FOR WHAT PURPOSE.

பொ. ப. புதி எண். 24—6,02,106—24-2-68.

______ துறை

குறிப்பிட்டவர் பொறுப்பிலிருக்கும் பதிவுக் கட்டினின்றும் எடுக்கப்பட்ட தாள்,

______ 196

அச்சு / பல்வகை / காகிதம் எண் ______, தேதி ______

எடுத்த தேதி.	எதன் பொருட்டு.			தாள் எடுக்கும் எழுத்தர் அல்லது சிற்றெழுத்தர் கையொப்பம்.	திருப்பிக் கொடுத்த தேதி.	சிற்றெழுத்தரின் கையொப்பம்.
	துறை.	நடப்பு எண்.	ஆண்டு.			

[L. & M. / 9,000-3-8-96.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1738 L.M

DATED 24th October 1895

[**Despatch Abstract.**]

Petition.

Informing D. Sundarasiva Rao, Municipal Councillor, Ellore, with remarks, that Government cannot sanction the prosecution of the Chairman under the Penal Code as prayed for.

BACK PAPERS.

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

FURTHER PAPERS.

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

List of papers sent

1. Petition presented by Duggirala ~~Siva~~ Sunda Siva Rao to the Chief Secretary to Govt. Madr against the chairman of the Ellore municipalit & forwarded with endt. no $\frac{927}{29.5.95}$

1. Report of the Head Asst. Collector d/20.7.95

1 Petition presented by Duggirala ~~Siv~~ Sundarasiva Rao to the Secretary to the Govt. of Madras. Municipal & Local Fund & forwarded with endt. no $\frac{1104}{29.7.95}$

1 A copy of the High Court's judgment referred to — in the petition of D. Sundara Siva Rao forwarded with endt. no $\frac{1104}{29.7.95}$

1 Head Asst Collector's report no $\frac{2570}{Rev.}$ d/3.9

1 Do — Do — no $\frac{2547}{Rev.}$ d/17.8.

1 Letter no 34 d/ 11-8-95 from the chairma Ellore Municipal Council to the Collector containing the explanation called for re the alleged use of municipal lanter (with its 9 enclosures)

for Collector

11/9

List of papers sent
29th Jany 1896

From
Deggirala Sundarasiva Rao

1. Petition presented by Deggirala Sundarasiva Rao Reader & Municipal Councillor

Submitted to the Chief Secretary to Govt. [illegible]

that M.R.Ry. C. Seetaramayya Gar Chairman of Ellore Municipality, has done several things to which objection must be taken and has also been taken. Among other things in March last when he invited Sankara Achariar to his house in Powerpet, he got five Municipal lanterns with posts removed from their places on the road side and placed in his compound for his own private use where they were allowed to remain for nearly a week. Again during the days of his daughter's marriage about 4 weeks ago, he got two Municipal lanterns removed from their places and used them in his house. Such an appropriation of public property for private use, though temporary, is contrary to law (vide Explanation 1 to section 403 of the Indian Penal Code). I put him questions in the Council held on 6th May 1895 on this and other matters, but he has not given replies to them as yet.

2 The administration of Ellore Municipal is far from satisfactory. There are complaints of various descriptions against administration. Sanitary Commissioner reports and the remarks on the administration

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Ellore 29th May 1895

Local & Municipal Dept.
CURRENT No. 1819 M

From
Deggirala Sundarasiva Rao
Reader & Municipal Councillor
Ellore

To
The Chief Secretary to the
Government. Fort St. George
Madras.

5 JUN. 1895

Sir

I have the honour to submit that M.R.Ry. C. Seetaramayya Gar Chairman of Ellore Municipality, has done several things to which objection must be taken and has also been taken. Among other things in March last when he invited Sankara Achariar to his house in Powerpet, he got five Municipal lanterns with posts removed from their place on the road side and placed in his compound for his own private use where they were allowed to remain for nearly a week. Aga during the days of his daughter's marriage about 4 weeks ago, he got two Municipa lanterns removed from their places and used them in his house. Such an appropriation of public property for private use, though temporary, is contrary to law. (vide. Explanai 1 to section 403 of the Indian Penal Code). I put him questions in the Council held on 6th May 1895 on this and other matters, but he has not given replies to them as yet. (1)

2 The administration of Ellore Municipal is far from satisfactory. There are complaints of various descriptions against the administration. Sanitary Commissioner reports and the remarks on the Administrat

Report

Reports of the previous years bear testimony on the unsatisfactory condition of the Municipality

3 I venture to submit that the Municipality is administered in a high-handed manner. Under these circumstances I think it is advisable, for the future saftey of the Municipality property to prosecute the Chairman under sections 403 & 409 of the Indian Penal Code for his having used the Municipal lanterns on the two occasions.

I, therefore, beg that your honour would be pleased to move the Government and get their sanction under section 197 of the Code of Criminal Procedure to prosecute the Chairman for the offences which he has committed by converting the public property to his own private use when he is not entitled to do so. I beg to add that if it be deemed necessary a preliminary enquiry may be held before the sanction is accorded and that I may be given notice of it before hand so as to enable me to see that no facts are concealed.

I have honour to be
Sir
Your most obedient Servant
D. Sundarasiva Row
Municipal Councillor

Report of the [illegible] [illegible] [illegible]
the unsatisfactory [illegible] the Municipality
[illegible] to submit that

the Municipality is administered in a high handed manner. Under these circumstances I think it is advisable for the future safety of the Municipality property to prosecute the Chairman under sections 403 409 of the Indian Penal Code for his having used the Municipal lanterns on two occasions.

I therefore beg that your honour would be pleased to move the Government and get their sanction under section [illegible] of the Code of Criminal Procedure to [illegible] the [illegible] [illegible] the offence which he [illegible] committed by converting the public property [illegible] private use [illegible] [illegible] not entitled [illegible]. I beg to add that if it be deemed necessary a preliminary enquiry may be held before the sanction is accorded and that I may be given notice of it before hand so as to enable me to see that my facts are [illegible].

I have honour to be

[illegible]

[9]

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.
CURRENT No. 1849 Pn

From

D. Sundarasiva Rao
Municipal Councillor, Ellore.

ANT COLLECTOR'S OFFICE
14 JUL 95
Y DISTRICT

No.

Dated 29-5-95
Received 8-6-95
Enclosures Pbu 16.7.

SUBJECT.

Praying that sanction may be accorded for prosecuting the Chairman of the Ellore Municipal Council for the offences ~~which~~ he has committed ~~by~~ converting the public property to his own private use &c.

(with an ~~add~~ endorsement)

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801 h 6-5-95
926 h 20-7-94

Cir 2295 / LS/95

TO BE RETURNED WITH REPLY.

N.S.

No. 927

Referred to the Collector of Gódávari for report.

(By order)

E G Todhunter
ag Assistant Secretary
3.VII.95.

V.R.
17/6/95
Fort St. George
5th July 1895

COLLECTOR
9 JUL 95
GODAVARI.

Ref. C. 2295 / LS/95 d/ 9.7.95

Forwarded to the Head Assistant Collector, Ellore, for very early enquiry & report.

Cunnamadi
Ag Collector

ad
9/7

To,

The Collector of Gódávari.

1016 a/27/6

Dis 1977 / Red of 95

Godavari Head assistant
Collector's Office, 20th July 1895.
Ellore. Des 23.7.95.

From

The Head Assistant Collector
Godavari

To

The Collector Godavari.

Sir,

I have the honor to reply to your Ref on cir no: 2295 dated 9.7.95 forwarding for report a petition presented by Duggirala Sundarasiva Rao requesting that sanction should be accorded for prosecuting the Chairman Ellore Municipal Council for converting public property to his own private use.

2. I have given previous notice to the petitioner as requested in para 3 of his petition and have examined all the witnesses whom he has cited. Notice was also given to the Chairman to attend with witnesses and records.

3. I understand that the petitioner

Complains

Complains that the Chairman made use of municipal property improperly on two occasions.

(1) When one Sankarachariar a Brahmin high priest visited Ellore in March last, 5 lamp posts and lanterns were removed from Powerpetta and put up in the Compound of the Chairman's house.

(2) On the occasion of a marriage in the Chairman's house in the month of April 2 Municipal lanterns were removed and used for 5 days.

3. It is admitted by the Chairman that the facts as above stated are correct. He points out, however, that the application for the use of the lamp posts and lanterns was made by his father in law who was not a Municipal Councillor and not by himself, & that permission was given by the then Chairman delegate with the Sanction of the lighting Committee. I may mention that at this time e.g. on the first occasion when the lamps were used, the Chairman was a Municipal Councillor, and that his election as Chairman had not yet been approved by Government. It appears that no written application for the use of the lamp posts was made, nor was any permission given in writing. The matter was further not put before the Council at any meeting. There can be no question that the lamp posts were dug up, and removed although they do not appear to have been in any way damaged.

4. On the Second occasion the Municipal lanterns were used for five days in the Chairman's private house (the Chairman and his father in law occupy the same house) no application was made nor was permission given in writing. It is also stated by the petitioner that Municipal Servants were used by the Chairman for private purposes connected with the marriage. This point has also been satisfactorily established, but it appears that in some cases at least the Servants were paid privately by the Chairman.

5. I would point out that some weeks ago a criminal Complaint was presented

presented to me charging the Chairman under Sec 409 I.P.C with criminal breach of trust in his capacity as chairman in respect of Municipal lanterns. I declined to entertain the Complaint as the requisite Sanction required under Sec 197 C.P.C had not been obtained.

