

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 870 M.

DATED 21st May 1896

[Despatch Abstract.]

Petition.

Informing Bappu Ravuttar of Kumbakonam that Government does not see any reason to interfere in the matter of his complaint against a certain toll contractor.

BACK PAPERS.

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

FURTHER PAPERS.

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

[7]

INDEXED.

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.
G.O., DATED 21-5-96
No. 870 L.

When given for copying.

[Despatch Abstract.]

Petition

Informing Baffer Rawatkar
of Kumbakonam that Govt.
does not see any reason
to interfere in the matter
of his complaint against
a certain toll contractor.

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.—

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- B — Not to be copied
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- Q — Copy heading only

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Examined by *Sw*

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LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.

CURRENT No. *1250*

From

Baffer Rowther,

Kumbakonam

C.L.
Misc.

Order No 870 Misc 21-5-96

*The Government does not
see any reason to interfere in
the matter.*

*Sec. has his remedy in the established
5/5/96. W.D. Comd.
6.5.96 18/5/96*

No.

Dated *25-4-96*

Received *27-4-96*

Enclosures *5*

SUBJECT.

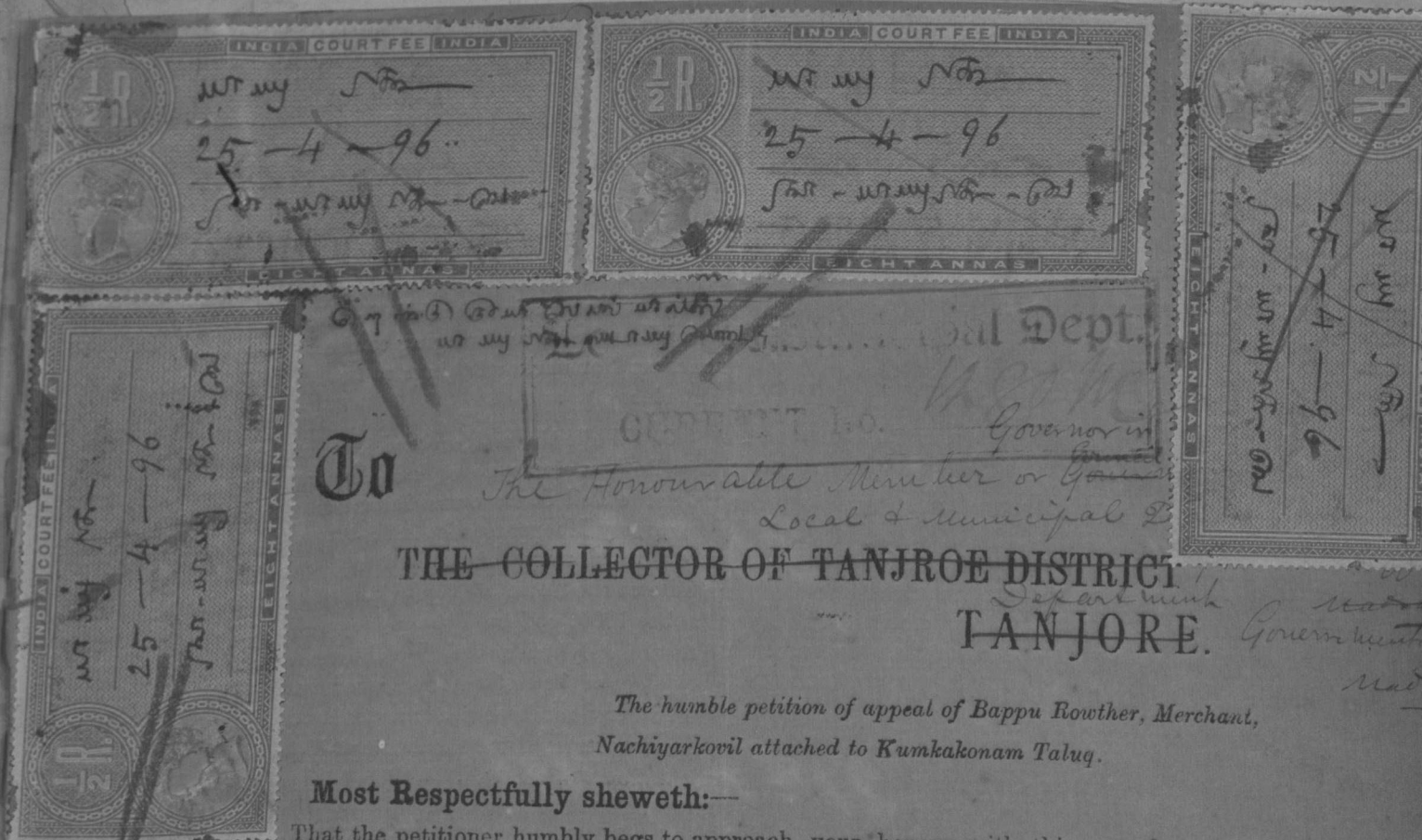
*Praying that orders may be passed
directing the Municipal Council,
Kumbakonam, to enforce the terms
of the Muelilika executed by the
Toll Contractors, and for the grant of
Compensation in the circumstances
stated.*

