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

Local & Munl. (1896) Department.

MISCELLANEOUS

G.O., No. 89-M

DATED 6th january 1896

[Despatch Abstract.]

Petition

Declining to interfere on behalf of M.R.Ry.V.C.Sriraman chetti Municipal Councillor,Madura,complaining of certain irregularities in the administration of the municipality.

tion

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 AND MUNICIPAL DEPARTMENT.

Again G.O., dated 189 , No.

Current No. 2775 M of 1895, dated 30th August 1895 from the ~~the~~ M.R.Ry C. Sriraman chetti Councillor, Madura

Current No. 3451 M of 1895, dated 21st October 1895 from the Chairman M.C Madura

Current No. 3452 M of 1895 dated 31st October 1895 from the Collector of Madura

FOR ORDERS.

The facts of the case are clearly stated in the chairman's report and in the Collector's endorsement thereon. Under the circumstances stated it is submitted that the municipal council's resolution of 13th August 1895 should be regarded as modifying its previous resolution of 18th July 1895, and cancelled under Sect 35(1) of the District Municipalities Act as being in excess of the powers conferred upon it by law, the first mentioned resolution not having been supported by one half of the total number of municipal councillors as required in Sect 30(5)

V.R
26/11/95

The first resolution merely issued a notice to Venkatasubba naidu to remove an encroachment within 15 days on pain of prosecution. On an explanation being received from him, which the Council considered satisfactory, it was decided not to prosecute him. Submitted that this second resolution, even if it comes within the letter, does not come within the spirit of sec. 30(5) of Act IV of 1884 —

WWD 27/11/95

This is a case of much ado about nothing and it is submitted that Govt. should not encourage squabbling and fault finding of the native but decline to interfere

Sd
24/12/95

7/1/96

Order No. 89 Misc dt 16-1-96

The petitioner will be informed that the Govt. declines to ~~inter~~ interfere ~~in this matter~~.

(from order)

WWD
Jan. 96.

14/1/96

To The Petitioner &c

Thro' the Collr. of Madura

Despd 17/1/96

being received from him, which the Council considered satisfactory, it was decided not to prosecute him. Submitted that this second resolution, even if it comes within the letter, does not come within the spirit of sec. 30 (5) of Act IV of 1884 –

W.W.D.
27/11/95

This is a case of much ado about nothing and it is submitted that Govt. should not encourage squabbling and fault finding of this nature but decline to interfere

Sd.
24/12/95

7/1/96

Order No. 89 Muni. dy 16-1-96

The petitioner will be informed that the Govt. declines to ~~intf~~ interfere ~~in this matter~~.

(from orders)

W.W.D.
10-1-96.

Sd.
14/1/96

To The Petitioner 280 thro' the Coll. of Madura.

Desp. 17/1/96

Municipal Office
Madura, 21st October 1895

No. 77

Local & Municipal Dept.
CURRENT No 3445/[illegible]

From,

R. Fischer Esquire,
Chairman, Municipal Council,
Madura;

To
The Chief Secretary to Government,
Fort St George
Madras

Through the Collector of
Madura.

Sir,

Adverting to your endorsement, No: 1358 dated 17th September 1895, on the letter of M.R.Ry Sriraman Chettiar (herewith returned) complaining of certain irregularities in the administration of this Municipality, I have the honor to report that some of the facts therein contained are correct except a few in paras 5, 9, 10 and 12, to which I shall allude later on.

2. M.R.Ry. Venkatesalu Nayadu, one of the Councillors, put in a petition, for permission to renew or reconstruct the old steps in front of his house. This was referred to

the Ward Councillor M.R.Ry. Sriraman Chettiar for report in the usual course and on the receipt of his recommendation, a license was issued. Sometime after, it was reported to me that he (M.R.Ry. Venkatesalu Nayadu) had covered the drain to a greater extent than what was allowed in the license and I consequently ordered his prosecution for contravening the terms thereof.

3. When the matter came before a meeting of the Council, along with others of a similar nature, it was resolved to issue a notice, under Section 263 Clause 2, to M.R.Ry. Venkatesalu Nayadu to remove the excess complained of within 15 days, on pain of being prosecuted in default of compliance, though I pointed out to it that the procedure was irregular.

4. Accordingly a notice was issued to him in the terms of the resolution, with the result, that he furnished an explanation praying for the withdrawal of the notice for the reasons therein set forth. This explanation reached the office before the expiry of the 15

days

days that was allowed him and the Chairman Delegate who was then acting for me during my short absence from the town directed it to be brought before the Council, when it resolved upon the withdrawal of the notice though I drew its attention to the impropriety of doing so. In this connection I would refer to the enclosed letter signed by 8 of the Councillors who were present both at the meetings of the 18th July and 13th August last and forwarded to me for submission to Government, wherein they have explained at some length their views and accounted for their action in the matter. If the resolution of the 13th August is looked upon as one cancelling that of the 18th July, then it would have no legal force, but if it is treated as a part and parcel of the former resolution, as urged by these Councillors in their letter just referred to above, it will not be open to any technical objection. This question was not raised by M.R.Ry. Sriraman Chettiar during the discussion which followed on the subject at the meeting of the 13th August, probably because it never struck him then, nor did he bring it before the Council afterwards, so that it may be reconsidered.

5. The allegation in para 9 is incorrect, inasmuch as it has never been usual to record the names of the dissentients except at their special request; and in this particular instance, no such request was made to me either by MRRy Sriraman Chettiar or by Mr. Preston who voted with me. His allegation with regard to the scoring out of certain entries in the agenda is obscure and vague. It has apparently been made so as to insinuate that the names of the dissentients were first entered and then intentionally scored out in order to make the resolutions appear to have been passed unanimously. In the agenda of the 13th August the resolution No: 224 was first worded thus:— "Resolved that the explanation be accepted and MRRy Venkatesalu Nayudu be not prosecuted," and then altered into "Resolved that the notice Served on him be withdrawn", so that the working may be in accordance with the decision of the Council. The allegation in the last sentence of the aforesaid para is equally incorrect as it has never been the practice to record votes in the manner assumed therein or to preserve the Slips of papers in which votes were Sometimes Counted by Strokes.

6

6. With regard to the charge made in para 10, I herewith submit the petition containing the alleged addition (and not interlineation) as well as the explanation of MRRy Venkatesalu Nayudu and the Statement of the Municipal Servants on the point, together with the letters of MRRy Syed Gulam Ali Sahib and MRRy R. Muthusawmi Pillai. If the statement of MRRy Sriraman Chettiar that he discovered the Said additions for the first time, at the meeting of the Council held on the 13th August, were true, he would have brought it either to my notice or to that of the Council then and there, which he never did; and as to the addition, I deem it an innocent one inasmuch as it does not Serve any purpose.

7. The apprehension of MRRy Sriraman Chettiar that any protests from him on this or other matters may not be brought before the Council is unfounded; and I have every reason to believe that this and the other insinuations against me are the outcome of feelings he Seems to have been Smarting under ever since his removal by me from the

charge of the 8th Ward on the 10th August last, twenty days prior to his letter under reply.

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

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charge of the 8th Ward on the 10th August last, twenty days prior to his letter under reply.

... the Municipal Servants on the front, together with the letter of Moulvy Syed Gulam Ali Saheb and P. Muthusawmy Pillai. If the statement of Moothy Sreenivasa Chettiar that he discovered the said addition for the first time at the meeting of the Council held on the 13th August, were true, he would have brought it either to my notice or to that of the Council then and there which he never did; and as to the addition, I deem it an innocent one inasmuch as it does not serve any purpose.

The apprehension of Moothy Sreenivasa Chettiar that any protest from him on this or other matters may not be brought before the Council is unfounded and I have every reason to believe that this and the other insinuations against me are the outcome of feelings he seems to have been smarting under ever since his removal by me from the

Enclosures.

I

To M. R. Ry. Municipal Chairman Avergal, Madura Town.

The humble petition of P. R. Venkatesalu Naidu, North Masi Street, Madura :—

I pray for orders to permit me to remove, renew and reconstruct the stones (of the steps) over the drain in front of my house (10½X3½)

5th April 1895. (Signed) P. R. VENKATESALU NAIDU.

Endorsement.—As the drain in front of this house is 2½ feet in width, 3 feet breadth is insufficient. Permission may therefore be granted for constructing steps 5 by 4 feet.

9—4—95. (Signed) M. S. ALGIASUNDRAM,
Sanitary Inspector, 8th Ward.

9—4—95. (Signed) V. C. SRIRAMAN CHETTY,
Councillor.

[The figures underlined above form the interlination or addition in question and they are in different ink].

II

To M. R. Ry. Chairman Avergal Samugam, Municipal Council, Madura.

The humble report of the Sanitary Inspector, 8th Ward, submitted through M. R. Ry. Ward Councillor Avergal of the said Ward :—

Under the direction of the Ward Councillor, I beg to report for Samugam's information that Municipal Councillor M. R. Ry. P. R. Venkatesalu Naidu Avergal residing at house No. in the North Masi Street of the above Ward has obtained a license for constructing steps 5 by 4 feet in front of his house but against this licence has constructed steps to the dimensions 10 by 4 feet and thus covered up the drains.

9—5—95. (Signed) M. S. ALAGIASUNDRAM,
Sanitary Inspector, 8th Ward.

Endorsement.—Taking into consideration the street and the drain, 5 by 4 feet was recommended as mentioned in this report. I am of opinion that the construction of excess steps against the license is against Section 263, Sub-section II, of the Municipal Act.

10—5—95. (Signed) V. C. SRIRAMAN CHETTY,
Councillor.

Prosecute.

16—5—95. (Initialled) R. F.

III

Extract from the Proceedings of the Madura Municipal Council passed at the meeting held on the 18th July 1895.