6. It appears to me that this is not a case where it is advisable or necessary to institute a criminal prosecution. It cannot I imagine be suggested that there was any animus furandi on the Chairman's part, or that the lanterns were removed with any dishonest intention. I think that undue importance has been attached to the matter. I understand that this is the first occasion in which Municipal lamp posts and lanterns have been used for private purposes in this way, and I certainly consider that it is a very objectionable practice and should not be allowed in future.

✓ No it is absurd to say so.

7. I presume that no report is

necessary

necessary regarding the general allegation made by the petitioner touching the administration of the Municipality. The administration of the Municipality is far from Satisfactory, and is characterized by ~~dilatoriousness~~ dilatoriness and lack of interest on the part of the Municipal Executive and the Councillors, the Sanitary Condition of the Municipality being especially unsatisfactory.

I have the honor to be

Sir,

your most obedient Servant

P. Elmore
21.7.
ag Head Assistant Collector

20.7.95

It is impossible to say that any loss or damage has been caused.

Confl. Cir 28
26.7.95

The H.A.C is requested to forward any statements he may have taken – particularly the reply of the Chairman. I understand the Chairman accuses the councillor petitioner of habitually refusing to perform his functions as a councillor & of devoting himself entirely to thwarting & insulting him. If so this may be said to be proof of personal malice which the H.A. says nothing about but which of course the Ch. is entitled to prove if he wishes to

25.7.95

Reminder 13.8.95

1895

Godavari Collectorate

From

The Head Assistant Collector
Godavari

To

The Collector Godavari

Dis No: 1977/Rev of 95

Dated 20.7.95

Despd ~~22~~ 23.7.95

Recd

COLLECTOR
25 JUL 95
GODAVARI.

Enclosure

Please despatch the order confidentially 25/7

Subject

Reporting on the petition presented by Duggirala Sundaraswarlu alleging that the chairman Ellore Municipality ~~man~~ has converted public property to his own use.

Necessary

Local & Municipal Dept.
CURRENT No. 2464

Ellore 927
5-7-95

From
Duggirala Sundaraswarlu
Municipal Councillor,
Ellore.

To

The Secretary to the
Government of Madras
Municipal and
Local Fund.

Sir

I beg to bring to your kind notice that in the matter of the report called for from the Collector, Godavery District, ~~about~~ anent the allegations contained in my petition to you against the Chairman of the local Municipality, dated 29th May 1895, the Head Assistant Collector held a preliminary inquiry on the 19th instant: and report. [illegible] witnesses, most of them servants of the municipality, proved most satisfactorily the said allegations disproving at the same time the Chairman's defence that his father-in-law used the municipal property with the sanction of the lighting Sub-Committee. It was also proved that the Chairman most unscrupulously utilised the services of the municipal servants for his private purposes during all the days of the marriage and other occasions to the prejudice and detriment of their legitimate duties. I am, if called on, prepared to prove to the satisfaction

necessary

pub servant. Is con-
not be out of place the gift
here that the Chairm hi
recently figured as plain
in a suit for money a-
gainst the Ranee of Sani
varapetta. The High Court
in dismissing his suit and
in decreeing into the bargain
a sum of over Rs 3200 wi
costs throughout to the d
wa
ant, have in addi
ltogether
their remarks in body
of the judgment in Regu
appeal no 159 of 1893 against
the Conduct of the Chairman
which they Characterised
as "Reprehensible" felt
Constrained not to Close
their judgment without
devoting the following s/pa
paragraph Condemning
the Chairman's Conduct.

"We think it right to
express our disapproval o
the conduct of the pla

necessary

It is within the knowledge of the Government that the administration of this municipality is anything but satisfactory and that it needs a thorough reform. The Chairman has been, I believe, found from time to time to be utterly incompetent and it has been found useless to expect any improvement at his hands.

I most humbly beg to submit that it is not on every occasion that an offender is caught. It must not be considered that the allegations made in my petition are the only irregularities of the Chairman. There are many more instances of culpable misconduct which cannot at this stage be brought to light.

When men holding responsible positions wilfully misappropriate public property in utter contempt of law and set up defence in utter disregard to truth, it is highly desirable in the interests of the public that such men should be made an example of.

Under these Circumstances, I request you will be pleased in the ends of justice to (get the) O.S.R. order for the prosecution of the Chairman, and also order his suspension pending the result of the Same, inasmuch as most of the witnesses being direct Subordinates of the Chairman, are, as I apprehend, likely to be won over, their statements before the Head

[2]

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.
PR CURRENT No. 2460 M

From

Duggirala Sundarasiva Rao
Municipal Councillor, Ellore

No.

COLLECTOR
13 AUG. 95
GODAVARI.

Dated 29-7-95
Received 1-8-95
Enclosures

SUBJECT.

...ying that, under the circumstances stated,
...s may be issued for the prosecution of
...Chairman, Municipal Council, Ellore
... also for his suspension pending
...result of the same.

(with an endt)

Cir no 1819/95
3 years for

TO BE RETURNED WITH REPLY.

Received for [illegible] 95

No. 1104

Referred to the Collector of Godavari in continuation of endorsement No. 927 dated 5th July 1895.

(By order)
W Francis
Ag. Under Secretary.

HEAD ASSISTANT COLLECTOR'S OFFICE
20 AUG 95
GODAVARY DISTRICT

V.R.
7/8/95

Fort St. George }
10th August 1895 }

Cir: 2547/Rev of 95.

Urgent

Ref. Confl No 28 / 17-8-95

Forwarded to the Head Assistant Collector Ellore for report in continuation of this office reference Confl. Cir. No 28 d/ 26.7.95. He is further requested to obtain a copy of the High Court's judgment referred to in this petition and send it to this office (To be returned)

Collector

To
The Collector of Godavari

ads 15/8.

[illegible] 0168

In the High Court of Judicature at Madra
Tuesday, the fourth day of September
One thousand eight hundred and ninety-fo

Present:—

The Honourable Mr. Justice Parker
and
The Honourable Mr. Justice Best

Appeal No. 159 of 1893.

Sri Raja Papamma Row Bahadur Zamindar Garu of Nidadavolu } Appellant (Defendant)

Cherukuvada Sitharamayya Garu } Responden (Plaintiff

Appeal against the Decree of the Subordinate Judge's Court of Ellore in original Suit No. 14 of 1891.

This appeal coming on for hearing on Monday and Tuesday, the 20th and 21st days of August 1894, and having stoo over for consideration till this day, the Court delivered the following

Judgment

The Plaintiff is a First Grade Plea practising at Ellore in the Godavary

District. The Defendant is the zamindarini of Nidadavole in the same District. The plaint sets forth that the Plaintiff was engaged on the 22nd of January 1888 to conduct the Defendant's affairs as Pleader and agent. He was to look after the Defendants' interests in Madras in relatio to matters before Government and the Board of Revenue and also to obtain Probate of the Will of the late adopted son of the Defendant in the District Courts of Godavari and Krishna. For these Services Plaintiff alleges that he was to be paid a sala of Rupees 1,000 per mensem and his expenses; and he also alleges that Defendant promised him a [illegible] of Rupees 10,116 as a mark of gratitude of which she has only paid him Rupees 5,000. The Plaintiff allege that his services were dispensed wit on the 22nd of April 1889, and he claims arrears of fees for four months and interest thereon, deducting Rupees 27-10-0 as balance in hand of moneys advanced to him for expenses.

The Defendants' answer was that the allowance of Rupees 1,000 per mensem was to cover all expenses except Steamer charges which were the only extra. She stated further that the accounts rendered by the Plaintiff were not settled, that he had charged for a large number of items for which the Defendant was not liable, that three months' salary only was due, but that as against this must be set off a sum of Rupees 3,628-8-0 for which the Plaintiff has not accounte

The Defendant further alleged that Rupees 5,000 which Plaintiff has called a present was obtained from her by coercion that is by Plaintiff's refusal to start for Madras to attend to her litigation until he received a present. Defendant therefore claim that She was entitled to Set off this amount against the Plaintiff's Claim and alleged that if accounts were taken, the Plaintiff would be found in her debt and not She in his.

The Subordinate Judge found that under the agreement, the allowance of Rupees 1,000 per mensem was to cover everything except Steamer Charges, that the Plaintiff's Services had been dispensed with from the 21st of April 1889, therefore that three months' Salary only was due and that there had been no final Settlement of accounts rendered. He deducted various items in [illegible] the four bills furnished by [illegible] which items he held inadmissable. As to the plea of Set off, he held that it was maintainable, notwithstanding that the Court fee had been paid late. On the merits he held that the Sum of Rupees 5,000 could not be set off by the Defendant, but that upon the other Sums Claimed the Plaintiff was liable to account for Rupees 1,228-15-5. Upon the whole he held that Rupees 2088-7-7 were due by Defendant and he gave a decree for that amount.

The appeal is preferred by the Defendant. She urged that the Lower Court was wrong in holding that there was no fiduciary relation-Ship between herself and the Plaintiff and that the whole amount of Rupees 3,268-8-0 Should have been allowed as a Set off. She Contented further that the present was not paid voluntarily but was paid under the pressure of undue influence and Coercion and Should therefore be taken into account in Considering the Plaintiff's Claim -

The Plaintiff filed a Memorandu

of objections. He urged that the Court ought not to have entertained the Defendant's Claim to Set off inasmuch as no Stamp duty was paid when the written Statement was filed. He also (contended) contented that the Subordinate Judge was wrong in disallowing one month's pay, that accounts had been finally settled up to the end of December 1888 and could not be re-opened and that Defendant was estopped by her own acts and by those of her agents from disputing Plaintiff's Charges for board and lodging, servants' wages, carriages, et cetera.

