L. & M.
00-5-8-96.

INDEXED.

Local & Munl. (1896-) Department.

MISCELLANEOUS.

G.O., No. 1860 M-

DATED 2-11-96-.

[Despatch Abstract.]

Munl. Council

Ordering with remarks that the election of M.R.Ry. Alagiriswami Nayudu as a member of the Madura — 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.

Local & Munl. (1896) Department.

CURRENT No. 2829/M

CHIEF SECRETARY
20 OCT. 1896
GOVERNMENT OF MADRAS

C. Nos. 2829 & 2889/M.

C.S.
misc:

From The Collector of Madura

Order No. 1860 issued d/2-11-96

The Government agrees with the Collector in considering that the objections raised against the election of M.R.Ry. Alagiriswami Nayudu have not been substantiated. The petition of objection will accordingly be rejected and the name of the successful candidate published in the Fort St. George Gazette.

P.R.
30/10/96

A. L. M.
30/10/86

2/11/6

Ref: on Current **No.** 4215 general of 1896

Dated 18th October 1896.

Received

Registered

Enclosures ~~3 as per list.~~ 12

Spare copies.

SUBJECT.

Submitting report on the petition of M.R.Ry. Chidambaram Pillai Avargal objecting to the election of M.R.Ry. Alagirisami Nayudu Garu as a councillor for the VIIIth ward of the Madura Municipality.

To The Collector of Madura P.H.O. (with 4 enclosures etc.)
Do. (with 2 enclosures etc.)
Gazette 3/11/96

Despd. 5/11/96

29/10 O/30/10

BACK PAPERS.

G.O.	No.	Department.	Date.
v	1267	m	29-7-86

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Government agree
with the Collector in considering
that the objections raised
against the election of M.R.Ry.
Alagiriswami Nayudu have not
been substantiated. The [illegible]
tion of objection will [illegible]
be [illegible] and the name of the
[illegible] will be published
in the Fort St. George Gazette.

NOTIFICATION.

UNDER Section 10 of the Madras District Municipalities Act, 1884, the undermentioned ~~gentlemen~~ gentleman ~~have~~ has been duly elected Municipal ~~Councillors~~ Councillor of the Municipality of Madura :—

M.R.Ry. M. Alagiriswami Nayudu Garu

C. No. 2829 M

Fort St. George Gazette

Part I. A

fo 1860 M / 2. 11. 96

PR 2/11/96

Madura Collector's Office
18th October 1896

Local & Municipal Dept.
CURRENT No. 2829 M

Ref: on Current No 4215/genl of 96

From

J. Twigg Esquire,
Collector of
Madura

To

The Chief Secretary to Government
Local and Municipal Department
Madras.

Sir,

Under Rule No 37 of the Election Rules, I have the honor to report as follows upon the petition of M.R.Ry. Chidambaram Pillai avergal objecting to the election of M.R.Ry. Alagirisami Naidu Garu as Councillor for the 8th Ward on the 15th September last.

2. The petitioner alleged -

(a) that, at the time of election, the Counterpetitioner was not qualified as a candidate,

(b) that intimidation was practised,

(c) that, by a trick, many of his own supporters were prevented from voting.

(a) The petitioner had not taken the trouble to ascertain the particulars of the items of property on which the Counterpetitioner bases his qualification. These are

1.

1. House no. 998 paying a tax of Rs 27-2-0
2. Land no. 4 " " Rs 4-8-0
3. House no. 566 " " Rs 1-14-0
4. House no. 568 " " Rs 1-2-0
5. House no. 1000 " " Rs 4-10-0

Objection was taken to the first item on the ground that in a certain Criminal Case the Counterpetitioner had said that it had been sold. The Counterpetitioner now explains that only 1/6 of the said house was sold, and flatly denies the suggestion of the objector that any of the other items have been sold. This objection is not proved.

(b) Counterpetitioner is a member of the Devastanam and it is alleged that the Devastanam manager and Tahsildar endeavoured to intimidate the bazaarmen who held shops from the Devastanam into voting for Counterpetitioner - also that an 8th ward Councillor endeavoured to secure votes by threats of imposing profession tax.

