[7]

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 29-10-95
No. 2072 L.

INDEXED.

When given for copying.

[Despatch Abstract.]

Petition.

Informing S. Chithambaram Pillai, late 1st grade overseer, Satur, in the Tinnevelly Dist: that, under the authority quoted, no appeal lies to Govt. in his case.

BACK PAPER, No. OF 189

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No , MISCELLANEOUS.

FURTHER PAPER, No. OF 189

ENCLOSURES.

CURRENT No

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

N.B.--
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

Copied by

Examined by

List of Records to accompany the appeal petition of S. Chidambaram Pillai, Late overseer, Sattur Taluk, Tinnevelly District to His Excellency the Governor in Council, Madras.

No.	Description of Records	No. of Enc.
1.	Proceedings of the President District Board, Tinnevelly dated 18th July 1894.	1.
2.	Letter No. 211/E49 dated 12th March 1894 of Supervisor Srivillipatur Range to the L. F. Engineer, Tinnevelly.	1.
3.	Letter No. 193/E57 dated 14th May 1894 of the Sattur overseer to the L. F. Engineer, Tinnevelly.	1.
4.	Letter No. 262/W26 dated 25th July 1894. of Sattur overseer to the President District Tinnevelly	1.
5.	Letter No. 317 dated 27th July 94 of the President District Board Tinnevelly to the L. F. Engineer Tinnevelly	1.
6.	Endorsement No. 2088/95 dated 7th September 1895 of the President District Board Tinnevelly to the L. F. ~~Engineer~~ Asst overseer on his Review Petition.	1.
7.	Pamphlet of Dr. Danikoti Raju, relating to the new Health recruiting and water cure establishment at Palamcottah, dated 15th Jan 1895.	1.
8	Testimonials	1
	Total	8

13th October 1895.

S. Chidambaram Pillay

mendable despatch to his division

Further in order to conceal this

BACK PAPER, No. OF 189

I

Recd
21-7-94

Proceedings of the President Distt. Board of Tinnevelly dated 18th July/94.

Read - District Board Engineer's endorsement No. $\frac{2644}{A\,330}$ dated 6th July 94 forwarding the letter of the Supervisor of the Satur Range, accusing 1st Grade Overseer Chidambaram Pillai of Satur Taluq of making false entries in his diary for February 1894, leaving his station without giving intimation of his departure and overstaying at Tinnevelly, his native place.

Read also the explanation dated 14th May 1894 of the Overseer and the remarks thereon of the District Engr.

The overseer appears to have been concerned in some private civil suits at Tinnevelly and when he was summoned to give evidence loitered away his time and did not return with commendable despatch to his division. Further in order to conceal this

2

1894 Station - Srivillipatur.

From.
J. M. Massillamany
Supervisor
Srivillipatur
Range

To
The Local Fund Engineer
Tinnevelly District

Dated 12th March 1894.

No. $\frac{211}{E\,49}$.

Encls. 7

Sir,

In Submitting herewith the Journal of Sattur overseer for the month of February 1894. I beg to state that the Journal was put into my hands on the 7th instant. On going through with it I found that he had been to Tinnevelly on dates from 25th to 28th ultimo to attend the Additional Munsiff's Court at Tinnevelly under the Summons forwarded with your letter No. $\frac{492}{K\,163}$.

No. $\frac{492}{K163}$ d 17-2-94 without giving me any previous intimation of the fact as he ought to have done. As I happened to be at Koilpati at the time, the Journal was received by me, I enquired maistry Venkatachellam Pillai casually about the overseer's journey to Tinnevelly. His reply led me to suspect the entries made by the overseer. I then took depositions from the marginally noted x 5 persons, who say that the overseer came from Sattur to Koilpatti by the evening train arriving at the latter place at about 4 P.M, and inspected the spreading work done in the 1st five miles of Road No I between 4 & 6 P.M. of the 24th, and that he left for Tinnevelly by the morning train.

x 1. Muthukone. Overseer's Lascar
2. Venkatachelam Pillai. Maistry
3. Mohideenkan Sahib. Do.
4 Sivanu. Avenue Cooly
5. Karumban. Do.

train of the 25th without going over any road on that ~~day~~ the morning before the train time while the overseer's journal shews that he left Sattur at 7 a.m and arrived at Koilpatti at 6 P.M. Travelling over the road from Sattur to Nalatampudur and thence to Koilpati and that he inspected the avenue seedlings and mile coolies work in the 1st three miles of Road No XXIVB on the morning of the 25th before he got into the train, which leaves Koilpati at about 8 A.M.