To

the Petitioner

(With order)

Compd 23/5/96



To

THE COLLECTOR OF TANJORE DISTRICT
TANJORE.

The humble petition of appeal of Bappu Rowther, Merchant,
Nachiyarkovil attached to Kumbakonam Taluq.

Most Respectfully sheweth:—

That the petitioner humbly begs to approach your honour with this appeal against the proceedings of the Municipal Council of Kumbakonam Town dated the 12th March 1896 No. 2362 declining to interfere on behalf of the petitioner for the reasons stated in his petition.

2. The Municipal Council began to view his petition hastily with bias and dismiss it immediately. What the petitioner is very much sorry for, is that his petition to the Municipal Council, from whom he expected sufficient discretion, proved fruitless as the Council was not kind enough to consider his case justly.

3. Petitioner therefore solicits your honour's interference on his behalf with a view to give him redress.

4. As the resolution of the Municipal Council was the basis of your petitioner's loss he prints the true translation of the petition presented to the Municipal Council on one side and the order of the Municipal Council on the other, so that your honour, may, at one glance, see them both.

மனுதான் பெயர்:— Bappu Rowther of Nachiyarkovil.

மனுவின் சுருக்கம்:— complaining of the Toll contractors' conduct and claiming a compensation of Rs. 104 from the deposit amount &c.

ORDER:—

6. (b) Read petition from Bappu Rowther of Nachiyarkovil complaining of the Toll contractors' conduct and claiming a compensation of Rs. 104 from the contractors' deposit amount under the circumstances stated.

Resolved that the Council sees no reason to interfere on behalf of the petitioner in this matter.

12-3-96 (Sd.) Ranganatha Row,
Presiding Councillor.

(True Extract)
(Sd.) P. Tambisamy Mudaliar,
Chairman.

D. S. 27-3-96.
27/3 (Sd.) K. Venkatarama Iyer,
Manager.

[The following is the true translation of the petition presented to the Municipal Council Kumbakonam Town.]

To
The Municipal Council of
Kumbakonam Town.

The humble petition of Bappu Rowther, Master to Uthumansa Rowther, Complainant in Calender Case No. 633 of 1895 of the 2nd class Magistrate of Kumbakonam Town residing in Mahommedan street, Nachiyarkovil Kumbakonam Taluq.

1. I am a large merchant in Nachiyarkovil, I possess property worth Rs. 12,000 on behalf of my undivided family. I not only pay yearly Rs. 43 for incometax but also Rs. 10 stamp duty for sulphur to Government. Besides I pay yearly to the Kumbakonam Municipality Rs. 6 for professional tax and 7 Rs. for the house tax for mundy which is under my brother's (Usumansa Rowther's) Management at Kumbakonam.

2. I used to bring my bandy into the town of Kumbakonam for taking articles to be sold from railway station coming from all directions at Nachiyarkovil and also for bringing to the Railway station from Nachiyarkovil things to be sold in different places.

