K

[L. & M.
9,000-5-8-96.]

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 1357 M

DATED 14th August 1896

[Despatch Abstract.]

Municipal Council.

Ordering, with remarks, that the election of M.R. Ry. Duraiswami Pillai Avargal as a member of the Palamcottah ----- be notified.

BACK PAPERS.

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

FURTHER PAPERS.

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

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.
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P = Copy abstract only.
Q = Copy heading only.

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INDEXED.

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.

G.O., DATED 14. 8. 96

No. 1357M.

When given for copying.

[Despatch Abstract.]

Municipal Council

Ordering, with remarks; that the election of Mr. R. K. Duraiswami Pillai Avl as a member of the Palamcottah — be notified

[illegible] 19/8

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
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Copied by ✗
Examined by

Local & Municipal Dep
CURRENT No. 1111 M

To,

His Excellency the Governor in Council,
Fort Saint George,
Madras.

The humble Memorial of the undersigned Mohammedan inhabitants of the Palamcottah Municipality.

Most Respectfully Sheweth:

That there was always a Mahommedan Councillor in the Municipal Board, Palamcottah to represent the interests of the Mahomedan community of the town. In view to secure such representation one Paul Rowther who belongs to a long known respectable family, was, from time to time, elected as a Councillor of the said Municipality.

2 That his tenure of office for the last time having expired, an election was held yesterday the 3rd Instant. In this election the said Paul Rowther, the Mohammedan Candidate, although most of the enlightened voters of the ward have voted for him, has been ousted by a difference of only two votes in favour of one Duraisami Pillai

improper conduct of the clerk to the and the officiating chairman Mr. Krishnasamee sent verbally as well as by written communications and previous to the Commencement of the Polling.

It is understood that Nallaperumal Pillai worki against Mr. Paul Rowther owing to the following cause. Some time ago Nallaperumal Pillai in order to render his friend Palaniandi Pillai competent to go forward as candidate for councillorship made some fraudulent alterations in the House Tax Register kept by him, for which offence he was first dismissed and on appeal the Council reduced the punishment to suspension for 3 months. It appears that at the meeting held on the subject of the above appeal Mr. Paul Rowther with a majority of the Councillors found that the man was guilty and did not excuse him altogether as prayed for by him.

ii It is a notorious fact that the above-mentioned Nallaperumal Pillai and Palaniandi Pillai the who has just now got himself nominated as a Councillor by a breach of faith as shown below, are thick friends. The latter also used his influence as a Councillor and conjointly with his friend worked in favor of Mr. Durasami Pillai. On the polling day he (Palaniandia Pillai) was present near the entrance of the Polling station and prevented voters from voting for Paul Rowther and induced them to vote for the other side. Palaniandia Pillai was a councillor before. Very recently he wanted to be appointed an Honorary Magistrate; but objection was raised by the Distt. Magistrate owing to the fact of his being a Councillor. Thereupon he resigned his councillorship and got himself appointed as Honorary Magistrate on the face of such resignation. Now he has got himself again nominated as Councillor in the very vacancy caused by his own resignation.

iii The day fixed for the polling happened to be Good Friday on account of which some of the christian voters were prevented from attending the polling station and recording their votes. For example Reverend Father Granche of the Roman Catholic Mission and the Reverend Messrs Walker and Douglas of the Church Mission Society were prepared to vote for Mr. Paul Rowther and did not come to the polling station for the reason that it was Good Friday.

IV. It is understood that two of the persons whose votes have* been admitted for Mr Durasami Pillai have no right to vote. Their names are Pitchandi Pandithan and Palvannam Pillai.

3. That the above facts will be fully borne out by competent witnesses among the voters

and others and by the records of the Municipality. The following persons are some of the witnesses that can give evidence.

(1) A. Subramania Pillai, Puthupetah Street.
(2) Jodinayagam Pillai, Cantonment Street.
(3) Packianatha Pillai. D.P.W. Department.
(4) Manikkam Pillai. Gopalankoil Terkuradavidi
(5) Krishna Pillai -Do.
(6) Deva Doss Pillai B.A B.L. + High Court Vakil, Murugankurichi
(7) Periyanayagam Pillai, Jail street.
(8) Kalkulam Arumugam Pillai, Mela teru.
(9) Nallasivam ~~Pillai~~ son of Kannoor Subbaraya Pillai, Ramasami Koil street.