PRESENT :—

1.	R. Fischer Esquire	Chairman.
2.	M. R. Ry. M. Tirumalai Pillai Avergal,	Councillor.
3.	„ Selvaraj Naidu Garu,	Do.
4.	„ V. S. Krishnasami Iyer Avergal,	Do.
5.	„ T. Jambu Chettiar Avergal,	Do.
6.	„ G. Subbarayalu Naidu Garu,	Do.
7.	„ A. Seetharamier Avergal,	Do.
8.	„ P. R. Venkatesalu Naidu Garu,	Do.
9.	„ R. Muthusami Pillai Avergal,	Do.
10.	„ M. Alagirisami Naidu Garu,	Do.
11.	„ V. C. Sriraman Chettiar Avergal,	Do.
12.	„ C. K. Veerasami Naidu Garu,	Do.
13.	„ M. Anathakristna Naidu Garu,	Do.
14.	„ Syed Gulam Ali Saib Avergal,	Do.

* * * * * * * *

178. Read list of persons to be prosecuted for violations of the provisions of the Act.

Resolved that they be prosecuted except No. 16 to whom 15 days' notice be given to remove the excess in the dimensions of the steps constructed in front of his house and that he be prosecuted if the same be not complied with.

Messrs. P. R. Venkatesalu Naidu and Sriraman Chettiar not voting.

* * * * * * * *

IV

Madura, August 6, 1895.

To the Chairman, Municipal Council, Madura.

Sir,—With reference to the notice issued to me to remove within 15 days the excess of steps said to have been put up by me beyond the sanctioned dimensions,—what they were I was not aware of—,on pain of criminal prosecution, I beg to report as follows:—

2. In the first place, it is doubtful whether, under the provisions of the Municipal Act, a license is necessary for merely repairing steps which had long been in existence. If this question is found in the negative, the fact that I applied for permission to do so cannot in any way alter the legal aspect of the case.

3. In the second place, if actual measurement is taken, it will be found that the steps in question do not exceed three feet in breadth, as that portion of the ground lying between the southern wall of my house and the inner edge of the drains is my property which has been in my possession and enjoyment since the house was purchased 30 years ago. A personal inspection of the houses to the east and west of my house will confirm the above statement.

4. In the third place, the Ward Councillor, Mr. Sriraman Chettiar, who was led to complain against my action not immediately, but some 20 or 25 days after the step in question was repaired, for reasons which I will state later on, happened to be present at the time the repair was going on, with his Ward Inspector, Peon, and Bill Collector and two other Ward Councillors. He did not then put in a word of remonstrance against my action, but on the contrary he expressed his cordial approval of the way in which the work was being done and said that, as the drains are very deep in North Masi Street, he suggested that I should take necessary precautions to guard against any accident by fall by covering the remaining portion of the drains in front of my house, and permitted me to cover it accordingly, though I never did it.

5. Lastly, while permission is generally given to construct new steps at 7 feet length and 3 feet breadth, and no notice is taken of the real offences in this ward, I am at a loss to conceive why, in my individual case, this Ward Councillor should have thought it fit to diminish the dimensions especially of an old covering which has existed for a long series of years to 5X4 feet, for the mere sin of my having applied for permission to repair it. Thus much as to the merits of the case.

6. Now as to the motive. I and another Councillor had the misfortune to see the 8th Ward Peon, Mayandi, in full uniform and in attendance on the Ward Councillor Mr. Sriraman Chettiar at a place three miles off from here during the Chitra Festival, and pointed out to him the impropriety of his conduct in having left his ward at a time when all his energy should be devoted to keep it clean, to which he replied that he obeyed his master's behest. Shortly after the event, it so chanced that the charge of the 8th Ward was withdrawn from the Councillor, though it was given over to him again at his begging. As this withdrawal of charge followed soon after my admonition to the Peon, the Councillor seemed to have naturally thought that I carried to your notice the Peon's dereliction of duty and made the report in question against me. I am sorry I am obliged much against my will to refer to this incident. But it has become necessary in order to explain the present attitude of the Councillor towards me.

7. In the circumstances explained above, it is requested that the notice issued to me be withdrawn.

(Signed) P. R. VENKATESALU NAIDU.

V

Extract from the Proceedings of the Madura Municipal Council passed at the meeting held on the 13th August 1895.

PRESENT :—

1.	R. Fischer Esquire,	Chairman.
2.	A. S. Preston Esquire,	Councillor.
3.	M. R. Ry. Selvaraj Naidu Garu,	Do.
4.	„ G. Subbarayalu Naidu Garu,	Do.
5.	„ M. Subba Naidu Garu,	Do.
6.	„ Syed Mohamud Ibrahim Sahib Avergal,	Do.
7.	„ N. Sundramier Avergal,	Do.
8.	„ P. R. Venkatesalu Naidu Garu,	Do.
9.	„ R. Muthusami Pillai Avergal,	Do.
10.	„ V. C. Sriraman Chettiar Avergal,	Do.
11.	„ M. Ananthakristna Naidu Garu,	Do.
12.	„ Syed Gulam Ali Saib Avergal,	Do.
13.	„ T. Jambu Chettiar Avergal,	Do.

* * * * * *

224. Read explanation furnished by P. R. Venkatesalu Naidu in reply to the notice issued to him to remove the excess of steps with the request that the same be withdrawn for reasons stated therein.

Resolved that the notice served on P. R. Venkatesalu Naidu be withdrawn.

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VI

Extract from the Proceedings of the Madura Municipal Council passed at the meeting held on the 8th October 1895.

PRESENT :—

1	R. Fischer Esquire,	Chairman.
2	Surgeon Major F. C. Reeves,	Councillor.
3	M. R. Ry. V. S. Krishnasami Iyer Avergal,	Do.
4	„ T. Jambu Chettiar Avergal,	Do.
5	„ G. Subbarayalu Naidu Garu,	Do.
6	„ M. Subba Naidu Garu,	Do.
7	„ O. Munisamy Iyer Avergal,	Do.
8	„ Syed Mohamud Ibrahim Saib Avergal,	Do.
9	„ A. Seetharamier Avergal,	Do.
10	„ N. Sundramier Avergal,	Do.
11	„ P. R. Venkatesalu Naidu Garu,	Do.
12	„ R. Muthusami Pillai Avergal,	Do.
13	„ M. Alagirisamy Naidu Garu,	Do.
14	„ V. C. Sriraman Chettiar Avergal,	Do.
15	„ C. K. Veerasami Naidu Garu,	Do.
16	„ M. Ananthakrishna Naidu Garu,	Do.
17	„ Syed Gulam Ali Saib Avergal,	Do.

296. Read petition of M. R. Ry. Sriraman Chettiar Avergal to Government under date 30th August 1895 complaining that resolution No. 224 dated 13th August 1895 was illegal for the reasons stated therein and the endorsement of the Acting Under Secretary thereon calling for report.

Resolved that the Chairman be requested to draft a report upon the subject and place it before the Council.

M. R. Ry. Sriraman Chettiar Avergal at first dissented and then approved of the resolution.

* * * *

VII

Madura, 7—10—95.

Received 8—10—95.

(Initialled) R. F.

To the Chairman, Municipal Council, Madura.

Sir,—On going through the contents of the letter addressed by Mr. Sriraman Chettiar, one of the Councillors, to Government and remanded to the Municipal Council for remarks in connection with the so-called irregular procedure adopted in the case of Mr. Venkatesalu Naidu, a Councillor, we deem it a duty, which we owe to ourselves individually and to the Municipal Council collectively, to offer the following remarks and request that they be laid to before Government.

2. The first count of the charge is that a novel and exceptional step of issuing notice to Mr. Venkatesalu Naidu was taken, though his case did not materially differ in nature from that of others which came before the meeting of the Council held on the 18th July last and which was coolly passed over, in spite of the remonstrance of Mr. Sriraman Chettiar to the contrary, because such a step would alike be invidious and operate as a bad precedent.

3. Before entering into the merits of the charge, we would submit that the power of sanctioning criminal prosecutions savours of judicial proceedings, that, as a safe guard against vexatious prosecutions, the Legislature has contamplated the issue of notice to the person or persons affected thereby, and that the very fact of issue of such notice presupposes

or implies the right to furnish an explanation on his or their part and a corresponding right on the part of the authority issuing it to receive and dispose of it in one way or other. In the particular instance complained of, it was pressed upon the attention of the Council that the report of the 8th Ward Councillor, Mr. Sriraman Chettiar, was not quite correct, that there was misunderstanding between him and Mr. Venkatesalu Naidu and that in view to maintain the prestige and dignity of the Council none of its members should be condemned unheard; and it was therefore resolved to issue a notice to Mr. Venkatesalu Naidu. We venture to state that the same procedure would have been followed in the case of *others* also if there was occasion for it; but as no such representation was made nothing of the kind was done.

4. Notice was accordingly issued to Mr. Venkatesalu Naidu who submitted his explanation within the period of 15 days allowed therefor and, as a matter of course, it had to be brought before the Council for disposal, there being no other go.

The second count of the charge is one which arises about the legality of the resolution of the 13th August on the ground that it was not supported by *not less than 12 persons* as required by Section 30, Clause 5. Here we would beg to point out that, inasmuch as a notice was issued in pursuance of the resolution of the 18th July, the right of the person affected by it to furnish an explanation, the disposal of which became imperative, was recognised and the resolution in question cannot in these circumstances be regarded as a final one so as to fall within the scope of the aforesaid Section. The subsequent proceedings taken in relation thereto at the meeting of the Council of the 13th August cannot be viewed as independent of the former resolution on the subject, but were only in continuation thereof. The Council viewed and treated them in that light alone and ordered the withdrawal of the notice served on Mr. Venkatesalu Naidu, having been apparently satisfied with the explanation furnished by him. That Mr. Sriraman Chettiar himself admits this fact is evident from his statement in para 6 of his letter wherein he goes on to say that "my proposition was lost and the explanation of the Councillor *was accepted as satisfactory &c*".