In disposing of the questions raised between the parties, we think it convenient to deal first with the Claim of the Plaintiff against the Defendant, and secondly with the Set off pleaded by the Defendant against the Plaintiff. The documentary evidence Containing the terms on which the Plaintiff was engaged is contained in Exhibit A. We think the language of that document is Specific. It expressly States that the engagement is to date from the 22nd January 1888, that the plaintiff is to be paid Rupees 1,000 *per mensem*, and that broken periods of a month are to be counted as one month. It is expressly stated that Plaintiff's private expenses Should be borne by him alone but that his Steamer Charges Should be *extra*. This is the only *extra* mention

The Concluding words of the letter are apparently intended to hold out hopes of further reward in the event of a Successful termination to Defendant's troubles. But the words are Quite indefinite and no sum is mentioned as any additional Consideration for the agreement. We are Clearly of opinion that the language of Exhibit A would not sustain any cause of action for a larger payment than a Salary of Rupees 1,000 *per mensem plus* Steamer Charges.

Four bills (Exhibits J, K, L, and M) have been rendered by Plaintiff to Defendant for expenses incurred, and it is argued that these show that the agreement was taken to date from the 1st of January 1888, and hence that, as Plaintiff's services were dispensed with in the third week in April 1889, he is entitled to Claim Sixteen months' Salary instead of fifteen. We are not able to accede to this

Contention and observe that it was not the case put forward before the Subordinate Judge. The first bill (Exhibit J) professes to be a list of expenses from the 30th of January 1888. This is Subsequent to the date of Exhibit A which is taken as the Starting point. The Mere fact that the Plaintiff has Chosen to Show his pay as drawn Monthly from the first of each month proves nothing and will not avail against the express terms of A that the Service Shall Count from the 22nd of January. The fifteenth month therefore expired on the 21st of april 1889, but the letter dispensing with the Plaintiff's Services, Exhibit D, which is dated the 19th april, was not received by him until the 22nd. The dismissal would, of Course, take effect from the date on which it came to the knowledge of the Plaintiff under Section 208 of the Contract Act. But in the ordinary course of business, the letter would have reached Plaintiff on the 21st. That it did not reach him on that day is due to the fact that Plaintiff had gone away to Nuzvid to pay a visit to a friend in bad health. That friend happens to be a nephew of the Defendant, but there is nothing to show that the Plaintiff went on the business of the Defendant. On the contrary Exhibit XXXIII shows that the visit was purely one of Courtesy. We agree therefore with the Subordinate Judge that the Plaintiff's services terminated on the 21st April 1889, the last day of the fifteenth month

We pass now to the consideration of the different bills sent in by the Plaintiff. It is beyond question that in these the Plainti has charged for a large number of items which the terms of Exhibit A by no means justify and which indeed are in contravention of that agreement. But it is urged that they were incurred on the sanction of Simhadri Appa Row, the Defendant's nephew in Madras, that Defendant is bound by his sanction, and also that Defendant herself has accepted and paid all the bills except the last. The Defendant has two nephews, the elder was at Sanivarpet and the younger in Madras. It is clear from the evidence of the former that the Plaintiff tried all he could before leaving the Godavari District to come to terms by which he might be allowed to charge all his expenses *extra* to the salary of Rupees 1,000 a month.

But the basis of the agreement was that Rupees 500 per mensem would be a fair salary with an allowance of (another) Rupees 500 for expenses. This was the understanding on Plaintiff's leaving Godavari. When in Madras, the Plaintiff appears to have renewed his solicitations to Simhadri Appa Row who made advances in Madras to him on Defendants' account. Simhadri Appa Row allowed Plaintiff to charge these items on the chance that Defendant would not dispute them. But there is nothing to show that he had any authority to make such a concession. The first two bills were passed by Simhadri only and were not submitted to Defendant. It is, however, otherwise with the third bill — Exhibit L. That was rendered to Defendant herself and comprised the former bills J and K. These showed a balance in hand of Rupees 919-15-0, and the Plaintiff requested that Rupees 7,000 might be sent to him for seven months' fees and a further advance of Rupees 1,000 for expenses. Exhibit C shows that Defendant sent the money as requested and Exhibit XVI is the Plaintiff's receipt for it. Exhibit DDD shows that these sums were entered in the Zamin accounts. The Defendant has not given evidence that she did not see these bills, and no exception was taken to these charges for more than two years, namely, till the 23rd March 1891, (vide Exhibit L We think that the Defendant's conduct in accepting this bill and making a further advance bill M, his claim must be governed by the terms of his agreement Exhibit A. The greater part of these Charges must therefor be disallowed. We allow the telegrams since these hardly fall unde the head of private expenses and presumably they were despatched on Defendants' business. The Steame Charges, expences on board and for landing and embarking are also allowed. We append to this judgment an extract showing the items in Exhibit M which are disallowed. They amount to Rupees 1,186-11-5 which together with Rupee 27-10-0, the balance in hand, mak a total of Rupees (~~1,186 11 5~~) 1,214-5-5 which must be set off against Plain Salary for three months, namely Rupees 30

We now come to the Defendants' claim against the Plaintiff for the set off. We attach no weight to the objection that as no court fee was paid on th written statement when it was firs filed, it cannot be levied afterwar

It was open to the Courts so to levy it, and the omission to do so for a considerable time was as much the mistake of the court as the default of the party. The written statement was put in on the 1st. of August 1891, though the court fee was only levied in 1892. But the decisions in I.L.R. XV Mad. pp. 29 and 78 are authority for holding that though the deficient stamp duty was levied afterwards, the Claim must be regarded as presented on the day on which it was put in. No bar of limitation, therefore arises.

As regards the sum of Rupees 3,628-8-0 which Defendant Claims on the ground that Plaintiff received it from Defendant's nephew Simhadri Appalow in Madras, we are of opinion that the Defendant's Claim must fail. We find that Plaintiff has given credit for this amount in his first bill (Exhibit J) and that the credit and debit account of the bill J has been brought forward in Exhibit L. We have already held that the bill L has been accepted and ratified by Defendant, and therefore we must hold that this Sum has been duly accounted for.

But the principal question raised by the Defendant is with respect to her Claim to Set off the Sum of Rupees 5,000 which She gave to the Plaintiff as a present on the 11th august 1888. The lady's Contention is that the gift was not voluntary on her part, that Plaintiff was pressing for a present on the ground that Defendant had, through his instrumentality, been Successful in the Civil Revision Petition in the High Court and that he delayed to Start on his return to Madras or the final hearing of the Case until he got what he Considered was sufficient mark of Defendant's gratitude. By this delay it is urged that Plaintiff brought pressure and undue influence to bear upon the lady and that the gift so exacted falls under the equitable rule which invalidates a gift from Client to attorney while the fiduciary relation Continues. For the Plaintiff it is [contended] Contented that the relation between the Defendant and himself was rather that of principal and agent than of Client and attorney, that Plaintiff was not employed as a pleader in Madras and indeed Could not appear either in the High Court or before Government and the Board but was engaged as an

Erron one

agent because he had some knowleg of law. It is also said that Defendan was not without independant advice that Plaintiff never saw her personall but that in giving him a present she acted on the advice of her nephe and that the correspondence shows that neither threat nor coercion was used.

We are quite unable to accede to the contention that the Plaintiff was not employed in his professiona capacity. His own plaint shows that this is the basis of the claim on which he came into Court. The evidence shows that he obtained an introduction to the Defendants' family on the plea that he had as a pleader conducted a case similar to the Defendants' in ano Zamindary family and that he would like to act in the same capacity for the Defendant. Exhibit A shows that he was engaged *as a vakil*, among other things to take out Probate of the will of the adopted Son in two District Courts. The Subordinate Judge's view that he could not act as a pleader in Madras but that he was only a medium of Communication for instructing Counsel, ignores the obvious fact that in so acting he was doing the work of an attorney, though not himself entitled to appear in the High Court. In all his bills the Plaintiff claims the money due to him as fees and not as salary and in all his correspondence with the Defendan he describes himself as "Your Pleader".

Nor can we agree with the Subordinate Judge that the relation of pleader and Client had been severed when the gif was made. The Plaintiff was then in the receipt of a monthly allowance under the head of professional fees. The case in Madras was not closed and Plaintiff was about to return to Madras for the further hearing. The relation of pleader and Client was only terminated on the 21st of april 1889 by Exhibit D.

That Plaintiff asked for a present in addition to the very liberal allowance which had been given to him is clear from his own evidence. He says (at page 132 of the printed record) that he told Raja Rangayya Appa Row, Defendants' nephew, that he expected a liberal present consistent with the dignity of the Defendant and his position under her. When he was asked by the Rajas Jawabnis what present he expected he replied that he expected Rupees 10,000 more than what was usually given by the zamindars namely ~~(1116)~~ Rupees 1,116.

The Defendant did not accede to this preposterous demand, but on the 4th August 1888 She sent him a present of Rupees 1,116 (Exhibit B). This he returned the same day (vide his letter Exhibit XXVIII) with a very clear intimation that such a present was not worth his acceptance. He (added) ~~h~~added that he was in correspondence about the Steamers to Madras and that he had no engagement which would prevent his going by the Steamer of the 6th of August. He did not, however, depart; and on the 11th August (See Exhibit Q) Defendant sent him a present of Rupees 5,000, begging him to start cheerfully this very night and to conduct affairs in the High Court through our Barristers so that it may be favourable to us." Having received this "encouragement", as the Plaintiff euphemistically describes it, he promptly started to Madras either that same night or the next morning.