4. That a petition on the subject has been sent to the Collector of the District.

5. That for the foregoing reasons your Excellency's humble memorialists most respectfully pray that your Excellency be graciously pleased to order an enquiry be made into the matter by a Competent officer and direct a reelection prohibiting the interference of any of the establishment of the Municipality in the election:

For which act of justice

the petitioners shall as in duty bound shall ever pray

Palamcottah
2nd April 1896 } [illegible]

[illegible]
[illegible]
[illegible]

V. M. Peer Mahommed Ravuther
பாபுமியான்சாயபு
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
காதர்மைதீன்சாயபு
Muhamed Jaffer Saheb
[illegible]
[illegible]
[illegible]
அப்துல்கப்பார்கான்சாயபு
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[illegible]
[illegible]
[illegible]

— [illegible]

[illegible]

[illegible]

[illegible]

M. [illegible] Saheb

[illegible]

E. Syed Kareem Saheb

T. M. [illegible]

[illegible]

قاضي سيد ابراهيم صاحب

P. [illegible] Hussain

M. [illegible]

~~[illegible]~~

[illegible]

[illegible]

[illegible]

[illegible]

— [illegible]

— [illegible]

[illegible]

[illegible]

CHIEF SECRETARY
-8. APR. 1896
GOVERNMENT OF MADRAS

108
914

[9]

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.
CURRENT No. 1111 M

From

Alla Pichai Ravuttar and
other Muhammadans,
Palamcottah.

No.

Dated 4-4-96
Received 8-4-96
Enclosures

No.
Transferred to the Collector of Tinnevelly.
(By order)
Ag Assistant Secretary

V.R.
21/7/96

Fort St George
July 96

Note No report has yet been received from the Collector - the case appears to be still under enquiry - V.R.

SUBJECT.

Praying that in the circumstances stated, a re-election may be ordered to be held without the interference of any of the Municipal servants for filling up the vacancy caused on the Palamcottah Municipal Council by the expiry of term of office of Paul Ravuttar.

To
The Collector of Tinnevelly

N. To lie over pending receipt of the Collector's report on the election.

V.R.
11/4/96

W.W.
13.4.96

(with the Encl.)

a/1817

Local & Municipal Dep
CURRENT No. 2136

To,

His Excellency the Governor in Council,
Fort Saint George,
MADRAS.

(LOCAL AND MUNICIPL DEPARTMENT.)

CHIEF SECRETARY
20 JUL 1896
GOVERNMENT OF MADRAS

The humble memorial of Paul Rowther residing in the Police Hospital street, Palamcottah Municipality, Tinnevelly District.

MOST HUMBLY AND RESPECTFULLY SHOWETH:—

That your Excellency's Memorialist was the only Muhammadan Councillor of the said Municipality representing the interests of the Muhammadan Community of the town for about 20 years continuously; and his tenure of office for the last time as an elected Councillor of the Cantonment Ward having expired in March last steps were taken to fill up the vacancy according to the Election Rules.

2. That Your Excellency's Memorialist and one Mr. Durasami Pillai having stood as candidates for the vacancy a poll was taken on the 3rd April last, (Good Friday) which was inadvertently fixed for the purpose under para 16 of the Election Rules.

3. That as the result of the polling 27 votes were counted in favor of Mr. Durasami Pillai and 25 for the Memorialist, and the polling papers forwarded in due course to the Collector by the Chairman of the Municipality under para 31 of the Election Rules.

4. That from the circumstances hereunder mentioned Your Excellency will see that intimidation has been practised in the above election and that the inconvenience of having held the election on Good Friday has materially affected the result of the polling.

5. That objecting to the validity of the election on the above and other grounds petitions were put in to the Collector by the memorialist and the leading members of the Muhammadan Community; and under the orders of the Collector the Head-Quarters Dy. Collector has made enquiries on the subject.