As the 25th was Sunday there was no mile coolies work on that day. If the overseer has really inspected the road, he would have taken at least the maistry along with him who was living at Koilpati and whom he saw on the 24th evening. Moreover the overseer did not meet the avenue coolies employed on that road which he ought to have done, if he had really gone over the road or if the cooly be absent at the time of his alleged inspection, he would have remarked in his diary to that effect. The avenue cooly on Road No. XXIV B deposes that he did not see the overseer on the road for about a month. On hearing that I was taking depositions &c on this subject, the overseer came to my house on the 8th evening and begged much not to take "action" in the matter and to give him back the journal for necessary correction and return. On my refusal to do so, he quietly wrote and asked me to correct the number of miles shown in the column "not by rail". Vide his letter No $\frac{86}{A24}$ dated 8-3-94 herewith forwarded for your perusal. In this letter too, the overseer does not say anything about the entries made in the columns "Hour of departure and" hour of

3

of arrival." By his silence on that point, I am led to think that he means to maintain that he came to Koilpati by the morning train and not in the evening train as deposed by maistries.

Moreover the overseer says in his journal that he checked the rolls of coolies working in the 4th and 1st mile" on the 24th while the maistries and avenue cooly who accompanied him from the Railway station say that there were no coolies present at the time at the 1st mile the overseer visited that portion. I see no necessity for the overseer to go to Tinnevelly by the morning train of the 25th. As he had to attend the Court only on the 26th he should have inspected Road No XXIV B throughout its length on the 25th and left his jurisdiction for Tinnevelly either by the evening train of the by the morning train of the 26th. Without doing so, as he simply says that he inspected only 3 miles, that too in a Sunday and without the Coolies and maistry. I strongly suspect that the entries made by the overseer against the dates 24th & 25th are not only false but made intentionally.

I beg, therefore, to leave the matter for your decision.

In conclusion I beg to bring to your notice that the overseer seems to have spent long time unnecessarily at Tinnevelly in attending the Court in connection with a private Case by neglecting to attend to his works at the busy part of the year. If what I hear is true the Case seems to be practically of his own.

I beg &c.

(Signed) S. N. Arasullamany
Supervisor.

(True copy)

No 1213/K377 Forwarded to the L.F. overseer Taluk for his explanation. He P. H also say how many days he spent at inevelly in connection with the Case, and why he did not obtain leave

leave from the undersigned to leave his Taluk.

Signed) D. P. Chester
District Board Engineer
Tinnevelly
5-4-94.

(True copy)

S. Sithumbaram Pillay
13-10-95

Sattur.

No. $\frac{193}{E57}$

Dated 14th May 1894.

To

The District Board Engineer

Tinnevelly

Sir,

I beg to acknowledge the receipt of your Endorsement no $\frac{1213}{K377}$ dated 5-4-94

Encls: 6

2 The Supervisor has in his letter no. $\frac{211}{E49}$ Dated 12th March 94, reported that he has reasons to believe my diary for 24th & 26th February last to be false, and ii that I left my jurisdiction without obtaining his permission, and iii I staid away at Tinnevelly longer than necessary

3. I shall explain the 2d & 3d charges first. The Summons issued by the Additional District Munsiff at Tinnevelly was sent to me through your office along with your No $\frac{492}{K163}$

Dated 17-2-94, and this I thought was tantamount to giving me permission to attend the Munsiff's Court on the day ~~of~~ mentioned in the Summons. As attendance at Courts in obedience to Summons is Considered to be doing duty and as you had intimation of the matter. I thought I might leave my Taluk without taking Special leave

4. Again the Summons was for attending on the 26th. I was detained by the Munsiff (for which I am not responsible) till the 6th March, then again ordered to attend ~~on~~ the 6th; And I have obtained certificate of attendance, I did not therefore stay at Tinnevelly longer than was absolutely necessary. ~~If~~ my absence from my Taluk was long it was because I could not disobey the orders of the Munsiff.