It is argued that this reprehensible conduct did not amount to coercion since Plaintiff used no threats and did not himself see the lady who acted on the advice of her nephew. It may be that the Defendant was aware that her case was not coming on immediately in the High Court and was also aware that most of her important documents had been already filed.

One of her Pleaders in Madras, however, had telegraphed to Plaintiff to leave by the Steamer of the 6th August (vide Exhibit XVIII). Defendant appears to be a lady of superior education and to have managed the affairs of a large estate for several years with considerable ability and success. To Plaintiff and to others as well she seems to have been very liberal. Her stake in the suit before the High Court was a very large one and she must naturally have been very anxious. It was impossible for her to feel sure when Plaintiff would start if he were not satisfied with a present and she was probably afraid of offending him. Though no threats were used and the

Plaintiff's Conduct may not have amounted to legal (to) Coercion, we think that he made use of "Undue influence" within the meaning of Section 16 of the Indian Contract act, in that he made use of the fiduciary relation existing between himself and the Defendant to obtain an advantage over her which but for such confidential relation he could not have obtained

We do not think that the hope of a present held out in Exhibit 5 is any justification for the Plaintiff's Conduct. No Sum is mentioned in that document and the present, if given was to be altogether outside the legal remuneration agreed on between the parties. It is reasonable to think that if Defendant Contemplated making any such present she looked forward to the time when the legal relation between herself and the Plaintiff

Should have ceased and the Plaintiff engagement with her be at an end. The words used could hardly have reference to the uncertain success of an interim proceeding.

It is contended by the learned Advocate General that the Courts in India which are Courts of equity and good Conscience should apply the equitable rule which Vice Chancellor Bacon in Morgan versus Minett, (L. R., VI Ch. D. p. 638) pronounced to be as plainly settled as any law existing, namely that while the relation of Solicitor and client subsists the Solicitor cannot take a gift from his Client. If that rule is held in England to be requisite for the Safety of Society, there would be reason for holding that the same necessity exists in a society (~~there would be reason for holding that the same necessity exists in a society~~) like India where education is far less advanced and the Safeguards far less abundant. In the case before us, however, it is not necessar to determine whether So Strict a rule Should be held applicable. We find that not only was the relation of pleader and client Subsisting but the evidence of the Plaintiff himself Shows that the gift was asked for and was granted entirely under the pressure of the influence of that relationship. The only advice available to the lady was that of her own family only, not independent professional assistance. Such being the case, we are constrained to hold that the gift was not voluntary and that Defendant is entitled to set off the amount against the Plaintiff Claim upon her.

The result is that so far from any sum being due from Defenda to Plaintiff the contrary is the Case. The Plaintiff has to account to Defendant for the Rupees 5,000 improperly obtained as a gift together with Rupees 1,214-5-5 found to be due on the account Exhibit M – total Rupees 6,214-5-5. From this sum has to be deducted Rupees 3,000 for three months' fees due to Plaintiff which leaves a balance of Rupees 3,214-5-5 in favor of Defendant.

The decree of the Lower Court must be reversed and the Plaintiff's suit dismissed with Costs throughout: and there will be a decree in favor of Defendant for Rupees 3,214-5-5 with proportionate costs on this amount and further interest on the principal sum adjudged at 6 per cent. per annum from the 1st August 1891.

Proportionate Costs will be allowed on the appeal and the Memoran of Objections.

We think it right to express our disapproval of the Conduct of the Plaintiff as disclosed in this case. Not only has his conduct in soliciting the gift been unworthy of his profession but he has imposed upon this lady by charging against her sums altogether outside his agreement, while he himself has been paid a monthly allowance on a scale altogether beyond the value of the Services which it was in his power to render

By the Court.

Exd. by C. Chandrasa-
kharan

Dy Registrar,
Appellate Side

Appendix

The following items in Exhibit M are disallowed.

26th December 1888.

Rs.- a.- p.	
6. 8. 0	Expenses in respect of palanquin bearers of Sanivarapeta on 26, 28, 29 & 30th (December)
4. 14. 0	Expenses in respect of palanquin bearers of Sanivarapeta on 5th, 7th and 8th January 1889
3. 6. 0	Expenses in respect of palanquin bearers of Sanivarapeta on 9th and 10th January
2. 4. 0.	Expenses for a torch-bearer for Nuzvid journey on 10th January
1. 0. 0.	Reward to palanquin-bearers
2. 0. 0.	Batta expenses to the Boyees on 11th January
1. 0. 0.	Batta expense to the washerman
2. 8. 0.	Cart (hire) for goods taken from Ellore to Nuzvid
1. 9. 11.	Batta expense to Boyees at Nuzvid
2. 0. 0.	advance money paid to Boyees at Bezwada on 13th January
2. 12. 0.	Expense for a bandy from Nuzvid to Bezwada
0. 8. 6.	Expense for going to "Shicar" (walk) to the place where boats halt.

Rs. a. p.	
3. 4. 0.	Expense in respect of Cooly and present for the Boyees in Bezwada for the supply made (by them).
1. 0. 0.	For the peons that made the supply
3. 0. 0.	For boat—&c, in Bezwada—
35. 0. 0	Boat-hire including present, &c, for travelling from Bezwada to Bandar
1. 4. 0	Expense near Veeranki Sluice.
3. 0. 0	Hire for Bandar bandies engaged on the night of the 14th instant
20. 0. 0	Other expenses and expenses given for the peons &c who made the supplies.
2. 0. 0	Bandy Charges for going to Masula Port.
6. 8. 0	Bandy Charge at 12 o'clock on this night
3. 4. 0	Sundry expenses on 18th January
60. 0. 0	Bandy Charges for 15 days from 17th Jany. up to the end of the month at Rupees 5 per day
2. 8. 0	Expense under present for 15 days.
25. 0. 0	House rent for January
25. 0. 0	Salaries to the Servants
150. 0. 0	Meals expense for January
	15th February
30. 0. 0	To Stable Co. for Carriage Charges for 12 days at Rs 2. 8. 0 per day.
1. 8. 0	Present to Coachman &c.
20. 0. 0	Carriage Charges for 5 days at 4 Rs per day.
0. 10. 0	Present to the Coachman.
30. 0. 0	Bandy hire for 10 days at Rs 3 per day.
1. 6. 0	Present to the Coachman &c.
4. 0. 0	Sundry expenses.
25. 0. 0	House rent.
25. 0. 0	Salaries to Servants.
150. 0. 0	Meals Expenses
	4th March
0. 8. 0	For Court peons

11th March

Rs. a. p.	
20. 0. 0	To Acharlu the former gumasta of Dallapragada Subba Row Esq.
2. 0. 0	Reward given to the Court-peons
1. 4. 0	Jatka expenses on different occasions
4. 0. 0	Sundry expenses.
10. 0. 0	Expense in respect of reward &c.
2. 0. 0	Reward to Coachman &c.
74. 4. 0	On 27th March for 26 days deducting the days of omission at Rs 3 per 11 days & at Rs 2$\frac{3}{4}$ for 15 days.
2. 8. 0	Cart hire for carrying luggage in Cocoanada
1. 8. 0	Expenses for torch-bearer in going to Rajahmundry (from) for Cocoanada –
	30th March
20. 8. 0	Cooly, Reward & batta expenses to Boyees in Rajahmundry
25. 0. 0	House rent for March
25. 0. 0	Salaries to Servants
150. 0. 0	Meals expense to March
3. 8. 0	Boat hire from Rajahmundry to Polavaram
[illegible]. 0	Charges for the luggage of Servants that came subsequently
5. 8. 0	Boat hire & reward &c for going to Rajahmundry from Polavaram on 6th april.
3. 4. 0	For Boyees & bandy hire for carrying the luggage
13. 0. 0	Boat hire and reward for going to Ellore from Rajahmundry
2. 0. 0	Expenses in respect of rewards
2. 6. 0	Expenses for going to boatstand from Rajahmundry on 9th april
	10th april
4. 8. 0	Expense for Boyees & for luggage on reaching Ellore
	10th & 11th april.
3. 2. 0	Expense for Boyees in Sanivarapetta
1. 8. 0	Expense for going to Sub Court on the 12th & 13th insts
3. 4. 0	Do Boyees in Sanivarapetta on the 14th & 17th insts
1. 9. 0	Do Boyees in Sanivarapetta on the 29th inst.
25. 0. 0	Salaries to Servants.
5. 0. 0	Boat hire & cooly for men for Carring (carrying) the palanquin from Bezwada
110. 0. 0	Meals Expenses up to the end of 22nd april
3. 8. 0	Coolies for one of the Boyes that went to Bezwada as he was not paid his Cooly in Sanivarapetta
1186. 11. 3	

(Sd) C. [illegible] Hunter
Dy [illegible] Appell [illegible]

(True copy)

(Sd/ C. G. Todhunter

Dy Registrar,

Appellate Side.

(True copy)

Ag Head Asstt Collr

31/8/95

Dis No. 2510/~~Eng.~~ Rec of 95

2,000—3—4—95.

GODAVARI DISTRICT,
Hd assistant COLLECTOR'S OFFICE,
Ellore ~~Cocanada~~, 3rd September 1895.