The evidence of the petitioner and his four witnesses on these points was so weak that I did not consider it necessary to examine the persons complained against. No doubt indiscreet utterances are made at every election, but voters have the protection of the ballot and something more than this is in my opinion necessary to constitute intimidation. There is no evidence of any real attempt to intimidate or that anything was said that was seriously taken as such.

(c) It is alleged that an objection was taken to the identity of a voter by one of Counterpetitioner's supporters in order to create delay and prevent petitioner's supporters from voting. There is no evidence that the objection was frivolous, and no allegation that the conduct of the polling officer was not *bona fide*. According to petitioner it took an hour to settle the objection; according to the polling officer, about ten minutes. It is admitted that voters were waiting to poll, when the ballot was closed, but there is no evidence that the delay was caused by a trick or that both candidates were not sufferers by it.

Petitioner's unsupported statement that 60 or 70 of his supporters were waiting to poll for him is obviously an exaggeration; but it may be noted that, as he polled only 38 votes against his opponent's 153, it would have required a far larger contingent than even his imagination has supplied, to affect the result of the election.

3. As the result of my enquiry I have the honor to recommend that the election of M.R.Ry. Alagirisami Naidu Garu may be confirmed.

I have the honor to be,
Sir,
Your most obdt. Servt.

Collector

MADURA

REPORT OF ELECTION HELD IN

THE ~~MDUARA~~ MADURA. MUNICIPALITY.

Name of Municipality.	Name of ward, if any.	Date of Election.	Number of registered voters.	Number of voters who exercised the privilege.	Names of candidates.	Number of votes obtained by each candidate.	Name of candidate duly elected.	Remarks.
1	2	3	4	5	6	7	8	9
Madura.	Pudumantapam or VIII. Ward	15th. September 1896.	517	193.	1. M. R. Ry. Mr. Alagirisamy Nai Gar	153	M. R. Ry. M. Alagirisamy Naidu Garu	No. 2 withdrew his Candidature before the poll Commenced; No. 3 after the poll was taken. 2. Votes were rejected.
					2. " Syed Gulamali Sa Averg	0		
					3. " T. S. Seshagiri Ro Averg	0		
					4. " Subramania Aiy Averg	0		
					5. " Chidambaram R Averg	38		

No.

Submitted to G

nment through the Collector of Madura.

15 Sep

Municipal office,
Madura, 15th Sep: 1896.

Chairman.

15/9.

1/2829 MO89

2 withdrawn [illegible]
before the poll commenced [illegible]
after the poll was taken.

2 votes were rejected.

1896.

LOCAL AND MUNICIPAL DEPARTMENT.

FROM

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No.
Enclosure.

Dated 15th } September 1896
Received }

No. 42

SUBJECT.

Submitting report of election held for the VIII-ward Madura Municipality.

Enclosure No 1.

In a letter
From
The Collector of
Madura

Ref: on current No $\frac{4215}{general}$ of 96

Dated 18th October 1896.

List of enclosures to Collector's letter Roc: No: $\frac{4215}{Genl}$ of 1896 dated ~~~~ 18th October 1896.

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1. Letter No: 42 dated 15th September 1896 from the Chairman Municipal Council Madura to Government
2. Petition dated 28th September 1896 from MRRy Chidambaram Pillaitvargal with 6 Chits.
3. Evidence of witnesses

Madura }
18th October 1896 }

For Collector

Enclosure No. 4

In a letter

From

The Collector of

Madura

Ref: on Current No. $\frac{4215}{\text{general of 96}}$

Dated 18th October 1896

List of enclosures.

[L. & M.
500—18-8-96.]

Local & Munl. (1896) Department.

CURRENT No. 2889 M

Order

From M. Chidambaram Pillai
Madura.

No.

Dated 24-10-96

Received 26-10-96

Registered 27-10-96

Enclosures 1

Spare copies

SUBJECT.