5. In Connection with this charge the Supervisor says I ought to have left on the morning of 26th or by the evening

evening train of the 25th. The morning train of the 26th reaches Tinnevelly at about 11 A.M. and I would have been late for that day's Court before I reached Tinnevelly, a distance of nearly 2 miles from the Railway Station and so I had to take the train on Sunday, the 25th. As the 25th was a holiday I thought I might take the morning train as well as the evening one

6. Now for the false and intentional entry in the diary there are 4 points noticed by the Supervisor.

(a) That I did not leave Sattur at 7 a.m as the journal records

(b) That I did not travel over the Sattur-Nalatampatur Road as one would infer from the journal.

(c) That I did not check the

nominal roll of coolies employed in the 1st mile

(d) And that I did not inspect the Road No. XXVI B on the morning of the 25th before I left Koilpati.

7. In support of charge (a) he puts forward the statement taken from Kuchne Coolisamy and the two maistries Venkatachalam Pillai and Moideenkhan Sahib. The inference drawn from there, is that I travelled by the evening train which leaves Sattur at 3 P.M. I do not deny. I travelled by that train. There was no question about it and there is no attempt made at concealing the truth. Why then it may be asked I marked 7 as the hour at which I left Sattur. As will be seen (D) from the statement taken from my lascar Linthakone I arranged to travel in my bandy by Road no. I, and when I was crossing the Sattur river bridge, my writer came

came up to me and asked me to stay awhile for answering certain emergent papers. I therefore sent my bandy and lascar in advance, finished the work, and from the office went direct to the Railway station at 3 and reached Koilpati. As I left my house and in fact the station at 7 a.m. I have shown that hour in my journal.

8. (b) I have not stated in the journal that I travelled over road from Sattur to Koilpati. There is nothing false in my statement that I went to Nalatampudur and back to Koilpati. The maistries who were examined, do not deny I visited the 1st mile of the road near Nalatamputur. To avoid any such misconstruction as is now put upon it by the Superintendent, I wrote to him in my

Letter No $\frac{86}{R\,24}$ Dated 8.2.94 asking him to consider the 21 miles as 13 miles by rail and 8 miles by road. My office Copy of the Journal has only one Column, whereas in the miles travelled by rail and road are entered together, and hence the mistake that had crept into the original Copy occurred. I have written officially that it was a clerical error and why this should be considered as having been written after knowing that the Supervisor was making enquiries about me I am not able to conceive

9. (C) is that I did not check the roll of coolies on mile 1. How is this arrived at? From the statement of Maistry Moidinkan Sahib But what does he say in his report? He says when I went to the 1st mile, the coolies had dispersed, some were going, some were bathing in a well, and they were called by me and their

their names noted by me in my note book. He also says that I did not initial the roll. I did not initial the roll as all the coolies were not present. But does it necessarily follow that I did not check the roll at all, when there is the testimony of the Maistry that I examined at least some of the coolies employed.

10 (D) is the effect that I did not inspect Road No. XXIV B on the morning of the 25th. The maistries say they came to me at 6 a.m., and were with me till I took the train at 8 a.m. These men have no idea of time, they have no time keepers with them and their statements cannot be taken as correct, when the question depends upon the accuracy of the time. I say nay, I assert possitively that on the morning of the 25th I inspected 3 miles of Road No XXIV B and returned

to Koilpati at about 7.30 A.M. in time for the train. As it was a Sunday there was no avenue cooly on the road and so I did not meet him. What weight therefore has the statement of Cooly Karumban? He was not on the road and his statement is useless. The Supervisor's other argument that I would have mustered the cooly, had I really inspected the road, is equally without force as no coolies would come on a Sunday. There is however one road that appears to go against me and that is the statement of Muthukone. He is reported to have said that I did not inspect any road on the morning of the 25th. But when I asked him now about it he says, he never deposed to that effect, that the deposition was not read to him, nor was he allowed to go through it. All that he said
was

6

was he did not go with me on the morning of the 25th February for inspecting any road (Please note the statement taken from him by me herewith annexed). As a matter of fact he was engaged in packing up things that morning and so did not accompany me. It is therefore evident that there must have been a clerical error or a wilful misstatement recorded in the deposition of Muthukone. Anyhow the Supervisor had not sufficient grounds for saying that I did not inspect Road No XXIV B on the morning of the 25th. As already stated 25th was a Sunday, and had I entered in my journal, I had done no work, no objection would have been raised. What therefore could have been my motive for making a false entry that day?
If

If not doing any work on a Sunday is excusable, why should any man run the risk of being called a liar by showing work which he had not done. The inferences drawn by the Supervisor I beg to state are all unwarranted.