3. While the matter stood thus, one Sarangany Row an employee styled Toll gate overseer under the Toll Contractors Ramasamy Pillai and Rangasamy Mooppanar for 1895-96 to Kumbakonam Municipality, obstructed my bandy in the middle of the Town of Kumbakonam on the 11th October 1895, collected the money unlawfully and extortionately than the lawful sum against the provisions of the sections mentioned in Municipalities Act and remitted the amount in the office of the contractors. I lodged a complaint against him in the Court of the Sub Divisional 1st class Magistrate of Kumbakonam which was transferred to the Sub Magistrate of Kumbakonam Town for enquiry, who after examining the witnesses found that the acts of the accused constituted the offence of unlawfully and extortionately taking a higher than the lawful toll an offence punishable under Section 284 of the District Municipalities Act IV of 1884 convicted him and sentenced him to pay a fine of Rs. 15. An appeal was preferred by the accused to the Sub Divisional First class Magistrate of Kumbakonam and it was dismissed accordingly. Copy of the Judgment in C. Case No. 633 of 1895 of the Town Sub Magistrate of Kumbakonam herewith filed, will clearly prove my allegation.

4. The officers under the said contractors had made many collections like the above such as Rs. 2, 3, and 5, not only from me but also from many bandy men and remitted them in the office of the contractors.

5. The said contractors have made such an arrangement wilfully and solely for their benefit even though they are well aware of the fact that the action is against law.

6. Though the said overseer had been punished in the Sub Magistrate's Court for having collected illegally to profit his superiors, still it is the duty of the Municipal Council to take proper steps against the contractors for having enjoyed wilfully the said illegal collections.

7. Further it is the duty of the Municipal Council to enforce the terms of the Muchilika executed by the contractors to the Municipal Council concerning the collections of tolls mentioned in Sections 91-96 in District Municipalities Act IV of 1884 in case of the contractors collecting the tolls against the provisions of the above sections.

8. As my bandy being obstructed and thereby the amount collected on the 11th October 1895, I filed herewith a detailed list for Rs. 104 showing the damages incurred by me from the above. I therefore request the Municipal Council

to take a favourable view of the said list and allow a reasonable compensation to me out of the contractors deposit amount, according to the terms of Muchilika executed by the contractors to the Municipal Council, or, from any other source.

9. This petition is presented solely for the good of the people and the office is also established for not to trouble or to do any sort of inconvenience to the people. It is the duty of the Municipal Council to check the Officers also, even if they act against the rule. Therefore I request that the Council may be pleased to enforce the terms of the Muchilika executed by the contractors Ramasamy Pillai and Rangasami Mooppanar to the Municipal Council for 1895-96 for having made illegal collections against the provisions of Sections 91-96 of the District Municipalities Act IV of 1884 as they are bound in their Muchilika.

Copy of the Judgment in C. Case No. 633 of 95 of the Sub. Magistrate's Court of Kumbakonam. List showing the damages, and fees certificate are herewith filed.

I further request that the Council will be pleased to have this petition in the meeting for resolution and send me notice mentioning the date on which it was chosen as a subject, as I have to speak many things in the Meeting about the convenience of the people.

Your Most obedient servant.

(Signed). BAPPU ROWTHER.

(True Translation)

5. Petitioner begs to state that the Council's resolution is not right. The Council was not kind enough to peruse his petition and make enquiries as to the truth of the petitioner's allegation.

6. Petitioner when complained against the Toll Contractors that they wilfully collected and enjoyed the illegal collections, the Council ought to have made full enquiries and enforced the terms of the Muchilika executed by the contractors to the Municipal Council for having made illegal collections against the provisions of the Sections 91-96 of the District Municipalities Act IV of 1884. Petitioner again begs to state that when he applied to the Municipal Council for copy of the Muchilika for the purpose of presenting it to your honour along with this petition he received an endorsement in consequence which is herewith filed for your honor's perusal.

7. In conclusion Petitioner prays that your honour will be pleased to consider the above facts and to pass orders for enforcing the terms of the Muchilika executed by the Toll contractors to the Municipal Council Kumbakonam for the years 1895-96 and for allowing the petitioner a reasonable compensation against the order of the Municipal Council.