We have the honor to be,

Sir,

Your most obedient servants,

(Sd.) R. Muthusami Pillai
„ Selvaraj Naidu
„ V. S. Krishnasami Iyer
„ M. Subba Naidu
„ G. Subbarayalu Naidu
„ T. Jambu Chetti
„ Allu Seetharamier
„ Syed Gulam Ali Saib

VIII

Madura, October 8, 1895.

Received 8—10—95

(Initialled) R. F.

To the Chairman, Municipal Council, Madura.

Sir,—As I had occasion to read the letter of Mr. Sriraman Chettiar to Government, when it was circulated last week, complaining of certain irregularities on the part of the Municipal Council in regard to its resolutions of the 18th July and the 13th August last, and making certain imputations against me, I deem it my duty to bring the following facts to your notice so that they may be laid before Government, but, in doing so, I shall confine myself to the refutation of the points affecting me individually.

In the first place, he says that he *gives the lie direct* to the statement in my explanation that he was present at the time the steps in front of my house were being repaired. As denial against denial can be of no practical use in arriving at the truth, I shall refer to Messrs Syed Gulam Ali Saib and Muthusami Pillai on the point.

In the second, he seems to insinuate that an interlineation was made by me in my application of the 5th April last. This I emphatically deny. The application was prepared in my house, and, when I brought the same for presentation in the Municipal Office, on my way to my office, Clerk Nagojee Rao suggested to me that it would be better to give the dimensions of the old steps, and I therefore added the words, 10½ க்கும் X3½ க்கும் above my signature, and gave it to be receipted. A comparison of the ink in which the words in question have been written with that in which the date of receipt has been put down will enable any one to judge how far I am correct in my statement. In this connection, I cannot resist the temptation of observing that the words in question are not an interlineation as stated by Mr. Sriraman Chettiar, but merely an addition, and that he has purposely characterized the same as an interlineation in view to prejudice me in the opinion of the Government, just as he has unnecessarily given prominence to the private relation existing between myself and the Chairman, which I beg to submit has no bearing at all on the question at issue. Further, what could have been my object—whether distant or near, possible or probable—in so doing I leave it to the Government to judge, and whether any man of common sense would risk his reputation for nothing? I must not omit to point out that Mr. Sriraman Chettiar asserts in his letter to Government that he discovered the so-called interlineation for the first time on the 13th August 1895 at the meeting of the Council. If so, there was nothing to prevent him from bringing to the notice of the Council then and there, so that it may pronounce an opinion one way or the other. His omission to do so clearly argues that this assertion of his is an afterthought.

I do not propose to enter into minor details, as it would only tend to create unnecessary unpleasantness, which it is my aim all along to avoid as much as possible.

(Sd.) P. R. VENKATESALU NAIDU.

C. No 3451

IX

To the Chief Secretary to Government, Fort St. George,
Through the Collector of Madura.

Sir,—Adverting to your endorsement No. 1358 dated 17—9—95 on the letter of Mr. Sriraman Chettiar (herewith returned) complaining of certain irregularities in the administration of this Municipality, I have the honor to report that some of the facts therein contained are correct except a few paras 5, 9, 10 and 12 to which I shall allude later on.

2. Mr. Venkatesalu Naidu, one of the Councillors, put in a petition, for permission to renew or reconstruct the old steps in front of his house. This was referred to the Ward Councillor Mr. Sriraman Chettiar for report in the usual course and, on the receipt of his recommendation, a license was issued. Some time after, it was reported to me that Mr. Venkatesalu Naidu had covered the drains to a greater extent than what was allowed in the license and I consequently ordered his prosecution for contravening the terms thereof.

3. When the matter came before a meeting of the Council along with others of a similar nature, it was resolved to issue a notice, under Section 263, Clause 2, to Mr. Venkatesalu Naidu to remove the excess complained of within 15 days, on pain of being prosecuted in default of compliance, *though I pointed out to it that the procedure was irregular.*

4. Accordingly a notice was issued to him in the terms of the resolution with the result that he furnished an explanation praying for the withdrawal of the notice for the reasons therein set forth. This explanation reached the office before the expiry of the 15 days that was allowed him and the Chairman Delegate who was then acting for me during my short absence from the town directed it to be brought before the Council, when it resolved upon the withdrawal of the notice, *though I drew its attention to the impropriety of doing so.* In this connection, I would refer to the enclosed letter signed by 8 of the Councillors most of whom were present both at the meetings of the 18th July and 13th August last and forwarded to me for submission to Government, wherein they have explained at some length their views and accounted for their action in the matter. If the resolution of the 13th August is looked upon as one cancelling that of the 18th July, then it would have no legal force but, if it is treated as a part and parcel of the former resolution, as urged by these Councillors in their letter just referred to above, it will not be open to any technical objection. This question was not raised by Mr. Sriraman Chettiar during the discussion which followed on the subject at the meeting of the 13th August, probably because it never struck him then, nor did he bring it before the Council afterwards so that it may be reconsidered.

5. The allegation in para 9 is incorrect, inasmuch as it has never been usual to record the names of the dissentients except at their special request and, in this particular instance, no such request was made to me either by Mr. Sriraman Chettiar or by Mr. Preston who voted with me. His allegation with regard to the scoring out of certain entries in the agenda is obscure and vague. It has apparently been made so as to insinuate that the names of the dissentients were first entered and then intentionally scored out in order to make the resolution appear to have been passed unanimously. In the agenda of the 13th August, the resolution No. 224 was first worded thus :—" Resolved that the explanation be accepted and Mr. P. R. Venkatesalu Naidu be not prosecuted", and then altered into " Resolved that the notice served on him be withdrawn", so that the wording may be in accordance with the decision of the Council. The allegation in the last sentence of the aforesaid para is equally incorrect, as it has never been the practice to record votes in the manner assumed therein or to preserve the slips of papers in which votes were sometimes counted by strokes.

6. With regard to the charge made in para 10, I herewith submit the petition containing the alleged addition (and not interlineation) as well as the explanation of Mr. Venkatesalu Naidu and the statements of the Municipal servants on the point, together with the letters of Messrs. Syed Gulam Ali Saib and Muthusami Pillai. If the statement of Mr. Sriraman Chettiar that he discovered the said addition for the first time at the meeting of the Council held on the 13th August were true, he would have brought it either to my notice or to that of the Council then and there which he never did; and as to the addition I deem it an innocent one inasmuch as it does not serve any purpose.

7. The apprehension of Mr. Sriraman Chettiar that any protests from him on this or other matters may not be brought before the Council is unfounded and I have every reason to believe that this and the other insinuations against me are the outcome of feelings he seems to have been smarting under ever since his removal by me from the charge of the 8th Ward on the 10th August last 20 days prior to his letter under reply.

I have the honor to be,
Sir,
Your most obedient servant,
(Sd.) R. FISCHER.

X

Madura, 12th October 1895.

To the Chairman, Municipal Council, Madura.

Sir,—I have the honor to inform you that some inconvenience or other is likely to be felt by the members in having to attend the meetings of the Council, held in the evenings, especially during the rainy season and, although you cannot alter the hour of the meeting without the sanction of the Council, I request you to be good enough to post my letter to Government at least at a meeting convened for any morning you may fix. My object in making this request is only that great facility might be afforded to the members to attend the meeting and discuss the subject in *extenso*, deliberate over it carefully and arrive at a final decision.

I have the honor to be,
Sir,
Your most obedient servant,
(Sd.) V. C. Sriraman Chetty.

XI

To the Chairman, Municipal Cruncil, Madura.

Sir,—It having come to my knowledge that my complaint to Government has been laid before the meeting of the Council to be called for Tuesday next, the 15th instant, I have the honor to draw your attention to Section XXIV of the Rules for the Conduct of Business at Municipal Meetings framed by the Council and sanctioned by the Government, which says that "no subject shall be brought before a meeting unless 3 days' previous notice has been given to the Council" and to state that, in the present instance, though the notice of the meeting might have already been sent out for circulation, such notice is clearly insufficient and late.

I, therefore, suggest that the subject be postponed and adjourned to the meeting of the 29th October 1895, at which two important proposals are posted for consideration.

Madura,
13—10—95.

We have the honor to be,
Sir,
Your most obedient servant,
(Sd.) V. C. SRIRAMAN CHETTY.

XII

Extract fram the Rules for the Conduct of Business at Municipal Meetings.

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XXII

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and the subjects thereof circulated 3 days at least before every such meeting.

* * * * *

XXIV

That no subject be brought before a meeting unless 3 days' previous notice has been given to the Council.

XIII

MEMORANDUM.