11 In the 18th para of his letter the Supervisor says he met and enquired Venkatachalam Pillai casually about any journey. I shall now show that it was not a casual meeting but a preconcieved plot on the part of the Supervisor and the maistries

12. On the 24th February last when I was on Road No. I I found 113 trenches (measuring 6×2×1¼) dug on the road on either sides of the portion metalled and took objection to their existance. The maistries said they were done under orders from the Supervisor, and so I addressed the Supervisor in my letter No. A. dated 24-2-94 and asked him to modify his order if he had given it, or to fine the maistries Rs 2 each if they had done so without sanction. The Supervisor in his reply says that the cutting of trenches was objectionable and directs that they should be immediately closed. He however does not fine maistries (Please note his memo No. 158/£36 dated 27-2-94.) 8 days later on he meets the maistries and takes statements from them as suits his fancy and then as a reward for the faithful manner in which the maistries had acted up to his instructions, he issues a second order No 230/5R 56 dated 17-3-94 (Copy herewith submitted) approving of their action in cutting the trenches. These explain for themselves

that intercourse between the maistries and Supervisor was not casual.

13. In Conclusion I beg to state that the Supervisor has, out of malice sent up such a misleading and a false report against me and that I am never in the habit of making false entries in my journal.

I beg to remain &c

(Initialled) S.S.P.

OC

L.F. overseer

Sattur Taluk

(True copy.

S. Sithumbaram Pillay

13-10-95

No. 262 / Dis 26.

Sattur

25-7-94.

To

The President District Board

Tinnevelly

Sir,

With reference to your No 287 dated 18.7.94 I beg to inform your honour that I have all along been the victim of District Engineer's hatred. The Engineer has misrepresented facts and got me reduced from acting Supervisor's post to that of a 1st class overseer and that he has ever been bearing me malice and has now so represented facts as to make me appear an insubordinate officer and to get me reduced further to the post of a 2nd grade overseer.

As I am not

2. As I am not willing to take charge of the post to which I am now reduced and as I intend preferring an appeal to the Board, I beg you will be pleased to grant me leave on forfeiture of pay from the date of my relief at Sattur for 3 months. As the District Board Engineer will not grant me leave under this circumstances I have made this application direct to your honour. If you insist on my joining the Station and if you refuse to grant me leave I request that this may be treated as my resignation of my appointment.

3 As the District Board Engineer directed me to hand over the charge of Sattur Taluk at once and join at Tuticorin I beg that you will be pleased to favor me with an early order.

I beg to remain
Sir,
Your honors most obedient servant
(~~Initialled~~ Signed), S. Sithambaram Pillai
~~[illegible]~~ L. F. overseer,

(True Copy)

S. Sithumbaram Pillay
13-10-95

5
3077 L/95

T.S.

L.A.

Local & Municipal Dept.
CURRENT No. 3077 L

18 OCT 95

Enclo: 8

To

His Excellency, the Governor in Council,

Madras.

The humble memorial of **S. Sithambarum Pillai**, *late First Grade Overseer, on a salary of Rs 60 per mensem Satur Taluq, Tinnevelly District.*

MOST RESPECTFULLY SHOWETH:—

1. Memorialist feels aggrieved by the Proceedings of the President of District Board Tinnevelly dated 18th July 1894 (copy of which is herewith enclosed), and respectfully begs to submit the same for your Excellency's benign consideration in the full hope that your Excellency will be graciously pleased to accord that amount of consideration which the peculiar circumstances of his unfortunate case would deserve.

