna, requesting permission to celebrate the festival for 12 days, both night & day, with all sorts of celebration
- | Permitted from | Date |
|---------------------|--------|
| 5th to 16th Instant | 4-3-81 |
- Respectfully

	Order	Date of order
<u>X</u> Petition to the 2nd class	Permitted given	24th January 1882
<u>XI</u> Magistrate of Guntur requests my permission to celebrate the festival for 12 days both nights and days with music of all sorts and with fireworks	According to the	13th February 1883
<u>XII</u> Petition to Mr. J. Thomson, Joint Magistrate Krishna requesting permission to celebrate the festival for 12 days as usual	Sanction given in the procession with music till 12 P.M. on those nights except on the 12th night, which is for the whole night and other processions are directed to make as little noise as possible	4-2-84
<u>XIII</u> Petition to the 2nd class Magistrate with the same prayer for other nights till 12 midnight	Sanction for 22nd whole night	19-1-85
<u>XIV</u> Petition to Mr. W. G. Underwood, Joint Magistrate Krishna, with the above prayer	Granted	7-2-86
<u>XV</u> Petition to the 2nd class Magistrate with the above prayer	Sanctioned	31-1-87
<u>XVI</u> Petition to Mr. J. Russell, Joint Magistrate, Krishna with the above prayer	Sanctioned	17-1-88

XVII Petition to 2nd class Magistrate, Guntur, with the above prayer

Order granted 29 6-2-89

(copy)

To

His Excellency Robert Brouke.

Baron Cannemera
Governor of Fort Saint George
Madras.The humble Memorial of the Public of
Guntoor.
Most Respectfully sheweth.

I. That the Petitioners were forbidden from celebrating a procession of Srimalla-Swara Swami after 10 P.M. by Mr. C. Wolfe Murray, the acting joint Magistrate Krishna, who had some illwill towards the members of the Temple Committee for their having served on him with a notice of his trespassing into the sacred temple of the above Swamy.

II. That the joint Magistrate has also refused to peruse some of the important orders (copies of which were given to the under Secretary to Government) passed by the several European and native magistrates of the place, Showing the

J. 12987 20
8

long established custom of the place,
but insisted upon carrying out his
orders into effect.

III. That the District Magistrate, on this,
was also petitioned and wired on the
subject, to give immediate redress on the
ground that the procession would be stopped
and that the parties would incur great
expense by their not closing the processions.
The District Magistrate kept silent till
8th March 1890.

IV. That the petitioners seeing the District
Magistrate not interfering and the
amount of expense they are going to be
put to, have sent in a memorial to
the Government on the 29th January 1890.
and gave several telegraphs to Government
on various dates as follows.

one ordinary on	31-1-90
one deferred on	2-2-90
one urgent on	2-2-90
one ordinary on	3-2-90

at an expense of about Rs 30----
(replies also being prepaid) with full
hopes that the Government would, beyond
all doubt, interfere in a matter

23
of this nature and save the people from
confusion, trouble, and expense.

V. That the Petitioners having received
no orders either from the Government
or from the District Magistrate were
obliged to stop the procession and to come
up here, all the distance, to represent
their grievances in person and obtain the
redress from your gracious and bene-
volent Government, not closing the procession.

VI. That the Petitioners have in the
mean-while on 8-3-90 received an order
from the District Magistrate Krishna, to
the effect that the procession can be
performed as prayed for after 10 p.m.
without music and its accompaniments
(copies of his order dated 8th March 1890
with those of the joint Magistrates
are here-in enclosed) an order which
indirectly supports that of the joint
Magistrates as no procession of this
nature, among Hindus, can be
celebrated without music and its
accompaniments.

VII. The petitioners, therefore, most humbly and respectfully pray your gracious and benevolent Lord-Ship that the orders passed by the District and joint Magistrates be set aside, and that the long established custom, as shown by the abstract list of papers and orders, be enforced, once for all, without any room for further complaint.

We most respectfully beg
to remain

My Lord

Your Lordship's most obedient
and humble servants

G. L. Narain-hadon

G. S. Narain-hadon

Dated 24 March 1890

Madam Chul. 24/3/90

Explicam. Madras

J. 1298790
1

List of papers already sent along with a petition, to the under Secretary.

I. Copy of the Memorial to Government

II.
III.
IV.
V. } Copies of Telegrams to Government

VI. Abstract List of papers enclosed in the memorial to Government showing the long established custom

VII. Petition to joint Magistrate with its order dated 21-1-90.

VIII. Do. Do. dated 1-2-90

IX. Do to the District Magistrate dated 22-2-90.

X. District Magistrate's order dated 8th March.

2
v/3/40

J. D. R. Esquire,

Private Secretary to the
Governor of Fort St.
George, Madras

Most Honoured Sir,

In forwarding herewith, a memorial
to His Excellency, the Governor of Fort St.
George, Madras, we the undersigned, most
respectfully and humbly beg your honor will be
kind enough to place our memorial, before
His Excellency, for His Excellency's kind
orders, at your early convenience, and
to obtain the redress needed, and thereby set
the Public of Canton from further, expense
and trouble.

We beg remain
- Sir

Your most obedient servants

To, every one of us
G. L. Narasimhan

Dated 24th March 1890
Madras Street No. 61

Encl. 1

L. Karamanlidis

March 1870

Chief

TRANSFERRED to the Secretary to Govern-
ment Department, for disposal.

(By Order.)

J. Kees

Private Secretary.

MENT HOUSE,

March 1870.

His 506-27-3-
No. 64-31-3-

Engl.

Order *see below*

Removes with view
of 27 & 31 March 1901
H.U.C.
14 AM. 17 AM.

a copy of the order removed on the
other part under G.O. 27 March 1901
no 586 should be given to them
I think H.E. the Govt. ought to
the papers.

1844

Order 25 April 1901 731

Petitioners will be informed
that the Govt. has expressed
disapproval of the
of long history
and has instructed the
magistrate to act in
in accordance with
the precedent.

H.U.C.
23 AM.

17-41 M19-4
R 19-43 R
20 Peps
DESPATCHED
1 MAY 1901

CN. 1298

Judl (1870) DEPARTMENT.

5.27.0.90.586

From
THE PRIVATE SECRETARY
TO THE RIGHT HON. THE GOVERNOR,
To
Chief
THE SECRETARY TO GOVERNMENT,
DEPARTMENT.

Dated 28th
Recd. 30 } March 1890.

ENCLOSURES 12

Subject.

Transfers a petition from J.L. Narasimha
Rao, praying that the
magistrate's order may
be cancelled & the
of Srinivasaswami
procession may be
allowed to go on
as usual.

[7]

ORDINARY, MS.

Judl. DEPT.
G.O. DATED 25-4-01
No. 731

When given for copying 30/10

[Despatch Abstract.]

G.L. Narasimha Rao furnished
with copy of his
on former petns. protests
against the Govt. mag.
order re the procession
of Srinivasaswami at