Though there is no need for a memorandum of this kind, yet the procedure adopted by the Chairman has rendered one necessary. In the first place, I think it unwarranted in the circumstances of the case for the eight Councillors to have offered their opinions in their letter of the 7th Instant, on the legality or otherwise of the resolution in question, and it is also unnecessary for the Chairman to have accepted a fresh explanation from Mr. P. R. Venkatesalu Naidu. But, as these have been proposed to be submitted to Government, as appears from the Chairman's draft report, I have to make the following observations on some of the salient points contained in them. The letter of the Councillors, 6 of whom are placed in charge of wards, is chiefly an attempt to justify the course followed throughout. It is said that the Councillors that were present at the meeting of the 18th July were not satisfied with my report which is characterised as not being "quite correct", and that this was a reason for resolving to issue a notice to Mr. P. R. Venkatesalu Naidu. But I emphatically deny that any such opinion was expressed at that meeting, for, if it had been, it would have found a place in the resolution. They have further said that they were at the time aware of the alleged misunderstanding between Mr. Venkatesalu Naidu and myself, while, as a matter of fact, mention was made for the first time about it by Mr. Venkatesalu Naidu himself only in his explanation dated the 6th August 1895 and considered at the meeting of the 13th idem. It is true that a notice under Section 263 of the Act is usually given, but the notice contemplated by the resolution No. 178 of the 18th July does not fall within the scope of this Section, as it is one for removing the excess steps, and not certainly for requiring an explanation. What seems to me is that the Council might be considered to have reserved the exercise of its authority to sanction prosecution, if the latter clause of the said resolution were omitted. I, therefore, contend that the only possible interpretation of the resolution is that the Council was clearly satisfied that an act had been done contrary to the provisions of the Municipal Act and did not deem it necessary to await an explanation, and indeed did not call for one, but on the contrary simultaneously ordered prosecution—and, while doing so, granted, purely as a matter of grace, 15 days' time for the removal of the obstruction. It will thus appear that the view taken by the Councillors that the issue of a notice carries with it a right to entertain objections falls to the ground; nor can it be satisfactorily maintained that the resolution of the 13th August is but a continuation of its predecessor of the 18th July, while the one virtually cancels the other, or, in other words, the one is a direct negative of the other; and I need not repeat that Section 30, Clause 5, strictly applies to such cases as the present. This Clause requires a majority of one half the strength to veto a former resolution, as explained in para 8 of my letter to Government. As regards Mr. P. R. Venkatesalu Naidu's theory about the interlineation or addition (whatever it may be), I must observe that he admits that it was made after the petition was drawn up and signed by him. It does not, therefore, matter when it was made. At any rate, I may affirm that when the petition was sent to me there was no such entry. If the petition had contained the addition of 10½ feet×3½ feet, before it was sent to me, I would not have recommended any increase in the breadth of the old steps and would also have assigned reasons for my recommendation to permit 5 feet×4 feet, and, if I had omitted to assign reasons, the Chairman would have called for it. I am not surprised at the support lent by Messrs. Muthusami Pillai and Syed Gulam Ali Saib to Mr. Venkatesalu Naidu in corroborating an invented falsehood, knowing as I do, that these with some others form a clique in all matters. The Chairman in his draft reply has fully admitted the informality of the procedure of the Council as well as the illegality of its resolution of the 13th August. In para 4, the Chairman states that it was the Chairman Delegate that directed the explanation furnished by Mr. Venkatesalu Naidu to be brought at the meeting of the 13th August, but this meeting was presided over by the Chairman himself, and, if he had really been of opinion that the matter need not have been brought again for consideration, it was open to him to have removed it from the Agenda paper with the Councillors' permission, but this he has not done.

The Chairman has judiciously omitted to give his opinion as to the legality or otherwise of the resolution of the 13th August, though he realises the force of my argument, and there was nothing to prevent him, so far as I see, from himself taking the initiative and moving for a reconsideration of the resolution without expecting me to do so. It may be assumed that, as stated in para 5, the votes of the dissentients are embodied in the resolution only at their request, but, in a case of this nature, in which a previous resolution was sought to be cancelled by another, the Chairman ought, I think, to have recorded them of his own motion. It does not follow, as a matter of course, from my statement that certain entries were scored out in the Agenda paper that I intended to insinuate that such and such entries were scored out and the inference drawn by the Chairman is not just. I fail to see how I was bound to bring to the notice of the Council my discovery of the interlineation at the meeting at which the discovery was made. In fact I did refer to the matter at the meeting though the Council paid no heed to it as they did with reference to my other reasonable suggestions; nor could I bring myself to agree with the Chairman in thinking that the irregularity might be passed over being "an innocent one." On the other hand my idea is that it is the duty of the Councillors to sift thoroughly any matter whether serious or not.

As regards the withdrawal by the Chairman of the 8th Ward from my charge, I have to observe that I was only surprised at the withdrawal having been made without any proper or justifiable causes but I never felt sorry for the same and I would add it is cruel and unjust on the part of the Chairman to have attributed my representations to Government to sinister motives while my object in making them has been, as already stated, to remove some of the crying evils eating into the vitals of the Municipal adminstration.

No reference was made by the Chairman to the enclosures to the Chairman's report namely the letter of the 8 Councillors and that of Mr. Venkatesalu Naidu, dated the 7th and 8th October respectively, and evidently put into the Chairman's hands on the latter date when the last meeting of the Council was held and continued up to about 7 P. M. and the enclosures appear to me to be uncalled for and unnecessary.

It is requested that this memorandum may be submitted to Government along with other papres connected with the subject.

15—10—95. (Sd). V. C. SRIRAMAN CHETTY.

XIV

Extract from the Proceedings of the Madura Municipal Council, passed at the special meeting held on the 15th October 1895.

PRESENT :—

1.	R. Fischer Esquire,	Chairman.
2.	Surgeon Major F. C. Reeves,	Councillor.
3.	M. R. Ry. Selvaraj Naidu Garu,	Do.
4.	„ V. S. Krishnasawmi Iyer Al,	Do.
5.	„ T. Jambu Chettiar Al,	Do.
6.	„ G. Subbarayalu Naidu Garu,	Do.
7.	„ A. Seetharamier Al,	Do.
8.	„ N. Sundramier Al,	Do.
9.	„ P. R. Venkatesalu Naidu Garu,	Do.
10.	„ R. Muthusami Pillai Al,	Do.
11.	„ V. C. Sriraman Chettiar Al,	Do.
12.	„ C. K. Veerasami Naidu Garu,	Do.
13.	„ Syed Gulam Ali Saib Al,	Do.

* * * * *

299. Read draft report of the Chairman vide Resolution No. 296 dated 8—10—95 in reply to the endorsement of the Acting Under Secretary to Government No. 1358 dated 21—9—95 on the petition of M. R. Ry. Sriraman Chettiar Avergal.

Proposed by Surgeon Major Reeves and seconded by M. R. Ry. Veerasami Naidu Garu that this subject should be postponed as he, Dr. Reeves, had not the opportunity of reading the papers connected therewith and as the matter is so important that it should be thoroughly investigated by all the Councillors before the Chairman's draft is accepted.

Lost by a majority of 8 against 3. M. R. Ry. Venkatesalu Naidu Garu not voting.

Proposed by M. R. Ry. R. Muthusami Pillai Avergal and seconded by M. R. Ry. Allu Seetharamier Avergal and resolved that the Chairman's draft be accepted and forwarded to Government.

M. R. Ry. Veerasami Naidu Garu, M. R. Ry. Sriraman Chettiar Avergal and Dr. Reeves dissenting and M. R. Ry. Venkatesalu Naidu Garu not voting.

Note.—M. R. Ry. Sundramier Avergal did not take part in the Resolution as he came late.

XV

No. 796.

To M. R. Ry. Sriraman Chettiar Avergal, Municipal Councillor, Madura.

Sir,—As there are frequent complaints about the state of the 8th Ward and as your absence every now and then from the town precludes you from exercising that close supervision which its importance demands, I have the honor to inform you that I have withdrawn the 8th Ward from you and asked M. R. Ry. Jambu Chettiar Avergal to be in charge of the same.

2. You are requested to take charge of that portion of the 3rd Ward which is now under the supervision of the said Mr. Jambu Chettiar Avergal (*i. e.*) 3A.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) R. FISCHER,
Chairman.

XVI

Madura, 17th August 1895.

To the Chairman, Municipal Council, Madura.

Sir,—In acknowledging the receipt of your letter No. 796 dated 10th Instant communicating to me the withdrawal of the 8th Ward from my charge on account of frequent complaints about the state of the Ward, I am sorry to state that I was neither aware of any such complaints nor was informed by you of the same orally or by letter up to date, although I had many occasions to meet you often. I don't go out of the town frequently and I am used to request some other Councillor to look after my Ward during my absence. It was not at my own request that I undertook to supervise the 8th Ward but consented to do it only with the object of complying with your request. When you are of opinion that I cannot exercise close supervision over the 8th Ward which is close by, how could it be possible for you to conceive that I can manage the 3rd Ward efficiently which is far away from my residence and place of business? I therefore request that some other Councillor may be put in charge of the 3rd Ward.

I have the honor to be,
Sir,
Your Most Obedient Servant.
(Signed) V. C. SRIRAMAN CHETTY.

(True copies)
(& Extracts)

29th October 1895

Victoria Press, Madura—30—1895.

From
V. C. SRIRAMAN CHETTIAR,
Municipal Councillor,
Madura.

To
J. TWIGG ESQUIRE,
Collector of Madura.

Sir,—On the 30th August 1895, I sent to Government a petition complaining of certain irregularities in the Madura Municipality, of which Council I am an humble member. The Government referred it to the Council for report through you. I believe that by this time the Chairman would have submitted his report, and I beg to lay before you a few facts having a direct reference to the matter under consideration.

2. A petition, dated the 5th April 1895 (Enclosure I), was presented by Councillor Mr. Venkatesalu Naidu, Chairman's Private Clerk, praying for sanction to remove, renew and reconstruct steps to his house. A license was issued authorizing the construction of the new steps not exceeding 5 by 4 feet; but, the steps actually constructed having exceeded the sanctioned dimensions, the matter was reported to the Chairman in my endorsement on the Sanitary Inspector's report, dated the 9th May 1895 (Enclosure II). The subject was then laid before the Council by the Chairman with his recommendation for the prosecution of the Councillor concerned for having contravened the provisions of the Municipal Act. But the Council took a lenient view of the offence and, in its resolution No. 178 of the 18th July 1895 (Enclosure III), decided to give him time for the removal of the excess steps—a concession seldom or never granted—; and even this warning of the Council was not heeded by him as he did not remove the obstruction. An explanation (Enclosure IV) was, however, furnished by him for such default, the merits of which have been discussed in para 5 of my petition to Government. This explanation was unnecessarily brought before the meeting of the 13th August 1895, when the Council resolved to withdraw the notice and thereby virtually cancelled its previous resolution of the 18th July, and I have taken exception to the illegality of the latter resolution (Enclosure V) in my petition under reference.