2. That the charges brought against the petitioner may be classed under three heads. The first charge is that the petitioner, when summoned to give evidence in the District Munsif's Court, "loitered away his time, and did not return with commendable despatch to his division". In the first place, memorialist respectfully submits that he is accused of lack of *commendable* despatch, and not lack of *ordinary* despatch. Secondly the summons requiring the petitioner's presence in Court directed his attendance on the 26th February 1894. In obedience to the subpoena, petitioner appeared in the District Munsif's Court on the 26th and was detained till 1st March. Sections 173 and 174 of the Civil Procedure Code clearly lay down, that a witness shall not depart from the Court house without the Court's permission and that, if any person so summoned and attending, departs in contravention of Section 173, the Court may order him to be arrested and brought before the Court. It will thus be observed that the petitioner could not with impunity disobey the order of the Court and could not return with despatch, much less commendable despatch without rendering himself amenable to the said penal provision. Memorialist has produced certificate of attendance from the District Munsif for the number of days he was detained in Court which petitioner hopes, would satisfy your Excellency in council that petitioner did not tarry a minute longer than was absolutely necessary. As for the President's suggestion that petitioner was "concerned in some private civil suits", Petitioner would respectfully submit that the insinuation is absolutely without foundation and is evidently based upon the concluding sentence of the Supervisor's letter which embodies a mere hearsay on the point. The sentence is as follows "If what I hear is true, the case seems to be practically of his own".

3. Again, the Supervisor says in his letter that petitioner should have left his station on the morning of the 26th or by the evening train of the 25th The morning train reaches Tinnevelly Railway Station at 11 A. M. which is two miles off from the District Munsif's Court house, and the petitioner would have been therefore late for the day as the summons required his attendance at 10 A. M. precisely. As for the petitioner not starting by the evening train of the 25th, it is respectfully submitted that, as the 25th was Sunday, and as the petitioner was not bound to work on the Sabbath, it is impossible to conceive how the petitioner's travelling by the morning train of the 25th could be considered a dereliction of duty. Petitioner would therefore submit that there is no force in the Supervisor's remark. "I see no necessity for the Overseer to go to Tinnevelly by the morning train of the 25th".

4. The President observes "further to conceal this conduct, he (petitioner) made false and misleading entries in his diaries". Petitioner submits that the above explanation will show that as the petitioner was guilty of no laches, there was no motive for making any misleading, much less, false entries.

5. Coming to the 2nd charge of making false and misleading entries in the Diary, Petitioner respectfully submits that the President does not state what entries are false, and

charge of Sattur Taluk at once
and join at Tuticorin I beg
that you will be pleased to favor
me with an early order.

I beg to remain
Sir,
Your most obedient servant
(Signed) S. Chithambaram Pillay
L. F. Overseer

(True Copy)
S. Chithambaram Pillay
13-10-95

Rd 5
30-7-94

5

District Board's Office
Tinnevelly

From
The President
District Board
Tinnevelly

To
The District Board Engr.
Tinnevelly

Dated 27th July 1894

No: 317

Reference – His endorsement No: $\frac{2880}{A.360}$ dated 25th July 1894, forwarding for orders, letter No: $\frac{263}{E.77}$ of the same date from Chithambaram Pillay Overseer of Sattur Taluk requesting that he

charge of Sathu Taluk at once
and join at [illegible]. I beg
that you will be pleased to favour
me with an early order.

I beg to remain
Sir,
Your most obedient servant
(Signed) T. Chithambaram Pillay
[illegible]
(True Copy)

T. Chithambaram Pillay
13-10-95

5
30/7/95

TS 2/10

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he may be retained at Dattur until orders are passed upon his application to the President, soliciting 3 months' leave, failing which to accept it as his resignation.

Has the honor to request that the Engineer will be good enough to inform Overseer Chithambaram Pillay, that his resignation has been accepted.

(Signed) C. Subramania Iyer
For President

No: $\frac{2928}{K.933}$ (True copy)

4
30/7/95

Forwarded to Overseer Chithambaram Pillay for his information in continuation of this office memo no: $\frac{2879}{K.916}$ dated 26-7-94.

29/7/94

Dt. Board Engr:

Compared ll
Station Dalawai [illegible]
of 29-7-94 despd 30/7/94.

6

Ref. on Petn Current No. 288/95

Recd. 12-9-95

Endorsement.

Ref: His petition dated 30th August/95 Stating that he withdraws his resignation and requesting to reconsider the orders of the former President reducing him to the 2nd grade ~~of~~ Local Fund Overseer from 1st grade.

Orders were passed on petitioner's case more than a year ago. The President declines to re-open the matter. The enclosures are returned.

District Board Office
Tinnevelly.
7th September 1895.

for President.

9-9

DT. BD.
DESPATCHED
10 SEP. 95

9-9-95

To, S. Sithambaram Pillai
Sudalamaden Street
Tinnevelly.

TESTIMONIALS.