FROM

L G Moore Esq.,
Agt Hd assistant ~~Collector,~~
~~Godavari District.~~

To

The Collector Godavari

SIR,

In reply to your ref Confidential no: 28/17.8.95 and in continuation of this office reference no: 2547/Rec of 1895, I have the honor to forward a copy of the judgmen of the High Court in Civil appeal no: 159 of 1893 in which the Chairman of Ellore was respondent. A printed Cop of the judgment was lent to me by the appellant's Vakil and a copy was taken in my office.

2. The second petition of D. Sundaralwar ex-municipal Councillor does not appear to call for any remarks, as I have already fully repo on the subject.

I have the honor to be
Sir
Your most obedient Servant.
LGMoore
Agt Hd asst Collector

Exp 3/9.

8/3.9

Revenue {1895} Department.

For orders

From
The Collector,
Godarari District.

GODAVARI DISTRICT
Dis No. 2510
Eng. of 95
COCANADA

Dated 3
Despatched 4 } September 1895.
Received

ad
6/9

SUBJECT.

Submitting Copy of the High Court's Judgment in Civil Appeal against the Chairman Ellore Municipality & returning the referred petition

Chairman's
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From a careful perusal of the questions submitted by M.R.Ry. D. Sundarasiva Rao Garu to the Municipal Councillors, I am inclined to believe that they are of very little importance and were intended to advance no public interest.

2. With regard to questions I & II I recollect that M.R.Ry. Nandivada Bhyravamurti garu, who had been formerly a nominated Municipal Councillor for many years & thoroughly respected by the people, and whose term of office expired in December last, requested M.R.Ry. Munshi Mahammad Yakub Sahib garu, the Chairman delegate at the time, for the loan of Municipal lanterns for a day in March on the occasion of the visit of His Holiness, Sankara Charlavaru, four lanterns were given to him on my recommendation as a member of the lighting Committee, these lanterns and posts were not used by the Municipality at the time, as they are intended to be put up in next official year.

On the occasion of the marriage of the Chairman's brother's daughter M.R.Ry. Bhyravamurty garu again asked for a loan of 2 or 3 lanterns for 5 days during moonlight nights when they were no longer required for the Municipal use. and they were lent to him on the recommendation of the members of the lighting Committee by the Chairman delegate. It has been usual to lend Municipal property on special occasions, to private individuals without prejudice to the Municipal interests and I therefore see nothing in the matter. If I had been present at the Municipal Council when M. R. Ry Sundarasiva Rao garu submitted these questions I would have explained to him at once.

Regarding questions V. VI. VII. VIII it is my opinion that these questions ought not to have been put on paper. If the Councillor honestly wanted to obtain any information on these or other matters, he could have easily obtained it on applying to the Chairman, who I am Confident will satisfy him on every point. On the Contrary the proceeding of the Councillor in putting up these questions before he first satisfied himself as to their genuineness, proves that it is due to malice, and not to public spiritedness. For it is a fact that this Councillor was prosecuted by the Chairman for a Municipal offence last year. This is further borne out by the Conduct of the Councillor in refusing to report on Municipal papers referred to him by the Chairman while rude and disrespectful remarks on these papers.

All this unbecoming and insolent Conduct of this Councillor, I am satisfied is due to some personal grudge to the Chairman. The undignified and impertinent attitude of the Councillor towards the Chairman, the factious spirit apparent in the questions put by him displays a [illegible] malicious [illegible] injure the

Chairman in the eyes of the Council and the public.

Hitherto the Council was known to be in unanimity and in perfect harmony with the Chairman and I plainly see the object of this Councillor is to sow discord and disunion in the Council and it is my opinion in the interests of the public, and to secure an honest and sympathetic cooperation in the Municipal administration such a disturbing member should be at once eliminated from the Council.

It is my Candid opinion that the questions now before me are of such a frivolous and stupid nature that I consider it beneath the dignity of the Chairman to answer; as it would dishonor the Council.

26-5-95. (sd) C. Chendriah
Pensioned Subdr. Major &
Municipal Councillor Ellore.

I quite agree with the views expressed and the statements made by Subadar Major C. Chendriah Bahadur Garu as regards the questions proposed by M.R.Ry. D. Sundarasiva Rao Garu. If he had honestly applied to me for information on the subject, he could have easily obtained it.

(sd) Md. Yacoob

28. 5. 95
Ellore

True Copy

C. Sitaramayya.

II

I have, carefully read over the questions, addressed by M.R.Ry D. Sundarasivarow Pantulu garu to the Councillors on, certain points reflecting upon the conduct of our Chairman and I have also made such inquiries as were proper and necessary.

I believe the questions are frivolous and not intended to, advance public interests. Questions I to IV, now with regard to the use of Municipal Lanterns by the Chairman for his own private purposes I understand that the father-in-law of the Chairman M.R.Ry N. Bhyravamurty garu, a much esteemed Councillor of 20 years standing and nominated by Government obtained the loan of them on behalf of M.R.Ry N. Jaladurgaprasad arow garu in connection with the same marriage but not for his own use. On the other occasion the loan was of a more public nature than otherwise as the Lanterns were placed in the quarters of Sankara-

Sankaracharyar to pay respects to whom so many visitors used to resort. On both these occasions Bhyravamurty Garu obtained permission of the Chairman delegate upon the recommendation of M.R.Ry Subadar Major C. Chendriah Bahadur Garu and Munshi Mahomad Yagub Saheb Garu. Only 2 or 3 lanterns were obtained in this manner for five and one nights on the respective occasions. I am informed on good authority that Chairs and other articles which are also Municipal property had been lent to others on special occasions.

Question V. From what I have gathered from reliable sources I must say that the Chairman did not employ Municipal Servants in his private Service at the marriage or any other occasion. The mashalchis being employed only for lighting lamps during the dark nights, they are always available for engagements at marriages and festivals throughout the month which are the means of their livelihood. So that the Chairman was at liberty to

employ

to employ them and it would appear that he paid handsomely.

Question VI. As there was no work for peon G. Gopalakristnamma under the overseer he was put to do work in the office as a temporary measure. This is a matter of internal management which no body has a right to question about.

Question VII. Lastly the Head Clerk does not seem to have been absent except on Casual leave granted by the Chairman. He sometimes takes papers to the Chairman's house for disposal when ordered and then of course he could not attend office.

Now if M.R.Ry. D. S. Sivarow Pantulu garu wanted to do so he might have easily obtained all the information from the Chairman himself or any other source.

From the refusal of this Councillor to report on certain Municipal papers referred to him and from the discourteous remarks passed by him in returning these papers I feel satisfied that he is bent on annoying the Chairman

3

The questions under consideration evince an unbecoming spirit of faction for which the Council is not the proper field.

Councillors are expected to show public spirit and cooperation whereas Mr. Rly D. S. Sivarow pantulu garu is striving evidently to sow dissensions and lower the prestige of the Council and I feel it my duty to suggest that such a disturbing element be eliminated from the Council and greater harmony secured in the public interests. For my own part I also believe that to undertake to answer such questions as are now before me would not only be beneath the dignity of the Chairman but would reflect upon the honor of all the Councillors.

/sd/. K. Kristnamurty
Sub Asst Inspector of
20-5-95 Schools. Ellore.

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

[illegible]

[illegible]

/Sd/ Mahomed Abdul Khayyum.

[illegible]

(Translation for the Above)

We concur in the views expressed above.
On occasions of necessity the Municipality is in
the habit of obtaining on loan chairs, benches,
lanterns & lamps from respectable residents of the
place and lend its own to them on similar occasions.
The present Chairman is a man of respectability
and high social status and is discharging Municipal
duties without being remunerated in any way
by the Municipality, at least for carriage —
expenses. We are confident that he would
never try to obtain any illegal gratification.

/Sd/ Motapp Venkataswamy

/Sd/ Mellapally Sattiyya

/Sd/. Chundur Subbarayadu.

/Sd/. Javvajy Kristnayya.

/Sd/. Mahommad Abdul Kayyum.

/Sd/ Puran Venkata Kristnayya.

/Sd/ Kanigolla C. Manikyam

/Sd/ Tata Sobhanadry.

/Sd/. Moulvy Md. Haffizulla.

/True Copy/

C. Sitaramayya.

Chavvau

III

26/2/95
E.J.C

To

The Councillors of the Municipality
of Ellore.

I humbly submit to answer the following in the Council.

I Is it a fact that Mr. Ry. Cherukuvada Seetaramayya Garu used two Municipal lanterns with or without burners, i.e. during the days of his daughter's marriage placing them in his private Compound?

II Is it a fact that the above gentleman used five Municipal lanterns with posts of the Power-Petta Road fixing them in the Compound of his house in Power-Pet in March last when Sankarachari was invited to his house?

III If so used, what authority had he for so doing?

IV If there was no sufficient authority what is the proper Course to be followed for his doing so?

V Is it a fact that the said gentleman utilized the services of certain Municipal servants for his private use during the said marriage days?

VI Is it a fact that one Gopalakrishnamma, a peon in the overseer's Department has not at all been working in that Department for the last two months?

VII If so, what was he doing?

VIII What was the cause of the Head Clerk's not coming to the office and not working in the office

6th May 1895 } (Signed) D. Sundarasiva Rao
Ellore } M.C.

Recd 6/5/95

(Sd) C.S. Referred to the Councillors for their opinion
(Sd) C.S. 12/5/95

III

In regard to these questions I may mention that on my return from Camp this Councillor came to consult me on what were in his opinion matters of great importance to the Municipality. I advised him either to speak to the Chairman privately or to put questions at the next meeting. From the manner in which these questions have been drawn up it is evident that the Councillor's object was not to elicit information on a matter of public importance, but rather to take an opportunity of annoying the Chairman. I understand that the lanterns were used as an exceptional case on the occasion of a marriage and during the bright half of the month when they were not required for the use of the Municipality. The questions are so impertinently worded that the Chairman would in my opinion be right in declining to answer them. The Councillor might easily have spoken to the Chairman privately on the subject.