3. It was not before nearly 3 weeks after the Government endorsement was received by the Chairman that the petition was brought up for the consideration of the Council, and it was first posted to the meeting of the 8th October 1895. At this meeting, the Chairman contended that the matter concerned only the few Councillors that had passed the two former resolutions and maintained that it was enough for all practical purposes to obtain an explanation from them and submit the same to Government, and that the other members had no voice in the matter. Mr. M. Alagirisamy Naidu, however, argued that, as the allegations were serious reflecting discredit on the general administration, the matter concerned only the general body of the Council; but the Chairman adhered to his

own opinion, and, on Mr. M. Alagirisamy Naidu desiring him to record it, he declined to do so. The said Councillor having been thus insulted did not attend the subsequent meeting. I have alluded to this circumstance to show that it has all along been the Chairman's aim to shut out from the deliberations such of the members as, he thought, would vote against him and his majority. At last after a few other proposals were either withdrawn or rejected as soon as made, the Council requested the Chairman to draft a report and submit it for its approval, vide resolution, No. 296, dated the 8th October 1895 (Enclosure VI).

4. I beg to state that the above resolution was both unnecessary and meaningless—unnecessary because, even without such a resolution, the Chairman might reasonably be expected to prepare a draft report and circulate it among the Councillors, and meaningless because the Chairman could not reasonably be expected to anticipate the views of the Council on the subject, which the Chairman could do only if its views were made known to him.

5. It will be obvious from the course subsequently adopted by the Chairman that he could not be dispossessed of the idea that the consideration of the subject was confined to a handful of the Councillors, inasmuch as among the papers circulated by him with my petition for the meeting posted to the 15th October 1895 were found (1) a letter from the 8 Councillors that had taken part in the Proceedings of either or both of the prior meetings, (2) a fresh explanation from Mr. Venkatesalu Naidu and (3) the Chairman's draft report (Enclosures VII, VIII and IX). Before the papers were sent out for circulation, I had requested the Chairman in my letter, dated the 12th October 1895 (Enclosure X), to convene the meeting in the morning instead of in the evening in order to ensure a larger attendance of the members, and, again in my letter dated the 13th October (Enclosure XI), I had drawn his attention to the insufficiency of the notice as per the rules for the conduct of business framed by the Council and sanctioned by the Government (Enclosure XII).

6. For a clear understanding of the facts of the case, I prepared a memorandum of my observations on some of the points mentioned in the papers circulated and presented it to the Council with a request that it be also considered (Enclosure XIII).

7. I believe I have sufficiently met the arguments advanced by the Councillors in justification of their action; and the Chairman himself will be seen to have fully concurred in my views regarding the illegality of the resolution of the 13th August and the impropriety of issuing a notice of the kind. In my memorandum, I have also shown that it was not necessary for the Chairman to have burdened his draft with enclosures such as those abovementioned. It remains for me, however, to state certain matters not appearing in the memorandum.

8. Of the eight Councillors that had volunteered their opinions unsolicited, five have attended both the meetings, two the meeting of the 18th July 1895, and one that of the 13th August. The statements of these 8 Councillors in their letter of the 7th October that they were aware at the meeting of the 18th July of some misunderstanding between Mr. Venkatesalu Naidu and myself (which by the way is untrue) and that they found at the time my re-

port "not quite correct" would appear to have been falsified by their very action in having approved of my endorsement *in toto* and ordered the issue of a notice at the same meeting. If my report had been found incorrect as subsequently alleged, they would have requested the Chairman or some other Councillor to inspect the place and make a correct report; nor is it probable that the Councillors were aware of the alleged misunderstanding many days, if not, some weeks before it was mentioned by Mr. Venkatesalu Naidu or even conceived by him. The notice given to Mr. Venkatesalu Naidu differed, as I have pointed out in my memorandum, from that which the Councillors would now make it appear it was. In the concluding portion of their letter, they try to make out as if I admitted the propriety of the procedure by having simply narrated the facts as they occurred, and I need hardly observe that a mere narration of events by a writer can never be tantamount to their admission by him.

9. To prove that I permitted him to cover up the drains in my capacity of Ward Councillor, Mr. Venkatesalu Naidu has called in the aid of his Co-councillors, Messrs. Muthusami Pillai and Syed Gulam Ali Sahib, but these Councillors and some others form at present the factious majority in the Council, being composed chiefly of those in charge of wards and more or less under obligations to Mr. Venkatesalu Naidu and the Chairman. I leave it to you to judge if any weight can be attached to the statements of the Municipal Clerks taken behind my back, whom Mr. Venkatesalu Naidu introduces in his explanation to prove that he made the interlineation in question before presenting the petition at the Office. Mr. Venkatesalu Naidu says that the ink in which the interlineation was made resembles that in which the date of the receipt of his petition was noted at the office and thereby tries to establish that the former preceded the latter but there would have been precisely the same resemblance even if the latter had preceded the former. I beg to submit that such a view would render his version difficult of adoption. It would also appear improbable that, the moment that Clerk Nagoji Rao suggested the addition, Mr. Venkatesalu Naidu recollected the exact dimensions of the old steps and jotted them down; for, if he had really ascertained them previously, they would have naturally been noted in the petition and I may observe that Mr. Venkatesalu Naidu's failure to give the dimensions in his first explanation of the 6th August 1895 throws great doubt on the plea subsequently set up by him. With reference to Mr. Venkatesalu Naidu's observation, "whether any man of common sense would risk his reputation for nothing?", I beg to observe that it implies that any man of common sense might risk his reputation for something.

10. In para 3 of the Chairman's draft, he has stated that he pointed out to the Council that its procedure in issuing a notice to Mr. Venkatesalu Naidu was irregular, but the minutes of the Proceedings of that meeting (Vide Enclosure III) show that, as a matter of fact, he did not dissent to the resolution but voted with the majority. The Chairman states that my apprehension that he would not bring my communications to the notice of the Council is unfounded, but that it is not so will be evident from the fact that, as complained of in para 12 of my petition, some of my communications have been shelved by him among which I recollect the following ;—

(1) Proposal to re-admit into the meetings of the Council the *Madura Mail's* Representative.

(2) Report about the encroachment made by the Councillor Mr. Syed Gulam Ali Saib.

(3) Remarks on some of the vouchers of bills for festival sanitary arrangements.

11. The main allegations made by me in my petition to Government reduce themselves to two, *viz*, that the Council's resolution of the 13th August 1895 is illegal and that an interlineation has been made in Mr. Venkatesalu Naidu's petition. The Chairman has, by admitting the first, admitted that the whole Proceedings are null and void. As regards the other allegation, he has contented himself with simply submitting the explanation of Mr. Venkatesalu Naidu and the statements of his subordinates referred to above, while he must have had a personal knowledge of the matter and must, therefore, be expected to have spoken to it, the petition having passed through his hands more than once, and the vernacular (Tamil) in which it is written being familiar to him. Both the Chairman and Mr. Venkatesalu Naidu have remarked that the interlineation, though it was made, could serve no purpose, but I maintain on the other hand that it must be taken to serve some purpose—and a great purpose too—as it was sought thereby to prove that the old steps measured 10½ by 3½ feet. The interlineation, cannot, therefore, be said to be "an innocent one" as characterised by the Chairman.

12. The Proceedings passed at the meeting of the 15th October (Enclosure XIV) call for a few remarks. The meeting was attended by 14 Councillors, of whom were the Chairman and Mr. Venkatesalu Naidu and the 8 Councillors that signed the lettter in question. Dr. Reeves and Mr. Veerasawmy Naidu supported me and dis-agreed from the rest. Mr. N. Sundram Iyer attended the meeting after the Proceedings in connection with the subject was over, and so he has had no opportunity to vote on the question. It was resolved by the above majority to accept the Chairman's draft and forward it to Government. I may also state here that my memorandum was not even read before the resolution in question was passed as it ought to have been, though I was told that it would be sent up to Government with other papers.

13. It will thus appear that the resolution as finally come to is in effect only the opinion of a select few and cannot be said to be the opinion of the general body of the Council from whom alone the Government have called for a report. It may perhaps be argued that it was open for the other members to have been present at the meeting and taken part in the Proceedings. I beg to submit that, though I am not aware of the causes of their absence, the subject might have been adjourned to a fuller meeting if the Chairman had really cared for the opinion of the general body or at least for the direction of the Government, the matter being one in which delay would not be inexcusable. To be brief, the self-same Councillors that once passed resolutions contrary to the rules of procedure and law have been subsequently called upon to defend and confirm their own doings under color of a resolution in the name of the Council as in no other way can the resolution be viewed.

14. With reference to the motive attributed to me by the Chairman in the matter, I beg to refer you to my memorandu and to submit that no Councillor need feel aggrieved at the withdrawal of the charge of ward which after all is but a gratuitous work done by a Councillor and a shifting of res sibility by the Chairman. In this connection, I may contradict the statement of th Chairman that he removed me from the charge of a ward, while he had simply transferred the said charge from one ward to another as will be seen from his letter to me, No. 196, dated the 10th August 1895, copies of which and of my reply thereto are shown as Enclosures XV and XVI.

15. In conclusion, I pray you will be good enough to hold, if necessary, an enquiry into the matter, and forward this communication also to Government with your observations thereon, if any.

Copies of connected papers are printed and enclosed for easy reference.

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

Madura,
29th October 1895.

Municipal Councillor,
Merchant, Yanaikkal Street.

29-10-95

Victoria Press, Madura—30—1895.

CURRENT No. 2775 M

RECEIVED
23 SEP 95
R.F.

To

THE CHIEF SECRETARY TO GOVERNMENT,
FORT ST. GEORGE.

Sir,

I respectfully beg to bring to the notice of Government one of a series of irregularities and illegalities characterising the present administration of the Madura Municipality and to request that it be pleased to pass such orders on the subject as it may deem fit.

2. One of the Councillors, Mr. P. R. Venkatesalu Naidu, who is also the Private Clerk of the Chairman, Mr. Fischer, applied, in a petition dated the 5th April 1895, for permission to repair and reconstruct steps to his house in the North Masi Street, 8th Ward. The petition was sent to me for remarks, as I had been supervising the 8th Ward under delegation from the Chairman. On the 9th Idem, I inspected the house, and, having regard to the width of the deep drain in front of it, recommended that the proposed steps be of the dimensions of 5 by 4 feet. This recommendation was adopted by the Council at its next meeting and license issued accordingly.

