

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1610/M

DATED 7th October 1895

[Despatch Abstract.]

Municipal Council.

Ordering, with remarks, that the election of M.R.Ry.W. Krishnaswami Aiyangar as a member of the Kumbakonam-----be notified

BACK PAPERS.

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

FURTHER PAPERS.

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

NE 2147 of 95
Am

Sub Collectors Office

Kumbakonam

27th August 1895

From

Robert B. Clegg Esq

As Sub-Collector of

Tanjore

To

The Commr of

Tanjore.

Sir,

I have the honor to report on the petitions of certain voters of No III ward, Kumbakonam Municipality, and of N. Krishnasami Senghar, the defeated Candidate at the election held to fill up a vacancy in the Council on the 31st July 1895, which were forwarded to me with your References on Current Nos 629, 647, and 655 Municipal dated 10th, 14th and 17th instant respectively.

2. Two Candidates contested the vacancy;

Son

N. Krishnasami Iyer, High Court Vakil, the petitioner, and K. Ramalinga Chetty, a wealthy merchant. The polling took place in the Kumbeswaraswami temple. There was a hot contest, each party and his agents doing their utmost to secure votes, with the result that N. Krishnasami Iyer received 91 and K. Ramalinga Chetty 93, the latter winning by the small margin of two votes.

3. Both parties have been fully heard in person and by Vakeels, and have been allowed to examine and cross-examine any witnesses they chose.

4. The petitioners question the validity of the election on the ground that there was false personation and fraud, and that the

successful candidate was not duly elected by a majority of votes.

5. One clear case of false personation undoubtedly did occur and it is not denied.

The petitioners contend that the opposite party and K. Ramalinga Chetty himself were abettors of the false personation, and that, even granted they were innocent of it, it is sufficient under the rules to render the election invalid. The party of K. Ramalinga Chetty denies any knowledge of the false personation and contends that at the most it will only invalidate one vote.

6. One Arumula Padiachi is a registered voter for the Ward No. III. He has been living for some time in Inambur, a village of the Taluk

Some miles away from the town of Kumbakonam,
and was not at all in Kumbakonam on the
date of election. He has a brother living in Kum-
-bakonam named Amirthalinga Padiachi.

This man went to the poll in the assumed
character of the voter. Arumula Padiachi, voted
for K. Ramalinga Chetty and signed his name
as Arumula Padiachi in the voting paper.

On the morning of the 3rd August this man
was brought to me by N. Krishnasami Iyengar
and I recorded his statement then and there.

He alleges that he was brought from his house
to vote by K. Ramalinga Chetty's agents

that
he was met outside the temple and
4. by K. Ramalinga Chetty him-
self. He conducted
all of them to the temple and
him there was

successful

no harm in his voting for his brother and signing
his brother's name, inasmuch as it was an un-
important document. He even goes so far as to
say that K. Ramalinga Chetty said in public
that he was going to vote for his brother at the
entrance to the temple, and that the Agents and
adherents of both sides were aware of it when
he went to the poll. This story I do not believe.
From other evidence it appears that there was
a question raised by the Iyengar's party at the time
as to whether this man was actually a voter,
but on a reference to the Municipal Inspector
at the polling place, it was said that he was and
they were satisfied. Any how, no Complaint
was made that day and N. Krishnasami
Iyengar's Agent attested the polling officer's

certificate

Certificate at the close of the poll. I think that the man has exaggerated matters in the interest of the petitioners and it would be unsafe to rely on his bare statement. No attempt, however, has been made to contradict the fact that the man was conducted to the poll by K. Ramalinga Chetty's agents. I should say it was therefore extremely probable that it was at their instigation in their zeal to secure votes that he was induced to falsely personate his brother. He is a simple kind of fellow with nothing to gain by voting, and it is too much for me to believe that he acted altogether of his own accord.

7. On the list of voters which is dated

January 1895, there are two deceased

Nadalan Chetty No 54 Vembadi Street

Successor

Certificate

is

and Chakrapani Chetty No 70 Vembadi Street.

Nadalan Chetty No 54 died in June 1894.

Chakrapani Chetty died 4 or 5 years ago. There are no persons bearing these names residing

the above numbers. Curiously enough however,

there are two persons of the same names.

Nadalan Chetty at No 70 and Chakrapani

Chetty at No 54, and it would appear

from the enquiry that these persons voted. The polling officer was guided in the identification

of the voters by a bill. Collector, Kasturi Senghar,

who prepared the list of voters, and this bill.