(sd) L. G. Moore.
13/3.

True Copy

C. Sitaramayya.
Chairman

26/2/95
Ind. E. J. C

To
The Chairman
Municipal Council
Ellore.

Most Honored Sir,

I humbly beg to report your honor that one Chodisetty Venkataswamy has let out dirty water for the last four days during the marriage in his house without obtaining permission from the Municipal Council.

I humbly beg to remain
Most Honored Sir
Your most obedient Servant.
(Sd) Perlayya
Sub Inspector 3. Division.

Ellore.
26-2-95

Divisional Councillor for report.
(Ind) 1.
Chairman Delegate.
1/3.

This kind of reports shall never be referred to Divisional Councillors. I see many papers referred to which ought to be disposed by the Executive & the Council. I think the Chairman will be pleased to take notice of these facts and remedy them as soon as possible. I hereby remark that these references were made without looking into the contents of the papers which may be a proof of inadvertence on the part of [illegible] to the Counc[illegible] officers. I ask th

Chairman to put this paper in the next meeting.

10 - 3 - 95

(Sd) D. Sundara Siwala
M. C.

These observations are uncalled for. Enquiry has to be made & report to be submitted.

5/4.

Pending disposal of the matter in meeting the subject will be discussed in the next meeting.

(Sd) C. S.

5/4.

Please get information on the subject

(Sd) C. S. 5/4.

Postponed, meeting

D/ 5/4/95
(Sd). C. S.
Chairman

Referred to the Councillors for their opinion

(Sd) C. S. 16/5.

I am surprised that the Divisional Councillor should make such remarks. His experience of municipal work is evidently very limited, or he would know that such matters are regularly referred to Divisional Councillors for remarks.

(Sd) L. J. Moore.

(True Copy)

C. Sitaramayya.

12/3/95
(Sd). E. J. C.

To
The Chairman
Municipal Council
Ellore.

Most Honored Sir,

I humbly beg to report your honor that the night soil was deposited near the Dasundrukatam Depôt in D. Division for the last two or three years. The traffic was stopped near the iron bridge as it is in a dangerous state and the night soil cart finds difficult to go to D. Division depôt.

Pray that your honor will issue orders for a suitable place and to dig night soil pits.

I humbly beg to remain
Most Honoured Sir
Your most obedient servant
(Sd) Potayya
Sub. Inspector D. Division.

Ellore
12-3-95

Referred to Divisional Councillors for report.

(Sd)
Chairman Delegate
14/3.

This shall be disposed of either by the Chairman or by the Council. The Municipal Councillors can do nothing in this respect. I think the Chairman will take notice of these unnecessary references.

22-3-95.

(Sd) D. Sundara Siwala

D. J. C.

Meeting

(Sd).

Chairman Delegate 9/4.

Referred to the Councillors for their opinion.

(Sd) C. S. 13/5

This reference is most rudely and impertinently worded. The matter is one of some importance on which the Councillor was properly asked to report. His remarks are quite uncalled for. The Divisional Councillor should ~~He~~ have given the Chairman the benefit of his opinion after personal inspection.

(Sd) L. J. Moore

True Copy

C. Sitaramayya.
Chairman

VI

25/3/95
E. J. C.

To
The Chairman
Municipal Council.
Ellore.

Most Honored Sir,

I humbly beg to report your honor the follow

1 Bodimella Nagadu erected a shed and thatched it without obtaining permission from the Municipal Council.

2. That one Kondoory Ahavanarayana has renewed the marriage Pandal in front of his house on 23/3/95 but the time was expire from 14/3/95.

Pray that your honor will issue order for a bill for the extra days at 2 annas (measurement 2 yds × 6 3/2 yds)

I beg to remain
Most honored Sir
Your most obedient Servant
(Sd) Dolayya.
Sub. Inspector 2 Division

Enne
25-3-95

Divisional Councillors for report.
(Sd)
Chairman Delegat

D. I. O.

Divisional Councillors have no opportunity know whether the said Nagadu had taken ermission or not. I think the Executive an look into the Office records and ascertain bout the permission. If permission is not granted. He may be prosecuted on the responsibility of the Reporter.

2. The Chairman of the Council but not the Divisional Councillors have authority to assess for the pandal for the additional days. References like this are no more than waste of time and cause of delay. There is nothing to report on the matter.

4-4-95.
(Sd) D. Sundarasivarao

Referred to the Councillors for their opinion. M.C.
Sd/ C. S. 12/5.

x The duty of the Municipal Councillor was to report on the facts after inspection. His remarks about "waste of time" are uncalled for. This Councillor is evidently not aware of the nature of his duties.

(Sd) L. J. Moore
13/5.

True Copy

C. Sitaramayya
Chairman

VIII

12/3/95.
Sd/ C. J. C.

To

The Chairman
Municipal Council.
Ellore.

Most Honored Sir,

I humbly beg to report your honor that the Compounds belonging to the following are in a dirty state.

1 Maram Voollakky.
2 Barajada Manikyam.
3 Kakarla Veeravenkayya.
4 Fakeer Saheb.
5 Damaraju Rajayya garu } Joint Compound
Do. Subramaniyam garu }
Granthi Kathuam

I humbly beg to remain
Most Honored Sir
Your most obedient Servant
(Sd) Kotayya
Sub Inspector 1st Division

Ellore }
12-3-95 }

Divisional Councillors for report.
Sd/
Chairman Delegate.
14/3.

This is the duty of the Executive. The Divisional Councillors are to of the public to do the duty of the Executive. The Chairman has to trust, at least to some extent his subordinates. Notice shall be given by the Chairman to clean the compounds and if not complied with the owners shall be prosecuted on the responsibility of the reporter. I think the Chairman will be pleased to know that the Divisional Councillors are always busy with their work and cannot often spare time for these unnecessary references and that the Divisional Councillors are not his subordinates.

4-4-95.
(Sd) I. D. [illegible]ndaravaluka's M.C.

This a matter which requires a reference to Government as these are remarks which I consider objectionable. Place this before meeting
(Sd) C.S.

Referred to the Councillors for their opinion
(Sd) C.S. 13-5-95.

The remarks underlined in blue pencil (here red ink) are very impertinent and uncalled for. The duty of the Div Councillor was to inspect the compounds and report and not talk nonsense

(Sd) L. G. Moore

(True Copy)

VIII

At a Meeting of the Municipal Council for the Town of Ellore held on 27th October 1894 at the request of thirteen Councillors.

Present.

M.R.Ry. C. Seetharamayya Pantulu garu
Chairman
Municipal Council
M.R.Ry. Rao Bahadur K. Rustum Singh Garu,
Deputy Collector in charge.
Head Assistant's Division & 10 other Councillors.

Moved by Katchapeswarasastry garu that on the retirement of M.R.Ry. C. Seetharamayya Pantulu garu the Divisional officer of the division, should take the seat as chairman of the Council. The proposal is seconded by the members of the Council present and carried unanimously.

Read the following minute proposal by E. Katchapeswarasastry garu requesting that it may be put before the Council to ascertain the wishes of the Council on the subject.

Minute. The Council feels it its duty to record its high appreciation of the services rendered and the improvements effected by M.R.Ry. Cherukuwada Seetharamayya Pantulu garu as Municipal Councillor and Chairman during the term of office which expires on the 29th Instant, and to thank him for the zeal and the cheerfulness with which he always attended to the wishes of the Council and the wants of the public

To

The Chairman

Ellore Municipality

Statement made (in telugu) by the Lighting and Cesspool maistry.

1. Munshi Mahommad Eyaqub Saheb, the then Chairman Delegate told me in the beginning of March last that Nandivada Bhyravamurty garu asked for a loan of five lanterns and that they should be supplied for use in a new house under Construction and unoccupied in Power Peta belonging to Cheruku-vada Sitaramayya pantulu garu. The Municipal manager also told me the same subsequently. I accordingly arranged to supply five new lanterns fixed in January last not in use.
They were used there for one night and returned.

2. The Chairman Delegate Munshi Mahommad Eyaqub Saheb again at the end of April last during the moonlight nights told me that two lanterns were required for use in a marriage in Bhyravamurty garu's house and that they should be supplied. The Municipal manager also without taking even Conveyance charges which he paid out of his own pocket and which came up to about six hundred rupees during three years of his term. Resolved that copy of this minute be submitted to the Chairman Mr Ry. C. Seetharamayya Pantulu garu with its support.

(Signed) K. Rustum Singh
Presiding Councillor.

/ True Copy /

C. Seetharamayya.
Chairman

told me the Same afterwards. I sent two offic lanterns from the neighbourhood of his house which were used in a house occupied by the bridegroom's party for five days and returned.

3. No damage of any kind was done to these lanterns. They were returned in the same condition in which they were taken. I took them back after examining them. All the Municipal lanterns are in my custody. I stated the same before the Head Assistant Collector's Court.

(Signed in English) Hussein Khan
Cesspool & Lighting Maistry

Dated 11th August 1895 }
Ellore

True Translation

C. Sitaramayya
Chairman

Ellore Municipal office.
Dated the 11th August 1895.

No. 34.

From
M.R.Ry C. Sitaramayya Pantulu
Chairman Municipal
Council
Ellore.