3. On the 9th May following, the Sanitary Inspector of the Ward made a report to me that the above-mentioned Councillor, Mr. Venkatesalu Naidu, had covered up the drain [illegible] a greater extent than that recommended by me and mentioned in the license (the new steps measuring 10 by 4 feet). I forwarded that report to the Chairman with my endorsement under date the 10th May 1895. On the 16th Idem, the Chairman upheld my opinion and wrote in his own hand the word "prosecute". In the prosecution list laid before the Council's Meeting of the 18th July 1895, this was included and (though it did not differ in nature from the rest of the cases of prosecution sanctioned at that and previous meetings) the Council, strangely enough, resolved that in this solitary instance 15 days' notice should be given to the Councillor to remove the encroachment and he should be prosecuted in case of non-compliance with the notice, notwithstanding my representations that such a warning was not contemplated by the Act and had not, as a matter of fact, till then, been given and that it would create a bad precedent.

4. A notice was issued to the Councillor, in pursuance of the above Resolution, No. 178 dated the 18th July 1895. Not only did he disregard the notice but he sent a protest against it; which reply or protest (or explanation as treated by the Council) was brought forward by the Chairman at the Meeting of the Council held on the 13th of the current month.

5. A few remarks about the "explanation" may be necessary.

The Councillor begins by raising a doubt whether a license is at all required under the Act for repairing steps to houses. But I beg to point out that Sections

169 and 212 of the District Municipalities Act IV of 1884 (which are wholesome provisions, as without them it would be absolutely impossible to prevent obstructions and encroachments of any kind) are imperative, and the practice of the Municipality, ever since its organisation, confirms this view. The plea put forth by the Councillor in the 3rd para is not clear and his claim to the space encroached upon is untenable. The next para contains a deliberate falsehood that I was present when the steps were being constructed and approved of the same and I give to it the lie direct. Besides, when individually I had not the authority to permit it (and the Council, as a body, alone can do it), how could it be supposed that the work was done with my knowledge and consent? In the 5th para he blames me for having allowed similar irregularities to exist unnoticed in the Ward while his case alone was reported. This charge is vague and unfounded as I have been reporting then and there upon all the cases brought to my notice from time to time. Last, though not least, he makes matters worse by imputing personal motives to me in the matter, and I beg leave to submit that this part of the explanation is unjustifiable betraying, as it does, only his attitude towards his colleagues, who, he thinks, can be treated as he pleases on account of the great influence he exercises over his master, the Chairman. I feel bound to contradict the statement that I ever *begged* the Chairman to entrust to me the charge of any Ward.

6. When the subject was discussed at the Meeting of the 13th August 1895, I pointed out to the Members that it would be both invidious and unfair to make a new departure in this case and that, whatever might be the final decision of the Council on the matter, the explanation of the Councillor should be referred to the Ward Councillor (myself) and that I should be given an opportunity to reply to the allegations contained therein and made a note to this effect in the Agenda list. But my proposition was lost and the explanation of the Councillor was accepted as satisfactory and even the notice issued to him to remove the encroachment was withdrawn (Vide Resolution No. 224, dated the 13th August 1895).

7. I beg to observe that, in the first place, the Chairman ought not to have laid the matter again before the Council in the face of the direction contained in the latter part of the Resolution of the 18th July, and that, while sanction was therein accorded for instituting prosecution if the encroachment should not be removed within the specified period, the Chairman was clearly in error in not having carried it out and the more so in having re-opened a subject once disposed of. Even granting for argument's sake that the Chairman was justified in placing the matter before the Council, the latter Resolution which virtually cancels that of the 18th July is *ultra vires*, as shown below.

8. The Meeting of the 13th August was attended by 13 Members. Of these, one was Mr. Venkatesalu Naidu himself and his vote was disallowed on the score of interest in the subject as per G. O. No. 239M, dated the 16th February 1895. Of the rest Messrs. Fischer and Preston joined me in voting for prosecution and dissenting to the Resolution in question. Excluding these votes, there were only 9 left, which did not form a sufficient majority for cancelling a previous Resolution under Section 30 (5) of the Act which lays down, in clear language, that a Resolution *for cancelling*

or modifying a previous Resolution within three months should be supported by not less than one-half of the total number of Councillors for the Municipality, viz., twelve. Thus, it will be seen that the Resolution of the 13th August having been supported by only nine Members cannot legally be taken to have cancelled the Resolution of the 18th July, which, on the other hand, continues in force.

9. I regret to have to bring to the notice of Government a curious fact in connection with this subject. For purposes of this correspondence, I referred to the book containing Minutes of the Resolutions of the Council at the Municipal Office and noticed, to my great surprise, that the Resolution does not specify the votes of the dissentients. I thought at first that it might have been a clerical error; but my surprise was greater when I found certain entries in the Agenda list scored out. I am constrained to remark that it must be an afterthought and that the omission was intentional made with a view to make it appear subsequently that it was a unanimous decision. It has also been usual to record in a separate piece of paper the votes taken for and against a proposition, as was done in the present case, and to attach that slip to the Agenda list, but no such slip has been attached nor does it appear that the entries made therein have been carried to the Agenda list.

10. I think it necessary to mention another singular fact. At the Meeting of the 13th August, I casually happened to read the Councillor's first petition of the 5th April and noticed that a fresh line had been added specifying the dimensions of the proposed steps evidently after construction, and it seems to me that the interlineation referred to must have been made after the petition passed my hands or even after the license was issued. The parties concerned in this irregularity or fraud (it is left for the authorities to find out who they are) would have successfully escaped detection but for the ink that has betrayed them and tended to the discovery.

11. I beg to state, however, that my chief object in submitting this communication to Government and trying to have an illegal Resolution set aside is that I may not abuse the confidence of the rate-payers of the town, and with my solicitude for the well-being and efficient administration of the Municipality, I beg to say that justice should be meted out impartially and fairly to all parties, whether they be Councillors or not, and that the policy of allowing special concessions to Councillors will be suicidal and will involve the Municipality in a fix at no distant date. I think that no man of self-respect will put up with this ignominious difference, and, if such concessions be granted to the favoured, the town will become filled with obstructions and encroachments without any let or hindrance.

12. I beg permission to add that I have ventured to trouble Government with this complaint as I have reasons to apprehend that any protests from me on this and other matters will not even be brought by the Chairman to the notice of the Council as may be judged from the manner in which certain communications have been treated by him.

13. In conclusion, I pray that the Government will be pleased to call for and examine the records connected with the subject and pass authoritative decisions on the several issues raised for the guidance of the Council in its future deliberations.

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

(T. C. Srinivasachetty)

Municipal Councillor and Merchant,
Yanaikkal Street.

Madura
30th August 1895

Victoria Press, Madura—12—1895.

[9]

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.
CURRENT No. 2775 M

From

C. Sriraman Chetti
Municipal Councillor
Madura

No.

Dated 30-8-95

Received 5-9-95

Enclosures

SUBJECT.

Bringing to the notice of Govt. one of a series of irregularities characterising the present administration of the Madura municipality. &c

(with an endt)

229h 16-2-95
1341h 27-9-94
1370Mch 19-8-95

TO BE RETURNED
WITH REPLY.

Gl: No: 109/95

No. 1358

Referred to the municipal council, Madura, for report, which should be submitted through the Collector.

(By order)
W. Francis
Ag. Under Secretary

1.P
7/9/95

Fort St. George
21st September 1895

9

Encls 1

To,
The Chairman, M.C., Madura.

Submitted.

2. Stripped of wrangling the case appears to be this:-

Petitioner complains

(a) that the Council gave one of their own number 15 days notice to remove an encroachment instead of, as in case of others, ordering prosecution at once.

(b). that the Council, on receipt of the member's explanation, withdrew the prosecution.

(c) that certain irregularities were committed.

As to (a). In the abstract petitioner is no doubt right - all should be treated alike -, but his standard is unusually high.

(b). i. The reasons for withdrawal of prosecution not having been given cannot be criticized.

ii. The letter of 5. 30.(5) is I think with petitioner in his contention that the Council having ordered prosecution could not withdraw it unless by a vote supported by half the Council.

(c). The charge of irregularities has been disposed of in the Chairman's letter.

3. At the petitioner's request I am also submitting a file of printed papers - though they do not assist matters much.

Madura }
31.10.95. }

J. Baily.

Ag. Collector

DESPATCHED.
2- NOV. 95

Printed Enclosure VIII

Madura, October 8, 1895

To

The Chairman

Municipal Council

Madura

Sir,

As I had occasion to read the letter of Mr Sriraman Chettyar to Government, when it was circulated last week, complaining of certain irregularities on the part of the Municipal Council in regard to its Resolutions of the 18th July and the 13th August last, and making certain imputations against me, I deem it my duty to bring the following facts to your notice so that they may be laid before Government; but in doing so, I shall confine myself to the refutation of the points affecting me individually.

In the first place, he says that he gives the lie direct to the statement in my explanation that he was present at the time the steps in front of my house were being repaired. As denial against denial can be of no practical use in arriving at the truth, I shall refer to Messrs Syed Gulam Ali Saheb and Muttusami Pillai on the point.