6. That the main ground of objection is the improper interference in the election on the part of a clerk of the Municipality. The name of this clerk is Nallaperumal Pillai, to whom the memorialist owed a grudge on account of the following circumstance. Sometime ago the clerk made fraudulent alterations in the Land Tax Register of the Municipality kept by him, in order to render a friend of his to be qualified as a candidate for councillor-ship, for which offence he was dismissed by the Chairman; but on appeal the Council reduced the punishment to suspension for 3 months. Your Excellency's memorialist was one of the Councillors who held that he was guilty and refused to excuse him altogether as prayed for by him.

Paul R— ther was

• 2-0 per annum and upward, is entitled to have his name registered as a voter; and unlike the cases coming under clauses b & c of the rule there is no special ~~permission~~ provision made when a house happens to have more owners than one as in the case of a Hindu joint family. Palvannam Pillai in the case in question happens to be the eldest surviving member among those that are entitled to the house and as the name of this man has been registered in the voters' list evidently on his behalf and that of his cousins, I consider his vote cannot be regarded as invalid.

7. I have examined M.R.Ry Krishnama Raju the municipal Councillor that conducted the election and he declares that every facility was afforded to the candidates and their agents and to the public to watch the voting proceedings and that the provisions of Rule 30 of the rules for elections by wards was strictly adhered to. The election seems therefore to have been conducted in strict conformity to rules.

I have the honor to be
Sir,
Your most obedient servant

Mayhaniah.
Dy Collector
4.7.96.

Compdaa

d
4/7/6

16/2070 M of 96

Tinnevelly Collector's office
Ref. D. M. C: 654/[illegible] of 96. Dated. 14th July 1896.

Local & Municipal Dept
CURRENT No. 2070 M

From
A. W. B. Higgins Esquire
Collector, Tinnevelly.

To,
The Chief Secretary to Government,
Local and Municipal Department
Fort Saint George.

Sir,

Under rule 37 of the Election rules under Municipality Act IV of 1884, I have the honor to report for the orders of Government the result of an enquiry into the validity of a contested election held on the 3rd April last to fill a vacancy in the Cantonment ward of the Palamcottah Municipality in consequence of the expiry of the three year's term of Counciller M.R.Ry Paul Rawther Avergal on the 21st March 1896

Paul R— ter was

2-0 per annum and upwards is entitled to have his name registered as a voter; and unlike the cases coming under clauses b & c of the rule there is no special ~~permission~~ provision made when a house happens to have more owners than one as in the case of a Hindu joint family. Palvannam Pillai in the case in question happens to be the eldest surviving member among those that are entitled to the house and as the name of this man has been registered in the voters' list exclusively on his behalf and that of his cousins, I consider his vote cannot be regarded as invalid.

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I have the honor to be
Sir,
Your most obedient servant

Mayhaniah.
Dy Collector
4.7.96.

Compdaa

4/7/96.

Tinnevelly Collector's office
Ref. D. M. C: 654/96 of 86. Dated. 14th July 1896.

Local & Municipal Dept
CURRENT No. 2070 M

From,

A. W. B. Higgins Esquire
Collector, Tinnevelly.

To,

The Chief Secretary to Government,
Local and Municipal Department
Fort Saint George.

Sir,

Under rule 37 of the Election rules under Municipality Act IV of 1884, I have the honor to report for the orders of Government, the result of an enquiry into the validity of a contested election held on the 3rd April last to fill a vacancy in the Cantonment ward of the Palamcottah Municipality in consequence of the expiry of the three year's term of Councillor Mr. R. Ary Paul Rawther Avergal on the 21st March 1896

1896.

2. Two candidates Mr. R. Ry Duraisami Pillai Avergal and Mr. R. Ry Raul Rawther Avergal were nominated. The result was that the former obtained 27 votes against 25 in favour of the latter.

3. The defeated candidate Mr. R. Ry Raul Rawther Avergal took objection to the election on the following grounds:-

(1) The election was held on Good Friday - a day on which some Christians would not and did not attend to record their votes. The petitioner lost in consequence the votes of some of the Christian voters.