To
The Collector
Godavari District.
(Thro' the Head Assistant Collector)

Sir,

With reference to your order calling for my statement regarding the allegation made in the petition presented by Mr. D. Sundarasivarow, one of the Councillors of the Ellore Municipality, to the Chief Secretary to Government, I have the honor to place the following facts for your consideration.

1. Leaving aside the general allegations, against the Municipal Administration of Ellore, the principal allegation, against me seems to be that a few Municipal lanterns were used by me on two different occasions; in reference to which I have the honor to state that at the request of M.R.Ry N. Bhyravamurty Garu, my father-in-law the Lighting Committee and the Chairman Delegate

vide enclosures
I. II & III. &
IV.

Chairman Delegate and the Lighting Committee that sanctioned the use of these lights. I may further mention that on both the occasions when these lanterns were lent they were used during the bright half of the month when they were not required for Municipal use and they were returned without any damage to them.

4. In March 1893 the petitioner was prosecuted in Summary Trial No. 12 of 1893 on the file of the Head Assistant Magistrate for having disobeyed the order of the Council in the matter of removing earth from the Bund of a public Tank called Vilkama's tank within Municipal limits. The prosecution was dismissed however for default some months after owing to the absence of the Municipal Manager and other Municipal Servants when the case was called up by the Head Assistant Magistrate. He has subsequently filed a suit, still pending, against the Council for damages in connection with the said prosecution and the Council is defending the said suit.

vide G. O. no [illegible] Mis d/ 2-8-94

5. The petitioner had already sent one or two petitions to Government against the Council including myself and my father-in-law in connection with Election held in November 1893.

The number of votes he then obtained in Wards A. B. C, & D was as follows:—.

(1) In ward A he secured 1 vote, highest votes obtained being 107.

(2) In ward B, he secured 4 votes, highest number obtained being 108.

(3) In ward C he got nil, while the highest number obtained was 121.

(4) In ward D he got nil: the highest number obtained was 31 votes.

Consequently he was declared not to have been elected. This defeat of his, he gave out, was due to the determined attitude of myself and some other Councillors not to permit him to get into the Council: and he also complained to Government that the Elections should be set aside. On enquiry, the Head Assistant Collector and the Collector found the allegations frivolous and recommended for the Confirmation of the Elections. But the Government, however, Confirmed the Elections held in Wards A. B & C but ordered the re-election in ward D on some technical ground. In this re-election the same gentleman who was originally elected was returned. (Vide Fort Saint George Gazette dated 13—11—94).

vide G. O. No 108 M. Mis of 2-8-94

6. In 1894 when he offered himself for election he obtained in ward D one vote against 36 votes obtained by the successful Candidate. In ward C his application was declared invalid by me. In ward B he secured 27 votes against 87 votes. But the name of the Candidate who obtained the highest number of votes in ward B was not approved by Government owing to the recommendation of the Collector, on certain grounds. But before Government confirmed the petitioner's election there was a petition from some voters to Government as to the legality of the election of this petitioner, which was however rejected by the Government. vide G.O. dt 11-1-95 No 34 Mis

All this he seems to have attributed to my influence in the town and in the Council althoug I was then out of Council, my term having expire

7. Labouring under a misapprehension that I wa the cause for his defeat in 1893 and for the Crimina prosecution, against him in the same year the petitioner seems to have resolved to annoy and obstruct me in the administration since his admission into the Council.

vide enclosures IV, V, VI, & VII with my remarks which were placed in the meetings held o 17th and 24th April last, but the matter was not decided and subsequently they were referred to the Divisional Officer and other Councillors for their opinion. My remarks and the remarks of the Divisional Officer on enclosure VII run as follows:—

My remarks are:—

"This is a matter which requires a reference
"to Government as there are remarks which I
"consider objectionable. Place this before the Council."

Referred to the Councillors for their opinion 13-5-95

Divisional Officer Mr Moore's remarks dated
13-5-95 on the above.

"The remarks underlined in blue pencil (but
"marked in enclosure VII with red ink) are very
"impertinent and uncalled for. The duty of the
"Divisional Councillor was to inspect the compounds
and report and not talk nonsense."

vide enclosure VII.

8. The Conv of the Municipal Conference in Sowcarpeta was on or about 8th March last and the marriage in my house was celebrated for five days from 29th April. The marriage in my house being over by the 3rd May, I attended the Municipal Meeting on the 6th idem

when the petitioner presented a paper containing
a number of questions, addressed to the Councill
and requested me to place it then and there befor
the Council and to give my answers at once. I
replied that I could not be expected to answer
every Councillor off-hand and declined to place
it before the Council at that meeting.

9. As the object of the questions appeared
to me to insult and annoy me and as the paper
was addressed to the Councillors I referred the
question paper to the Divisional officer and
his remarks dated 13-5-95 run thus:—

"In regard to these questions, I may mention
"that on my return from Camp. this Councillor Came
"to Consult me on what were in his opinion matt
"of great importance to the Municipality. I
"advised him either to speak to the Chairman
"privately or to put questions at the next meetin
"From the manner in which these questions hav
"been drawn up it is evident that the Councillo
"object was not to elicit information on a mat
"of public importance but rather to take an oppor
"of annoying the Chairman. I understand that
"the lanterns were used as an exceptional Cas
"on the occasion of a marriage and duri

" the bright half of the results when they were re
"quired for the use of the Municipality. The
"questions are so impertinently worded that the
"Chairman would in my opinion be right in
"declining to answer them. The Councillor might
"easily have spoken to the Chairman privately
" on the subject."

10. At the meeting of 15th May, at the request of the petitioner and in the presence of the Divisional officer, I read over to him the remarks of the Divisional Officer as Ex-officio Councillor and said I would refer them to the other Councillor for their opinion. Finding from the remarks of the Divisional Officer that he could not expect much support from the Council, he on or about the 17th May had a Crimin Complaint filed against me under Sec 409 of the Indian Penal Code before the Head Assistan Collector for the use of the said Muni cantoner through his relative Mr. Sent and engaged Mr. Atchutaramayya as his Plead. The Complainant is a dependent of the petition has no house, no property, no wife. ~~and a~~ Children. Such a gentleman was put forward

forward as a Complainant to prosecute me under Sec 409 I. P. C. The magistrate returned the Complaint on or about 25th May as the Sanction of Government was not obtained as required.

11. In these Circumstances this petitioner sends the present petition to Government for Sanction of my prosecution on the 29th May taking Care not to state the real facts.

12. It will be seen from the remarks of the Councillors (vide enclosures I. & II) that it has been the practice in this Municipality as in other Government offices and other Municipalities to lend its property to others and to borrow things from others when required.

13. V. Bhyravamurty Gar who took the loan of the lanterns and who was a nominated Councillor for over 20 years is a gentleman of independent means and position as could be seen from the Correspondence that passed between the Government, Collector and the said gentleman in Connection with his re-nomination to the Council in December last. He is also my general Mukhtyar

and agent who looks after my affairs and we are both living together.

14. I may further mention here that I was unanimously elected twice as the Chairman of Ellore Municipality and I have been holding the office for about 3 years. I am a retired first grade pleader and I have accepted this office at the request of the Council and some Collectors. I have not asked for Conveyance allowance from the Council and I have been spending my own money for the same, as would be seen from (Enclosure VIII) the unanimous resolution of the Council passed at a meeting presided over by Rao Bahadur Mr Rustum Saib, then in Charge of the Head Assistant Collector's Division. I was also unanimously elected a member of the District Board by the Ellore Taluq Board including its president. I may be permitted to mention that I pay an income tax between

between Rs [illegible] Rs 200/-. I have ventured to mention these Circumstances to show my position and Status in society.

15. In these Circumstances I leave it to you to judge how far this Complaint was bona-fide and in furtherance of public interests and whether it was not the outlet of petty spite and malice.

In Conclusion I beg leave to state that I feel much humiliated in having to submit an explanation in a matter in which almost all the Municipal Councillors including the Divisional officer Characterised the Conduct of the Petitioner in putting these questions as impertinent, insulting and annoying. I may be permitted to state for your Consideration whether it will be worth while if any non-official gentleman to hold the honorary office of Chairma when his name could so easily be dra in a public enquiry and request therefo that you will be pleased to ta

The Chairman
Municipal Council
Moors.

Mr. Hector Godinez
the Head Asst. Collector

Dated 11 8 95
Recd 13 8 95

Recd.
Encl. 9.

Subject

Statement
forwarding explanation
called for regarding
The alleged use of
Municipal Canteens

Such action as you may think proper in reference to his Conduct.

I have the honor to be
Sir
Your Most obedient Servant

C. Silas Ilangaya
Chairman

Cur: 2547/Rec of 95

~~1895~~

From

The Chairman

Municipal Council

Ellore.

To

The Collector Godavari

/ Thro' the Head Asst Collector /.

~~[illegible]~~

~~[illegible]~~

~~[illegible]~~

Dated 11-8-95

Recd 13-8-95

Read.

Encls. 9.

No. 34

Subject

Forwarding ~~explanation~~ Statement. Conf.

Called for regarding

The alleged use of

Municipal Lanterns

1/3 287/M of 95

Cur No. 28 of 95 Conf

Ref on Cur No. 2547/Rec of 95

GODAVARI DISTRICT COLLECTOR'S OFFICE,

17th August 1895

Local & Municipal Dept.
Recd 21-8.
CURRENT No. 287/M

FROM

The Head assistant COLLECTOR,

Godavari District,

TO

THE Collector Godavari

SIR,

I have the honor to reply to your official memorandum Confidential No: 28 cur dated 26.7.95, and to state that I did not take down any formal statements in the course of the enquiry. Both the petitioner and the Chairman were present, and I merely jotted down notes of what the witnesses said. I requested the Chairman to give me a written statement which I forward. I understood that the matter was a somewhat trivial one, and that no formal enquiry was necessary.