In the second, he seems to insinuate that an interlineation was made by me in my application of the 5th April last. This I emphatically deny. The application was prepared in my house, and when I brought the same for presentation in the Municipal office, on my way to my office, Clerk Nagojee Rao suggested to me that it would be better to give the dimensions of the old steps, and I therefore added the words, 10½ C" × 3½ C", above my signature, and gave it to be receipted. A comparison of the ink in which the words in question have been written with that in which the date of receipt has been put down will enable any one to judge how far I am correct in my statement. In this connection, I cannot resist the temptation of observing that the words in question are not an interlineation as stated by Mr Sriraman Chettyar, but merely an addition, and that he has purposely characterized the same as an interlineation in view to prejudice me in the opinion of the Government, just as he has unnecessarily given prominence to the private relation existing between myself and the Chairman, which I beg to submit has no bearing at all on the question at issue. Further, what could have been my object — whether distant or near, possible or probable, in so doing, ? I leave it to the Government to judge, and whether any man of common sense would risk his reputation for nothing? I must not omit to point out that Mr Sriraman Chettyar asserts in his letter to Government that he discovered the socalled interlineation for the first time on the 13th August 1895, at the meeting of the Council. If so, there was nothing to prevent him from bringing to the notice of the Council then and there, so that it may pronounce an opinion one way or the other. His omission to do so clearly argues that this assertion of his is an afterthought.

I do not propose to enter into minor details, as it would only tend to create unnecessary unpleasantness, which it is my aim all along to avoid as much as possible.

I have the honor to be
Sir
Your most obedt servt

…ement on Current No. 4566. of 1895

…ate supported by half

ENCLOSURE NO. 5

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71

Dated 21st October 1895.

No.

Letter signed by 8 of the Councillors explaining their views with regard to Resolution No. 224 dated 13th August 1895.

3/3457 Mis/95

71

21st October

Letter signed by 8 of the Councillors explaining their views with regard to Resolution No 224 dated 13 August 1895.

Madura
7-10-95.

Printed Edition
N11 Misc. No. 3452

Recd 8 10 95

The Chairman
Municipal Council
Madura.

Sir,

On going through the contents of the letter addressed by Mr. Sri Raman chettiar, one of the Councillors, to Government and remanded to the Municipal Council for remarks in connection with the so called irregular procedure adopted in the case of Mr. Venkatesalu naidu, a Co Councillor, we deem it a duty which we owe to ourselves individually and to the Municipal Council collectively, to offer the following remarks and request that they be laid before Government.

2. The first count of the

charge is that a novel and exceptional step of issuing notice to Mr Venkatasalu Naidu was taken, though his Case did not materially differ in nature from that of others which Came before the meeting of the Council held on the 18th July last and which was Coolly passed over, in spite of the remonstrance of Mr Stree Raman Chettiar to the Contrary, because such a step would alike be invidious and operate as a bad precedent.

3. Before entering into the merits of the Charge, we would submit that the power of sanctioning Criminal prosecutions savours of judicial proceedings, that as a safeguard against vexatious prosecutions, the Legislature has Contemplated the issue of notice to the person or persons affected thereby, and that the very fact of issue of such notice presupposes or implies the right to furnish

an

an explanation on his or their part and a Corresponding right on the part of the authority issuing it to receive and dispose of it in one way or other. In the particular instance Complained of, it was pressed upon the attention of the Council that the report of the then 8th Ward Committee, Mr Stree Raman Chettiar was not quite Correct; that there was misunderstanding between him and Mr Venkatesalu Naidu and that in view to maintain the prestige and dignity of the Council none of its members should be Condemned unheard, and it was therefore resolved to issue a notice to Mr Venkatesalu Naidu. We venture to state that the same procedure would have been followed in the Case of others also if there was occasion for it; but as no such representation was made nothing of the kind was done.

4. Notice was accordingly issued

to Mr. Venkatesalu Naidu who submitted his explanation within the period of 15 days allowed therefor and as a matter of course, it had to be brought before the Council for disposal, there being no other &c.

The Second Count of charge is one which aims at the legality of the resolution of the 13th August on the ground that it was not supported by not less than 12 persons as required by Section 30 Clause 5. Here we would beg to point out that inasmuch as a notice was issued in pursuance of the resolution of the 18th July, the right of the person affected by it to furnish an explanation the disposal of which became imperative ~~on the Council~~, was recognised and the resolution in question cannot in these circumstances be regarded as a final one so as to fall within the scope of the aforesaid Section. The subsequent proceedings taken in relation thereto at the meeting

of

of the Council of the 13th August cannot be viewed as independent of the former resolution on the subject, but were only in continuation thereof. The Council viewed and treated them in that light alone and ordered the withdrawal of the notice served on Mr. Venkatesalu Naidu, having been apparently satisfied with the explanation furnished by him.

That Mr. Sri Raman Chettiar himself admits this fact is evident from his statement in para 6 of his letter wherein he goes on to say that "my proposition was lost "and the explanation of the "Councillor was accepted as satis-"factory &c."

We have the honor to be
Sir
Your most obedient Servants

G. Soobbarayaloo Naidoo
T. Jamboolchetty
R. Muttusamy Pillai
Councillor
Subbaraj Naidu

Encls 5

ENCLOSURE NO. 4

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71
Dated 21st October 1895.
No.

Explanations furnished by M.R.Ry P. R. Venkatasalu Naidu Garu.

4/4

2/345-1 mofp95

Encl-4

Resolved that the notice served on Mr P.R. Venkata
Naidu be withdrawn
Vide Rn No $\frac{226}{13\text{-}8\text{-}95}$

Chairma

Ord
11

Received 12 10 95
Rdct

12 October 95

To
The Chairman
Municipal Council
Madura

Sir

You asked me this day to state what I know with regard to the petition of Mr. Vencatesalu Naidu applying for permission to put up steps in front of his house, and I told you orally what I knew about it. As directed by you to reduce it to writing I beg to state as follows.

On a certain day in the month of April (I give the date after referring to the petition just shown me by you) I was in the Manager's office when the said Mr. Vencatesalu Naidu came to me & handed over 2 or 3 petitions asking me to hand them over to the manager who was absent at the time. I read over the petitions and found that in one of them the extent of the slips which is generally mentioned in the petitions was not given & suggested to him the desirability of doing so. He took the petitions from me and was writing something at the Manager's table. What transpired afterwards I do not know.

I beg to remain
Sir
Your most obedient servant
Nagoji Rao
Accountant.

ENCLOSURE NO. 7

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71
Dated 21st October 1895.
No.

Statement of Nagoji Rao clerk, Municipal Office

To
The Chairman
Municipal Council
Madura

The Statement given by Municipal Clerk Kannusamy Naidu

I sent the petition dated April last of Councillor M.R.Ry Venkatesalu Naidu to the Sanitary Inspector and after it was returned to me, I did not give it to anybody except for taking it for the Chairman's orders.

I did not notice if the words 10½ x 3½ ft were then in it or not. I bring the same to your notice.

I beg &c
12.10.95 (S) Kannusami

(True Translation)

Chairman

12/10 Recd

Recd 14 10 95

[illegible]
[illegible]

[illegible]
[illegible]
[illegible]

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible] 10½ + 3½ [illegible]
[illegible]
[illegible]
[illegible]

I beg to remain
Respected Sir
Your most obedient Servant

12. 10. 95

M. Munusawmi

ENCLOSURE NO 8

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71

Dated 21st October 1895.

No.

Statement of clerk Kannusami Naidu with translation

7/3451 M of 95

ENCLOSURE No. 9

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71

Dated 21st October 1895.

No.

Statement of P. C. Dorasami naidu, Manager, Municipal Office

8 / 345-1 M of 95

0.20

the honor to request that you will be good enough to let me know if the Statement therein contained is correct.

I have &c

Sd (Signed) R. Fischer
Chairman

Similar to M.R.Ry Syed Ghoolam Ali Saib Avergal.

(True Copy)

R Fischer
Chairman

UNCIL,
MADURA.

er 1895.

ro 1033

ber 1895.

9
34/51 mot 45

ENCLOSURE NO. 4.

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71
Dated 21st October 1895.
No.

'Letter of the Councillor M.R.Ry.
R. Muthusami Pillai Avergal.

10/3451 mo895

Received
12-10-95

Madras
12-10-95

To

The Chairman
Municipal Council
Madras.

Sir

In reply to your letter of the 11th Instant enclosing para 3 of Mr. P. C. Venkatasalu Naidu's explanation, I have the honor to state that what is stated therein is true

I have the honor to be
Sir
Your most obedt. Servt.
(Sd) R. Muthusami Pillai
Councillor

Copied by. W.

(True Copy)

R. Archer
Chairman

Received 12-10-95.

Madura
Dated 12.10.95

From

Syed Gulamally Sahib
Municipal Councillor
Madura

To

The Chairman
Madura Municipality

Sir

Adverting to your letter No 1033 dated 11.10.95 I have the honor to state that, when the work in question was being done I saw the Councillor Mr. Sree Ramen Chettiar giving directions to the workmen and the ward Inspector peon and some others were then present.

I have the honor to be
Sir
Your most obdt. Servt.
(Signed) in Tamil. Syed Gulamally Sahib
Municipal Councillor

(True Copy)

Copied by. N.S.

R Archer
Chairman

121
Received on 15 & attd. to
Ass. No. 1299 15.10.95
papers
15.10.95

Madras
Dated 12.10.95

From
Syed Gulamally Sahib
Municipal Councillor
Madras

To
The Chairman
Madras Municipality

Sir,

Adverting to your letter No. 1033 dated 11.10.95 I have the honour to state that when the work in question was being done I saw the Councillor Mr Sree Ramulu Chetty giving directions to the workmen and the ward Inspector peon and some others were then present

71
21st October

Letter of Councillor Mr Kk
Syed Gulamally Sahib Sayed

I have the honour to be
Sir
Your most obedient Servant
(Signed) Councillor Syed Gulamally Sahib
Municipal Councillor
(True Copy)

Copied by T.S.

ENCLOSURE NO. 12.

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71

Dated 21st October 1895.

No.

Letter of Councillor M.R.Ry Syed Gulamally Sahib Avergal

2
9

Received on the 15th after the Res: No 299/15.10.95 was passed RP 15.10.95.

Memorandum.