Papers as per separate list are herewith sent for reference.

Petitioner ever pray.

25/4/96

W. J. S.

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A. Krishnaiyer
Headman

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பேரகராணம் முனிசிபல் கவுன்சிலர் அவர்கள் ஆபீஸ்,

பாகம்

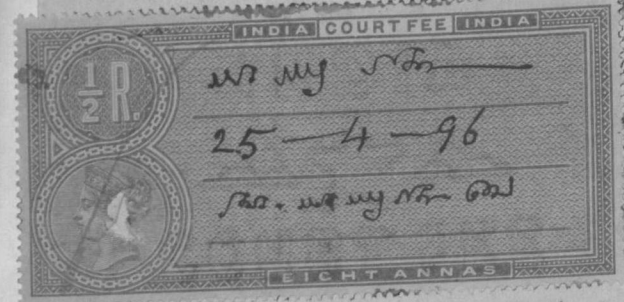
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தம்பா

2362
95-96

தெருவும் நம்பரும்



B. R. Rauter of Nachiarcoil

வின் சுருக்கம்.
Complaining of the Toll Contractor's
conduct & claiming a Compensation
Rs 10% from the deposit amount.

6(6) Read petition from Bopoo Rauter of Nachiar-
Koil Complaining of the Toll Contractor's Conduct &
claiming a Compensation of Rs 10% from the Contractor's
deposit amount under the circumstances stated.

Resolved that the Council sees no reason to
interfere on behalf of the petitioner in this matter.

(sd) N. Rungamatha Rao
Presiding Committee

12.3.96

(True Extract-)

P. Sambasivaiah

Chairman

2. Venkatahanayya 27.3.96

Manager

D.S.
27/3

தமிழகக் கோணம் முனிசிபல் கவுன்சிலர் அவர்கள் ஆபீஸ்.

பாகம்

டி.வி.ஷன்

நம்பர்

No. 2173

95-96

தெருவும் நம்பரும்

மனுதாரன் பெயர்

சாத்திரங்கோவில்

பாண்டிச்சேரி

மனுவின சுருக்கம்.

முடிவாகியிருக்கின்றன. இவற்றை
தெரிந்துகொள்ளுமாறு தெரிவிக்க
எனக்கு உரிமை உண்டென்று தெரிவிக்க
கொள்கிறேன்.

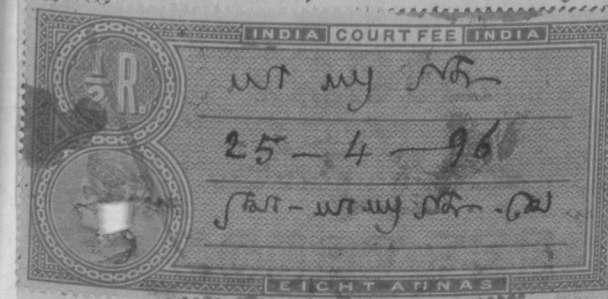
Order

Copy of the Muchilika will be furnished
to petitioner on his producing an order of a Court
of law showing the necessity for the same.

உத்தரவு

(Sd) S. Seshayya

Chairman Deputate
23.1.96.



(Central) -

K. Venkata Rama Aiyar
29/1/96

Manager

29/1/96



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5. 2. 95.

④. 2. *Staph.*
— *Staph.* 1.

No	Description of the documents	Date

1. Order passed upon the petition presented to the Municipal Council on the 5-2-96 No $\frac{2362}{95-96}$ 12th March 96.
2. Order passed by the Municipal Council upon the petition presented on the 26-12-95. No $\frac{2173}{95-96}$ — 23rd January 96.
3. Pleaders certificate for fees retained for having conducted the case in Calander No $\frac{633}{95}$ of Town Submagistrate Court of Kumbha Town. 18th December 95.
4. List showing the damages incurred by the petitioner for his landy being obstructed.

25/4/96 wt my N₂ —

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1280 no 696

22/1/72

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When given for copying _____
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189.

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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