Remarks by the Executive Engineer D. P. W. South Canara District in the Service Book of S. Sithambaram Pillay.

Satisfactory,

5-5-1876. (Signed). A. C. LAWFORD,
Offg. District Engineer.

Remarks by the Executive Engineer D. P. W. South Canara District in the Service Book of S. Sithambaram Pillay.

A fair draughtsman, Conduct has been satisfactory.

30-6-1877. (Signed). E. H. PRINGLE,
District Engineer,
S. Canara.

Remarks by the Division officer regarding the qualifications of officers in the Satur Division for the quarter ending 31st March 1879.

+ —— + —— +

S. Sithambaram Pillay, a very good draftsman, draws neatly and estimates well.

Satur Dn. Office.
Kovilpatti,
2-4-1879

(Signed). H. E. G. EVANS,
Ag. Executive Engineer,
Satur Division.

No $\frac{822}{\text{G 103}}$ dated 9—3—1891

S. Sithumbarum Pillay has worked continuously under my orders as Draftsman and as overseer since

October 1881. He is an excellent subordinate. He has invariably tried to give satisfaction and has invariably succeeded in doing so. I hope he will be soon promoted for he is a very deserving man.

L. F. Engineer Office } (Signed). R. C. LOWRY,
Tinnevelly District } L, F, Engineer,
9th March 1891. } Tinnevelly District.

This is to certify that Mr. S. Sithumbarum Pillay, L. F. Overseer, Tinnevelly Taluq, worked under my orders as acting L. F. Supervisor for a period of six months when I acted as L. F. Engineer Tinnevelly District. I found him very willing and attentive to his work. He is a highly practical man, worked satisfactorly and showed himself cabable of managing a Sub-Division.

Ambasamudram } (Signed) S. E. VAIKUNDAM AIYAR,
19—4—92 } B-A. & B-C-E.
L. F. Assistant Engineer,
Shermadevi Range.

No $\frac{2139}{A\ 187}$ dated 11th June 92

Endorsement made by L. F. Engineer on application dated 10th June 1892 from Ag. Supervisor S. Sithumbarum Pillay to the Presedent District Board Tinnevelly requesting that he may be confirmed in his Ag. Supervisor's post.

Forwarded to the President District Board. Sithumbarum Pillay is an excellent subordinate and highly recommended for confirmation in the supervisor's post.

He is not an A. C. E. or B. C. E but probably better than any man with these letters after his name that were likely to get for the vacant appointment as he has had large experience.

(Signed). R. C. LOWRY,
(True copy) L. F. Engineer,
Tinnevelly District.

On leaving Tinnevelly District I have much pleasure in again testifying to Sithumbarum Pillay's good works. He has had a great deal of experience both of office and out door work and is a capital draftsman, Surveyor and Levellor. I hope he will be confirmed in his acting appointment of Supervisor.

2nd Novr. 1892. (Signed). R. C. LOWRY,
L. F. Engineer,
(True copy). Palamcottah.

S Sithumbarum Pillay
13-10-95

how they are false. On this point, he evidently endorses the view of the Supervisor who cherishes a feeling of bitter animosity against the petitioner, and whose report is, petitioner ventures to submit, full of unwarranted inferences, arrived at merely upon surmises and upon the exparte statements of certain maistrys and coolies. A perusal of the Supervisor's letter would show the fallacy of his reasoning. Petitioner has submitted a detailed explanation, meeting specifically the various charges referred to in the Supervisor's letter and showing how plain facts were distorted and twisted by him, so as to suit his own preconceived ideas. Petitioner respectfully craves a perusal of the explanations forwarded to the District Board Engineer on 14th May 94.