Praying that in the circumstances stated, necessary orders may be passed on the election of M. R. Ry. Alagiriswami Nayudu as councillor of the Madura Municipality

29/10

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

COURT FEE
1R
24 10 96
ONE RUPEE

COURT FEE
INDIA
1R
24 10 96
ONE RUPEE

Local & Municipal Dept.
26 OCT 1896
2889/M

To

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

The humble petition of M. Chidambaram Pillai, residing at West Chittrai Street, Madura,

Most humbly and respectfully Sheweth:—

I That a vacancy occurred in the Councillorship of the VII Ward within the Madura Municipality, and in order to fill it up, an election was held on the 15th September last at Pudu Mandapam within the said Ward;

II That of the several persons who came forward as Candidates, one

1st. page.

one Mr. Alagirisawmy Naidu and the petitioner alone, contested the seat to the end;

III That after the election was over, the petitioner put in a petition before the Collector of Madura within 15 days (under Rule 35 of the Rules framed by the Government under the Municipal Act for election by Wards) objecting to the election of the said Mr. Alagirisamy Naidu, on the ground that he has none of the qualifications required by Rule 5 of the said Rules, that some of the Municipal Councillors were guilty of misconduct in canvassing votes for the said person, and that various other irregularities occurred at the time of election, which would invalidate the election of the said person;

IV That the said Collector made an enquiry into the matter of the above complaint, and has, as the petitioner understands, submitted his report thereon to the Government approving the election of of the said Alagirisawmy Naidu;

V That the petitioner humbly submits that the Collector's decision is wrong for the following reasons:—

(1) that the Collector did not make full enquiry to find out whether the said Alagirisawmy Naidu, is the owner of houses or lands within the Municipal limits paying a tax of Rs 7-8-0 or upwards, which is the only qualification that he professes to have;

(2) that as admitted by him in a deposition given on the 21st September last before the Deputy Magistrate Melur Division (a copy of the deposition is herewith submitted) the house in which he lives at present, was sold away and purchased by one Ramanathan Chetty alias Muthia Chetty long ago; (Vide page 10 of the said deposition lines 14 to 18);

It was rejected because it was not authentic [illegible]

(3) That the Collector is wrong in not admitting as evidence a document produced

Flag C

produced by the petitioner (which is a copy of the plaint in an original suit no 447 of 96 Madura Munsiff's Court brought by the son of the said Alagirisawmy Naidu against him and the alienees of his lands for the recovery of his share in the property), which document (herewith submitted) will clearly go to show that all the landed property possessed by the said person within the Municipal limits was sold away in execution of a decree against him as stated above;

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de Alagiri Swamy
yudu's depn
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(4) that the statement of the said person before the Collector that only 1/6th of his lands was sold away, is, in the face of the above two documents, absolutely false;

(5) that the mere fact that his name is still continued in the Municipal Register, is not a sufficient qualification unless he is the owner of the lands

a:

as required by the Rules;

(6) that as to the irregularities, and misconduct of ~~the~~ some of the Councillors and of some temple servants, the Collector ought to have given full credit to the Statements of the respectable witnesses produced by the petitioner, while there is no Counter-evidence on the other side to rebut the same;

(7) That the Collector ought to have given every facility to the Petitioner by issuing Summonses to those persons whom the petitioner wanted to examine in Connection with his petition;

That therefore Your Excellency in Council will be graciously pleased to bestow due Consideration on the Circumstances of the case as disclosed by the record

ab

5th page

and by the facts stated above, and
to pass such orders in the case
as may be deemed fit and necessary
and thereby render Justice to the
humble petitioner.

For which act of kindness
24/10/96 and Charity, the petitioner
shall as in duty bound
ever pray.

W. Cuthbert Ramsay

last page

Enclosure:—

(1) Copy of a deposition given by Mr. A Agiriaonye ... in C. C. No. 40 of 6... file of the Deputy Sheriff ... the ... Division

(2) Copy of plaint ... 447 of 9... the file of ... District Court ...

hen given for copying ______
en copied ______ 3/11 L.a.
hen examined ______ J.P.S. 7/11
signed ______ 3/11
} 189 .

AGAIN G.O., No. DATED 189 ,

ENT No.

URES TO C. No.

GOVERNMENT .. .. .. A A A A A A A

GOVERNMENT.

WITH DITTO.

FIND UP, BEING MEANT FOR DESPATCH ORIGINAL.

= Copy in full.
= Not to be copied
= Copy abstract only.
= Copy heading only.