(2) Intimidation.

(3) Irregularity in the election.

4. A mahazar was also received, by me objecting to the election.

5. I referred both the mahazar and the petition to the, Head Quarters Deputy Collector (Revenue Divisional officer) for enquiry and report.

6. The mahazar did not contain the signatures of 10 electors and the allegations contained therein were therefore not considered.

7. A formal enquiry was held by the Deputy Collector as regards the allegations contained in the petition and his report is submitted to Government for information, with the enclosures. Objection ~~petition~~ No. 1 does not seem to come under any of the three heads mentioned in Rule 36, and though of considerable force, cannot serve to invalidate the election. In regard to the alleged intimidation, the evidence recorded only shows that the ordinary appeals were made to the electors by one individual to persuade them to vote for the candidate. No undue influence was proved.

The canvasser complained against was a clerk in the municipal office and the council is dealing with his conduct. The principal irregularity in the election complained of, was that two persons who were not entitled to vote, voted during the election, but the papers submitted sufficiently prove that they were entitled to vote at the time of election and that their votes were valid. In reference to the other objection on the ground of irregularity, the polling officer who was examined by the Deputy Collector has deposed that the provisions of Rule 30 of the election rules were strictly adhered to.

8. In these circumstances I beg to recommend that M. R. Ry Duraisami Pillai Avergal may be declared to have been duly elected.

I have the honor to be,
Sir,
Your most obedient Servant

Collector.

C. No. 1111, 2070 & 2136. M

O. Re

The Government agree wi
the Collector in considering tha
there are no grounds for invalidati
the election. The petition of
objection will therefore be
rejected and the name of the
successful candidate published
in the Fort St George gazette.

1896.

~~Local & Municipal~~ Department.

Local & Municipal Dept
CURRENT No. 2070 M

TINNEVELLY Collector's OFFICE.

From

The Collector of

Tinnevelly

To

The Chief Secretary to

Government

Fort St. George.

Dated 14th }
Received 17 JUL. 96 } July 1896.

Rd. D. m. Cur. No. 654/96

ENCLOSURES. 1. file.

SUBJECT.

Reporting on the election of M. R. Ry. Duraisamy Pillai Avergal as a councillor of the Palamcottah Municipal council.

(with order)

C: Nos 1111, 2070 & 2136. m.

C.S.
Misc.

Order No 1357 Municipal 14/8/96

The Government agrees with the Collector in considering that there are no grounds for invalidating the election. The petition of objection will therefore be rejected and the name of the successful candidate published in the Fort St George gazette.

V.R.
29/7/96

W.W.D.
31-7-96

L.P.
8/8/96

I submit this to H.M. as it is rather a queer case.
The election was owing to an oversight held on Good Friday and the consequence – it is to be inferred from what the Dy Colr & Colr say and what the defeated candidate says – was that certain votes of Christians which would have put the appellant in were not given. Under the Rules this did not invalidate the election. The objection that there was ~~no~~ intimidation &c has not been established and that that – the two votes which turned the scale against the petitioner were invalid will distinctly not hold.
The election must therefore I consider stand though there can be but small doubt that if it was held again the petitioner would get in.
It seems a matter for consideration whether the rules when revised should not specifically lay down that no election shall be held on Sundays, Good Friday or Xmas day. If H.M. approves of this the necessary steps will be taken

L.P.
8/8/96

H.S.
10/8/96

Office

Issue order, and note this revision of the rules.

W.M.
12.8.96

To
The Collector of Tinnevelly
(with enclosures 1 to 14 in current No. 2070 m. returned)

gazetted ~~18/8/96~~

Despd. 20/8/96

2/7

G. 25
1,003—21-3-96.

L&M DEPARTMENT

C. Nos. 1111, 2070 & 2136 M

FOR ORDERS.

Ref. Please put up this paper containing ... the revision of the rules [illegible]

20/8

Send ... after

14/8

Disputed Election
Palmerston Nth

FOR ORDERS.

H. M.