6. As an instance of the misconstruction and misrepresentation of facts by the Supervisor, petitioner would submit that his letter No. $\frac{86}{\text{R. 24.}}$ dated 8—3—94 addressed to the supervisor explaining a certain fact with reference to an entry in the Diary has been wilfully misconstrued into an admission of guilt and an attempt to screen himself from negligence of duty. In the office copy of the Journal, there is only one column opened for entering the number of miles travelled both by rail and by road. As there is no separate column for each, petitioner entered in the only column "21 miles" to indicate the total number of miles travelled both by road and by train. To avoid ambiguity and misconstruction, petitioner wrote to the Supervisor, pointing out that the total number of miles entered as "21" is made up of 13 miles by rail and 8 miles by road. This honest endeavour on the part of the petitioner to ensure accuracy of fact has been wilfully and maliciously construed by the Supervisor into an unqualified admission of guilt and a supplicant prayer for forgiveness. The Supervisor in his letter says "On hearing that I was taking depositions &c. on the subject, the Overseer came to my house and begged me much not to take action in the matter and to give him back the journal for necessary correction and return. On my refusal to do so, he quietly wrote and asked me to correct the number of miles shown in the column" "not by rail". Petitioner most emphatically repudiates this allegation. It would not look well for the petitioner to say "no" when the Supervisor says "yes". Beyond the "ipse dixsit" of the Supervisor between whom and the petitioner there is no love lost, there is nothing to support the accusation. Similarly the Supervisor would have the President believe that the petitioner did not check the roll of coolies on the 1st mile of road No. 1 and that the entry, made by the petitioner in his journal that he did so, is false. The Supervisor bases this conclusion upon the statement of maistry Moidinkhan Sahib. But the statement of the said maistry is perfectly consistent with the entry in the journal. The maistry says that when the petitioner went to the 1st mile, the coolies had dispersed, some were going and some were bathing in a well and, that they were called by the petitioner and their names noted. The maistry further adds that the petitioner did not initial the roll. There is thus the distinct and unequivocal statement of the maistry that the petitioner examined at least some of the coolies employed—a statement which not only disproves the theory of the Supervisor but also corroborates the version of the petitioner.

7. The Supervisor accuses the petitioner also of falsely noting in his diary that he inspected Road No. XXIVB on the morning of the 25th. This charge is founded upon an alleged statement made by Muthu Kone (petitioner's lascar) to the effect that the petitioner did not inspect any road on the morning of the 25th. The correctness of this statement is challenged by Muthu Kone himself who says that the Supervisor did not correctly record what he said and, that his alleged statement was not read out to him (Vide his statement taken by the petitioner and forwarded along with his explanation). The said Muthu Kone was sent for by the Engineer and examined when he made a statement supporting that recorded by the petitioner and contradicting that of the Supervisor. Apart from the statement of the said Muthu Kone there is the undisputed fact namely that the 25th was Sunday and that the petitioner was therefore under no obligation to do any work. What then was the motive for the petitioner's saying that he did work on Sunday on which he was bound to do none at all? What had the petitioner to gain by making false entries of work alleged to have been done on Sunday, a holiday? The argument thus founded upon the alleged statement of Muthu Kone is thus shown to be completely untenable. The other inferences and conclusions pointed out in the Supervisor's letter are of a piece with the foresaid argument and the petitioner apprehends that your Excellency's time will unnecessarily be wasted by enlarging upon them. Unfortunately for the petitioner, the President has accepted the finding of the Supervisor without examining the data upon which it is based. The petitioner respectfully submits that he has shown that the Supervisor's report is one sided and partial, and that it is brimful of misrepresentation and mis-statement of facts and unjustifiable inferences.

8. The President says that the petitioner has "behaved in an insubordinate manner". No instance of insubordination is specified, and the petitioner is at a loss to know when and under what circumstances he displayed any spirit of insubordination. But if any specified act of disobedience be instanced, then the petitioner will be in a position to offer explanation which the petitioner ventures to hope will be deemed satisfactory.

9. The President observes that the petitioner was degraded from the post of Acting Supervisor to that of First Grade Overseer for certain faults found by the District Board Engineer in the petitioner's report regarding the doors in the Vunnikonendal Chattram. The petitioner submits that these accusations were compleately refuted by him in his explanation to the then President Mr. Forbes. The President without entering upon the merits of the case merely remarked that "The District Board Engineer is the proper authority to judge of petitioner's work and of his capacity".

10. Petitioner has put in 20 year's service and has borne throughout an unblemished character. At a time when his honest labors of several years to the Board should have met with suitable rewards at the hands of the President, his honesty has been unscrupulously and maliciously questioned without earnest enquiries as to facts. The petitioner begs to submit therefore that under such circumstances any one would naturally grow vexed with the state of affairc then, and in the heat of moment the petitioner was forced to prefer his resigning his appointment to subjecting himself to such an uncharitable treatment. This resignation was only conditional and cannot be treated as a voluntary and unqualified surrender of his appointment (Vide G. O. No. 1063 dated 5th November 92, Pension embodied in B. P. No. 678 dated 29th November 92 (land revenue).