2. The Chairman at the commencement of the enquiry informed me distinctly that he admitted having used the Municipal lamps. Many of the matters which are touched upon in this exceedingly lengthy

memorandum

memorandum which the Chairman has sent are not I think really relevant to the present enquiry. It is true that the Chairman and the Councillor are not on the best of terms, but there is as far as I can see no evidence that the Councillor was actuated by personal malice in bringing the charge. The Councillor has been in the habit of criticising the administration of the Municipality somewhat severely at municipal meetings, and his criticisms are not always I think very judicious. Since the time that I first came to Ellore I have done my best to impress upon the Chairman and the Councillor the fact that personal squabbles of this kind only interfere with the proper administration of municipal matters. I have also as you will see from the extracts given by the Chairman of remarks passed by me on certain petitions referred to this Councillor for enquiry found it necessary to point out to this gentleman that his remarks were in many cases injudicious and uncalled for.

3 It

3. It is only right to mention however, that this Councillor has uniformly exerted himself to the best of his ability, and done a good deal of useful work as a Municipal Councillor. The Chairman's statement that the Councillor has persistently thwarted and insulted him is somewhat unfair as well as exaggerated. The Chairman is I cannot help thinking somewhat too sensitive as regards criticism of municipal affairs.

I have the honor to be
Sir,
Your most obedient Servant
L. Moore
20/8
Ag Head Asstt Collect.

20/8/95

REVENUE (189) DEPARTMENT.

FROM

The H.d Asst COLLECTOR,
Godavari District.

Reference No. 2547/Rev of 95

Dated 17-
Despatched 21- } 8- 1895.
Received

GODAVARI DISTRICT TREAS
24 AUG 95

SUBJECT.

Forwarding the written statement given by the Chairman Ellore Municipality

ad 30/8

Reminder

To lie over pending receipt of Govt. petition No 1104 L&M from the same 10-8-95 individual forwarded to H.A. Collector in original for report on 17-8-95

Reminder sent
ad 25/8

No. 29/Confl

GODAVARI DISTRICT,
COLLECTOR'S OFFICE,
Camp Rajahmundri ~~COCANADA~~, dated 7-9-1895.
Despd 11-9-95

Municipal
RRENT No.

FROM

Vernon A. Brodie Esquire,
Acting Collector,
Godavari District.

TO

The Chief Secretary to Government
Local & Municipal Deptt.
Madras.

SIR,

I have the honor to return herewith the two petitions of M.R.Ry D. Sundara Siva Row Municipal Councillor of Ellore praying for sanction to prosecute M.R.Ry. C. Sitaramayya Garu Chairman of the Council for offences under Sections 403 & 409 of the Penal Code forwarded to me for report with endorsements No 927 (L & M. Deptt) dated 3.7.95 and No 1104 dated 10th ultimo together with the reports thereon dated 20th July, 17th August and 3rd Instant of my Head Assistant Mr. L. G. Moore and Connected papers as detailed in the appendix.

2. The acts for which sanction to prosecute the Chairman is asked for are two:—

(a) That the Chairman in March last when the Guru of his Sect Sankara Achariar was his guest got Municipal lamp-posts & lanterns removed from their proper places and placed in the compound of the house occupied by the Guru &

(b) Again that he on the occasion of the marriage of his brother's daughter (to the son of the Chairman of the Municipal Council Rajahmundri) at the end of April & beginning of May got 2 street lanterns similarly removed & set up at his own house for 5 days.

3. With reference to the first charge the Chairman states that the lanterns were borrowed on the 8th March not by him but by his father-in-law M.R.Ry N. Bhyravamurty for many years a Municipal Councillor but not now one and that at the time he was neither Chairman nor Chairman delegate. The latter fact is true as his re-appointment as Chairman had not then been gazetted but as he and his

father-in-law

father-in-law live together the first statement cannot be accepted as exonerating him from responsibility for whichever made the actual request he cannot have been ignorant of the fact.

4 (b). At the end of April he admits that 2 lanterns were similarly borrowed on the occasion of his niece's marriage and used for the 5 days 29th April to 3rd May. At the time he was Chairman but with the consent of the Council had delegated his powers to Councillor Munshi Mahammad Yakub Sahib who was consequently in actual charge of the administration at the time.

5. The lanterns borrowed on the first occasion are said not to have been in use at the time and on both occasions (8th March and 29th April to 3rd May) a there was moonlight during the 1st half o

the night the use of them was not required by the Municipality and the loan caused no inconvenience to the public. No damage of any kind was done to the posts or lanterns also.

6. From a perusal of the Chairman's reply to the charges against him & its enclosures it will be observed that the Chairman has the support of the great majority of the Council in this squabble — indeed petitioner appears to stand alone — and that the petitioner owes the Chairman no good will outside of the Council. The Chairman further in his reply makes a counter charge of neglect of duty and discourteous treatment of himself against the petitioner and in support of it files copies of 3 municipal papers forwarded to the petitioner as said Councillor & returned by him with what must on all hands be admitted to be very impolite and irrelevant endorsements.

7. In his report of the 17th ultimo my Head-Assistant states that there is no evidence that the petitioner was actuated by personal malice in presenting these petitions but I confess that having regard to their previous relations, the course adopted in this dispute by the petitioner from the first and the persistent way in which petitioner has endeavoured to make a mountain out of a mole-hill with reference to it, I cannot accept the statement.

8. In his 2nd petition the petitioner alludes to the Judgment of the High Court in Appeal No. 159 of 1893 decided in September last. I enclose a copy of it for the information of Government. As the High Court have remarked the conduct of the Chairman in his capacity of a plead appears to have been very reprehensible in connection with the matters which resulted in that suit but that has nothin

to do with his Conduct as chairman and as he has since that judgment was delivered been unanimously elected Chairman it is I think a matter Government cannot and ought not to take into Consideration.

9. No doubt the administration of the Municipality leaves much to be desired but for this the Council as a body & not the Chairman alone must be held responsible and I believe that M.R.Ry. C. Sitaramayya garu is doing his best according to his lights to improve matters and stir up the Council to more energetic action. In any case this forms matter for a separate communication as Government has given the Council time to put its affairs in order and this time has not yet expired.

10. In Conclusion I have to state that I fully Concur in the opinion of my Head Assistant Collector that the acts alleged Constitute no offence under either Sections 403 or Sec 409 of the Penal Code as not by the wildest stretch of the imagination can it be supposed that the Chairman in doing or permitting what he did was actuated by any dishonest intent. No doubt the acts complained of were grave irregularities however and his conduct in permitting or doing them most reprehensible. I would therefore respectfully suggest that sanction to prosecute the Chairman as prayed for should be refused and that the Chairman should be censured for the irregularity whether he only permitted it or committed it and directed to see that such irregularities do not recur in future. Further I think the petitioner should be reprimanded for his conduct as evidenced by the 3 endorsements of his submitted by the Chairman and warned that he must conduct himself with more decency & courtesy towards the Chairman in future or it will be necessary to remove him from the Council.

Cant Say this as
has no power under
the act.

I have the honor to be
Sir
Your Most Obedient Servant

Verinasiodiel
Acting Collector

801 L 6-5-95
490 L 19-3-95
34 L 14-1-95
1649 L 7-11-94
1011 L 2-8-94
926 L 20-7-94
1161 L 2-9-93

Local & M
M.S. CURRENT No. 2872 M

Revenue {1895} Department.

From

The Collector,
Godavari District.

No. 95
Conf l

Dated 7
Despatched 11 } September 1895.
Received 17 SEP 95

Encls 13 & C. Nos 1819 & 2460 M. retd

SUBJECT.

Reporting on the petitions presented by M.R.Ry. D. Sundarasivarow agt. the Chairman Municipal Council Ellore.

23/4 a/15/10

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[5]
500—27-5-95.

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated 189 , No.

Current No. 1819 M. of 1895, dated 29th May 1895, from ~~the~~ D. Sundarasiva Rao, municipal Councillor, Ellore.

Current No. 2460 M. of 1895, dated 29th July 1895, from the — do — do

— 2872 M. ..., — 7th September ... Collector of Godavari.

Note

There is a great deal of fuss about a very small matter. It seems almost a pity that any enquiry been made, as the mud that has been stirred up will take a long while to settle again. — Submitted that this need not go to H.M.

21.10.95

No need. It's a storm in a teacup.

Order. No. 1738 Mis. 24-10-95

The petitioner will be informed that the Government sees no reason to comply with his request.

2. It is observed that the remark made by the petitioner as a divisional councillor on certain papers referred to him by the Chairman are highly objectionable. The Government views the petitioner's conduct in this respect wit grave displeasure and trusts that comment of this nature will not again be necessary.

3. The Chairman's action in having used or permitted the use of municipal lamps for private purposes was also irregular and he should see that there is no occasion for simi la complaints in future.

21.10.95

24/10/95

Re complaint by a [illegible] Councillor Ellore, against the Chairman.

2872 h

CS

~~11/14.~~

~~9/11/00.~~

1738 h

23/4. 9/15/10

[illegible] given for copying

When copied

When examined

When signed

189 .

[illegible]N G.O., No. DATED
189 ,

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N.B.—

A = Copy in full.

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