Enclosure XIII to C No. 3452

Though there is no need for a memorandum of this Kind, yet the procedure adopted by the Chairman has rendered one necessary. In the first place, I think it unwarranted in the circumstances of the case for the eight Councillors to have offered their opinions in their letter of the 7th inst., on the legality or otherwise of the resolution in question, and it is also unnecessary for the Chairman to have accepted a fresh explanation from Mr. P.R. Venkatesalu Naidu. But as these have been proposed to be submitted to Government, as appears from the Chairman's draft report, I have to make the following observations on some of the salient points contained in them. The letter of the Councillors, 6 of whom are placed in charge of Wards, is chiefly an attempt to justify the course followed throughout. It is said that the Councillors that were present at the meeting of the 18th July were not satisfied with my report which is characterised as not being "quite Correct", and that this was a reason

ENCLOSURE NO. 13.

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71

Dated 21st October 1895.

No.

Memorandum put in by MRRy Sri Raman Chettiar Avergal.

Enclosure XIV
vide No. 3252

Extract from the Proceedings of the Muni-
-cipal Council, Madura passed at the
Special Meeting held on the 15th October 18

299 Read draft report of the Chairman
vide Resolution No. 296 dated the 8th October
1895, in reply to the endorsement of the Acting
Under Secretary to Government No. 1358 dat
the 21st September 1895 on the petition of MRRy
Sriraman Chettiar Avergal.

Proposed by Surgeon Major H. C. Reev
and Seconded by MRRy Veerasawmi Nayud
Garu that this subject should be postpone
as he, Surgeon Major H. C. Reeves, had not th
opportunity of reading the papers connected
therewith and as the matter is so importan
that it should be thoroughly investigate
by all the Councillors before the Chairma
draft is accepted.

Lost by a majority of 8 agains
3, MRRy Venkatesalu Nayudu Garu not v-

Proposed by MRRy R Muthusam
Pillai Avergal and Seconded by MRRy

Alla Sitaramier Avergal and resolved that the Chairmans draft be accepted and forwarded to Government.

Mrky Veerasawmi Nayudu Garu — Mrky Sriraman Chettiar Avergal and Surgeon Major F.C. Rees, dissenting; and Mrky Venkatesalu Nayudu Garu not voting.

Note. Mrky Sundaram Iyer Avergal did not take part in the resolution as he came late.

(Signed) R. Fischer
Chairman

(True copy)

R Fischer
Chairman

Extract from the Proceedings of the
-cipal Council Madura at the
Special meeting held on the 15th Octo

Resolution No 296

1895 in reply to the endorsement of the
Under Secretary to Government No. 1358
the 21st September 1895 on the petition of

Sriraman Chettiar Avergal

21st October

Proposed by Surgeon Major F.C. Ree
and seconded by Mrky Veerasawmi Nayu
that this subject should be postpone
as he, Surgeon Major F.C. Rees, had not
opportunity of reading the papers connect
therewith and as the matter is so importan
that it should be thoroughly investigat
by all the Councillors before the Chairm
draft is accepted.

Lost by a majority of 8 again

3. Mrky Venkatesalu Nayudu Garu not

Proposed by Mrky R. Muthu
Pillai Avergal and seconded by

ENCLOSURE NO. 14

In a letter

FROM,

THE CHAIRMAN,

MUNICIPAL COUNCIL,

MADURA.

No. 71

Dated 21st October 1895.

No.

Copy of Resolution No. 299 dated 15th October 1895

13
3457 M of 95

	Month & Dates	Particulars	
	30. 8.95	Petition of M.R.Ry Sreeraman Chettiar Avl. and the endorsement of the Ag. Under Secretary No. 2775 D/ 21.9.95	
	13. 8.95	Agenda paper of the 13th August 1895	Sticked together and put in a sealed cover
	6.4.95	Petition of M.R.Ry P.R. Venkatesalu Naidu Garu to reconstruct steps in front of his house	
	6.8.95	Explanation furnished by M.R.Ry Venkatesalu Naidu Garu	
	7.10.95	Letter signed by 8 of the Councillors explaining their views with regard to Resolution No. 224 D/ 13.8.95	
6	8.10.95	Explanation furnished by M.R.Ry Venkatesalu Naidu Garu	
7	12.10.95	Statement of Nagoji Row, clerk Municipal Office	
8	12.10.95	— do — do of Clerk Kamusamy Naidu with Translation	
9	14.10.95	— do — do of Municipal Office Manager M. Doraisami Naidu	
10	11.10.95	Copy of this office letter No. 1033/11.10.95	
11	12.10.95	Copy of letter of the Councillor M.R.Ry Muthusamy Pillai Avl.	
12	12.10.95	— do — do — of M.R.Ry Syed Ghoolam Ali Saib Avergal	
13	15.10.95	Memorandum put in by M.R.Ry Sriraman Chettiar Avergal	
14	15.10.95	Copy of Resolution No. 299 D/ 15 October 1895	

R Fischer
Chairman

21/10

ENCLOSURE NO. 15.

In a letter

FROM,

THE CHAIRMAN,
MUNICIPAL COUNCIL,
MADURA.

No. 71
Dated 21st October 1895.
No.

List Shewing details of enclosures.

14 / 3465-1 Nov 95

Sd. [illegible] Aug 95

Meeting

The said Councillor be requested to explain the allegations against him in paras 4 & 6.

Sd. 6.8
6. Aug 95.

Madura, August 6, 1895.

Printed Enclosure 14 of C. No. 3452

The Chairman
Municipal Council
Madura.

Sir,

With reference to the notice issued to me to remove within 15 days the excess of steps said to have been put up by me beyond the sanctioned dimensions, — what they were I was not aware of — on pain of criminal prosecution, I beg to report as follows: —

2. In the first place, it is doubtful whether under the provisions of the Municipal Act, a license is necessary for merely repairing steps which had long been in existence. If this question is found in the negative, the fact that I applied for permission to do so cannot in any way alter the legal aspect of the case.

3. In

ENCLOSURE NO. 15

the 8th ward peon, Mayandi, in full uniform and in attendance on the ward Councillor Mr. Sriraman Chettiar at a place three miles off from here during the Chittrai festival, and pointed out to him the impropriety of his conduct in having left his ward at a time when all his energy should be devoted to keep it clean, to which he replied that he obeyed his master's behest. Shortly after this event, it so chanced that the ~~the~~ charge of the 8th ward was withdrawn, though it ~~temporarily~~, from the Councillor, at his begging. As this withdrawal of charge followed soon after my admonition to the peon, the Councillor seemed to have naturally thought that I carried to your notice the peon's dereliction of duty and made the report in question against me. I am sorry I am obliged much against my will to refer to this incident. But it has become necessary in order to explain the present attitude of the Councillor towards me.

the 8th ward peon, Mayandi, in full uniform
and in attendance on the ward Councillor Mr.
Sriraman Chettiar at a place ~~[illegible]~~ three miles
off from here during the Chettiar festival,
and pointed out to him the impropriety
of his conduct in having left his ward
at a time when all his energy should be
devoted to keep it clean, to which he
replied that he obeyed his master behest.
Shortly after this event, it so chanced that ~~the~~
charge of the 8th ward was withdrawn,
~~[illegible]~~, from the Councillor, ~~[illegible]~~ though it
was given over to him again at his
begging. As this withdrawal of charge
followed soon after my admonition
to the peon the Councillor seemed to
have naturally thought that I carried
to your notice the peon's dereliction of
duty and made the report in question
against me. I am sorry I am obliged
much against my will to refer to that
incident. But it has become necessary
in order to explain the present hostility
the Councillor towards me.

4

ENCLOSURE NO 82

Submitted as requested
to endorsement on the Chairman
letter

[illegible]
Ag. Collector

In a letter

FROM,

THE CHAIRMAN,

MUNICIPAL COUNCIL,

MADURA.

No. 71

Dated 21st October 1895

No.

2. Agenda paper of th
13th August 1895.

3. Petition of M.R.Ry P. R
Venkatesalu Naidu Garu
reconstruct steps in fron
of his house

1/3451 M of 95

Current No. 0 4566 Genl of 1895.
Date 29. 10. 95

Local & [illegible]al Dept.
E. C. No. 4566/genl of 95
CURRENT No. 3452 M

Submitted as requested.

& Endorsement on the Chairman's letter.

Madura }
31. 10. 95 }

Ag. Collector

To

The Chief Secretary
to Government
Local and Municipal
Deptt.
Madras

1315

Local [illegible] Dept. DEPARTMENT.

CURR 3452 M

FROM

THE COLLECTOR, of

Madura

E. C No. 4566/Genl of 95.

ENCLOSURES. ..

Dated 31st
Received . } October 1895.

DESPATCHED.
2- NOV. 95

CHIEF SECRETARY
No.
4 NOV. 1895
GOVERNMENT OF MADRAS

SUBJECT.

Submitting the petition presented by M.R.Ry. V. C. Sriraman Chettiyar Avl., Municipal Councillor, Madura with reference to the complaint laid before Government of certain irregularities in the Madura Municipality

3. In the second place, actu
measurement is taken, it wi[illegible] foun
that the steps in question do n[illegible]xceed
feet in breadth, as that part of the
lying between the southern [illegible] of
and the inner edge of the drains [illegible]
which has been in my possessi[illegible]
-ment since the house was pe[illegible]
years ago. A personal inspec[illegible]
houses to the east and west of [illegible]
will confirm the above sta[illegible]

4. In the third place, the [illegible]
Mr Sriraman Chettiar, who w[illegible]
complain against my action [illegible]
mediately, but some 20 or 2[illegible]
the step in question was repa[illegible]
which I will state later on, [illegible]
present, at the time the repair[illegible]
with his Ward Inspector, peon, [illegible]
and two other ward Councillors [illegible]
then put in a word of reconsi[illegible]
my action, but on the contr[illegible]
his cordial approval of the a[illegible]

---

ven ying
pied ______ } 189 .
xamined ______
gned ______

G.O., No. DATED

No.

C. No.

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

GOVERNMENT.

WITH DITTO

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