11. As regards the petitioner's omission to present an appeal petition to the District Board against the President's order, petitioner respectfully submits that immediately after his resignation, he suffered from two very bad carbuncular abscesses and his life was dispared of. He was under the treatment of the Apothecary in charge of the Tinnevelly Municipal Dispensary and, Dr. Sanjinah, the District Surgeon, and eventually under the treatment of Dr. Danukodi Raju Palamcottah. The pamphlet herewith produced (Vide reports of a few important cases of diseases, Page 3, para 1) relating to the new health-recruting and water-cure establishment at Palamcottah will show the dangerous character of the disease and the severe mental and physical agony to which the petitioner was subjected for nearly 5 months as marginally indicated from Sepr. 94 to January 95. He was therefore unable to appeal to the District Board within 3 months from the date of Presidents order. Petitioner therefore presented a review petition to the President who however declined to reopen the matter. (Vide his endorsement order No. 288 dated 7th September 95.

From 1st Sepr. to 24th October 94 under Apothecary. ...
From 25th to 30th October 94, under District Surgeon. ...
From 31st October 94 to 20th January 95 under Dr. Dhanukodi Raju. ...

12. Prays therefore that your Excellency in council will graciously be pleased to revise the proceedings of the President for the foregoing reasons and arguments in pursuance of G. O. No. 1150 L dated 18-6-87 and after perusing the records herewith submitted and calling for others if necessary, to order the restoration of the petitioner to his permanent post of first grade overseer.

For which act of charity benevolence, petitioner shall as in duty bound ever pray.

13th October 95.

S. Sithumbarum Pillay

Sudalamoden Street
Tinnevelly

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.
CURRENT No. 3077L

From

S. Chithambaram Pillai
late 1st Grade Overseer
Satur Taluq
Tinnevelly Dt.

No.

Dated 13/10
Received 22/10.
Enclosures 9

SUBJECT.

Praying for restoration to his post.

Local and Municipal Department.

CHIEF SECRETARIAT, MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ memorial dated 13th October/95 from S. Chidambaram Pillai, late 1st Grade Overseer, Satur Taluk, Tinnevelly Distt.

× on a salary of Rs 60 per mensem

No. dated

ORDER— No 2072 Mis. 29-10-95

The petitioner is informed that under Local Fund rule No. 72, ~~73,~~ which is extracted below,

no appeal lies to Government in his case.
~~no appeal at present lies to Government in his case.~~
~~his appeal is barred by lapse of time.~~

V.R.
25/10/95

~~(True Extract.)~~

~~Assistant Secretary~~.

"72. Subject to the provisions of section 42 (3) of the Act, the President of a Local Board shall have power to fine, suspend or dismiss any servant of such Board. But an appeal shall lie to the President of the District Board in the case of all servants of Taluk Boards fined in sums exceeding one rupee, suspended, or dismissed by the President of the Taluk Board; an appeal shall also lie to the District Board in the case of all servants of the District Board, and of all servants of a Taluk Board on Rs 50 and upwards, against suspension or dismissal inflicted or confirmed by the President of the District Board; and a further appeal shall lie to the Governor in Council against dismissal in the case of all servants, whose appointment requires the sanction of Government."

* * * * *

~~"73. No appeal under the foregoing rule will be entertained unless preferred within three months from the date of the order appealed against."~~

To the Petitioner. 2×6

Despd 30/10/95

3077L

L. & M.
P,900-5-3-95.

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 2072 L

DATED 29th Oct 1895.

[Despatch Abstract.]

Petition.

Informing S. Chithambaram Pillai, late 1st grade Overseer, Sattur, in the Tinnevelly district, that, under the authority quoted, no appeal lies to Government in his case.

BACK PAPERS.

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

FURTHER PAPERS.

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

When given for copying ______
When copied ______
When examined ______
When signed ______ } 189 .

Read again G.O., No. dated
189 ,

Current No.

Enclosures to C. No.

Order of Government .. .. .. A A A A A A A

Letter of Government.

Statement with ditto.

Papers not filed up, being meant for despatch
in original.

N.B.—
A = Copy in full.
B = Not to be copied
P = Copy abstract only.
Q = Copy heading only.