Collector himself admittedly was not

acquainted with all the voters on the list. It

is alleged that the two men who voted were

the actual voters intended, but that the door

numbers against their names had by a

Clerical

clerical error been interchanged. In the previous year's list of voters, there are two men of the name of Nadalan Chetty, one at No 54, and the other at No 70. The bill-Collector explains that in preparing the present year's list of 12th January 1895 he had information that one Nadalan Chetty was dead, but, instead of ascertaining correctly who it was, he guessed that it was No 70 Nadalan Chetty, and substituted the name of Chakrapani Chetty in his stead at No 70 instead of substituting Chakrapani Chetty the brother of the late Nadalan Chetty at No 54. This explanation of his own accuracy or may not be true, but it is

7. On the two men who voted are not the list of voters. It will not do to vote in this way at the Municipal Subordinates. These

two voters should therefore be considered invalid, and if proper enquiry had been made by the polling officer at the time they came to vote, they ought to have been rejected.

8. Another irregularity was committed by the Chairman who was present during the greater part of the polling. One Panchanatha Pathan came up to vote about 12^{noon} A.M. There was a Panchanatha Chetty on the list of voters who appeared to the Chairman to be the same man. The Chairman went away to tiffin and came back again in an hour or two having sent for the bill-Collector of the division wherein the man resided. On the word of this bill-Collector, the Chairman altered the name Panchanatha Chetty to Panchanatha Pathan

son in the list of voters under his initials
and allowed the man to vote.

I think this vote too should have been
refuted.

9. These are the main objections pressed
against the election. The other allegations
in the petition are of a general nature, and
no proof of them has been brought forward.

10. The inquiry shows how carelessly and
inaccurately the list of voters has been prepared.

It has practically been left to a bill-collector,
supposed to have been examined by a
Councillor, and not checked at all by the
Chairman.

11. Irrespective of the question of fraud,

there is, I think, sufficient proof that the
successful candidate, K. Ramalinga Chetty,
has not been duly elected and I recommend
that the election be cancelled.

12. A list of records of the inquiry is enclosed.

I have the honor to be,

Sir,
Your most obedient servant

(Signed) Robert B. Claff
Off. Sub. Collector
27. 8. 95

No. 443
2nd (True Copy)

Enc: Records as per list. CURRENT TO. 2809/11

Submitted to Government in the Local
and Municipal Department, Madras with the
recommendation that the election of M. R. R. K.

Ramalinga Chettiar Avarhal held on 31st July

Nov 1895 for Ward No III in Kumbakonam

an Municipality may be Cancelled.

2. The records of Enquiry together with

the Chairman's report of election dated 18th

August 1895 and the 2 petitions presented to

this office both by the successful and the

defeated Candidates after the Enquiry are

forwarded herewith as per list enclosed.

Tanjore Collector's Office

Dated 4th September 95

Am. hu. Sam.

For As. Collector

6. 9. 95

Mayavaram. Dec. 6th 1895

DR.

RS

Char. Secy

Papers to be read in Proceedings:—

Again G.O., dated

189 , No.

Current No. 2809M of 1895, dated 4th Sept. — from the Collector of Tanjore.
 Current No. of 189 , dated from the

Order.

7-10-95. No 1610 min

The Government agrees with the Collector in considering that M. R. Ry. K. Ramalinga Chetty was not duly elected by a majority of votes. The election of the other candidate M. R. Ry. K. Krishnaswami Aiyangar will be ^{therefore} gazetted.

2. The attention of the Municipal Council will be drawn to para. 10 of the Sub-Collector's letter. If greater care is not bestowed on the preparation of the lists of voters, the Government will have to conclude that the privilege of election is not valued to the extent

Compelled

V.R. Madhav
1/10/95
1/10/95
20
5/10/95

To The Chairman, M. C. Kumbakonam

Collector of Tanjore.
 (with the Enclosures returned)

Gazetted 7-10-95
8/10/95

+ Mr. Madhav

Copy 11/10/95

From

The Collector of
 Tanjore

To

The Chief Secretary to Govt.
 Local and Munc. Dept.
 Madras.

Dated 4th }
 Recd 6th } September 1895
 Recd 9 SEP 95

No 43 of 1895

Enc 1 bundle as per list.

Municipal Election.

Reporting the result of the inquiry into the validity of the — held in the Kumbakonam Municipality on 31st July 1895 for filling up a vacant seat.

appo.
14th

Election of a Council
Kumbhakram Municipality

READ AGAIN ORDER OF GOVERNMENT, DATED
189 No MISCELLANEOUS.

BACK PAPER, No.

OF 119

FURTHER PAPER, No.

OF 180

ENCLOSURES.

CURRENT No

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

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LOCAL AND MUNICIPAL DEPT.

G.O., DATED 7-10-95
No. 1610. In.

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[Despatch Abstract.]

Municipal Council

*Ordering, with remarks,
that the election of Mr. R. V.
N. Krishnaswami Aiyangar
as a member of the
Kumbakonam — be
notified.*

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When signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

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OF, OF GOVERNMENT

OF GOVERNMENT.

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