L. & M.
.000—28-10-97.

Local & Munl. (1897) Department.

MISCELLANEOUS.

G.O., No. 2691 M.

DATED 3-12-97

INDEXED. CR

DESPATCHED

[Despatch Abstract.]

Municipal Council

Ordering with remarks that the election of M.R.Ry Muhammad Najdum Rowtar as a member of Dindigul ——, be published in the Fort Saint George Gazette.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cur		4320	4/97				

Papers to be read in Proceedings :—

Again G.O., No. , dated 189 .

Current No 3157. M. of 1897, dated 1st September 1897, from the Collector of Madura
current No 3221. M. of 1897, dated, 6th September 1897, from Venkatadhadrayudu, Dindigul
Current No. 3254. M of 1897, dated 15th September 1897 from ~~the~~ M.R.Ry. P.S. Muhammad Magdum Ravattar of Dindigul
Current No. 186. O. of 1897, dated 16th September 1897 from ~~the~~ Do
current No 187. O. of 1897, dated 17th September 1897 from Haji Shaik Muhammad Do
Current No 188. O. of 1897, dated 15th September 1897 from Ibrahim Ravuttar, Dindigul
current No 3715. M. of 1897, dated 27th October 1897. from Muttukaruppan Chetti, Dindigul
the Govt. Solicitor, Madras.

Mis Order.

No. 2691 M. Mis d/ 3-12-97.

The candidature of M.R.Ry Muhammad Magdum Ravuttar having been objected to at the time of publication of the schedule of valid nominations and the objection having been overruled both by the Chairman and the Collector under Rule 20 of the Election Rules, the Collector's decision in the matter is final and the objection now raised against the validity of the Election on the same ground under Rule 36(b) cannot be entertained. The petition of objection is accordingly rejected and the name of the successful candidate will be published in the Fort Saint George Gazette.

(From orders)

V.R.
2/12/97

H.P.
2.12.97

Collector of Madura
(with enclosures returned)

Gazetted 14/12/97
3.12.97

Despd 4/12/97

NOTIFICATION.

UNDER Section 10 of the Madras District Municipalities Act, 1884, the undermentioned gentlem~~e~~an ha~~ve~~s been duly elected a Municipal Councillor~~s~~ of the Municipality of Dindigul. :—

M.R.Ry. Muhammad Magdum Ravutta
Avargal

d decided and to cases in which a disqualification has — arisen

Gazette (with [illegible])

4.15 p.m.
14/7

Curdt No. 3157 M.
etc.

Gazette Part I. A.

G.O. 2691 M.

(3)

Hold over till the next gazette.

[G. / 25]
250—7-4-97.

LOCAL AND MUNICIPAL DEPARTMENT.

C. No. 3157. M, 3221. M, 3254. M of 1897
186. 187 & 186-C of 1897. and
Current. No. 3715. M of 1897.

SUBJECT.

Municipal Election. Dindigul.

FOR ORDERS.

Please see the notes and orders on the first seven letters read above and the reference made thereon to the Advocate General.

C

G.O. No. 1576 M / 8-12-90 : page 5.

2. The last letter read above contains the opinion of the Advocate General. As regards the first point, he considers that as Rule 20 expressly declares that a decision under that rule shall be final, it would be unreasonable to construe clause (b) of Rule 36 of the Election Rules, as allowing such decision to be questioned at a later stage, especially as the two rules can be construed consistently with each other by applying clause (b) of Rule 36 to cases in which the identical objection had not already been heard and decided and to cases in which a disqualification has arisen

(with enclosures, refs)

Gazette

en subsequent to the publication the schedule of valid nomination candidates for election under Rule 21 and before the time of election. On the second point, he opines that the business godown in question would be a "house" within the meaning of clause (f) of Rule 5, if having regard to the habits of the natives of this Country and the simple requirements in a building to serve as a dwelling house for a native, it can be used as a dwelling house. A definition of the word house in accordance with this opinion may be inserted as a note to rule 5 of the election rules when they are revised.

vide para 6 of the Advocate General's opinion

I

3. The candidature of Muhammad Magdum Ravutar having been objected to at the time of publication of the schedule of valid nominations and the objection having been overruled both by the Chairman and the Collector under Rule 20, of the Election Rules, the objection now raised on the same ground under Rule 36 (b) cannot be entertained. The name of the successful candidate may therefore be notified in the Fort Saint George Gazette.

V.R.
6/11/97

I There can be no doubt that the building in this case w^d serve as a dwelling house.

S.B.

H.M.

On the construction of rule 20, the Adv. Gen. takes practically the view that the Hon. member suggested when the case was previously before him. The candidate may now be notified.

S.B. 17-11-97

P.S. The revised election rules will be sent up this week, it is hoped. S.B.

AD 23/11/97

E

Local & Munl. (1897) Department.

CURRENT No. 3157/M

Copy referred to(?) Keep papers together. K.R. 6/10/97

Nos. 3157 & 3221 3284 M/97

L.C. No. 186-187/188

From The Collector of Madura

Roc **No.** 3201/S* of '97

Dated 1st September 1897

Received 4 SEP. 1897

Registered 4-9-97

Enclosures 37 ~~File~~

Spare copies

DESPATCHED 3-SEP. 97

Vide Letter to Collr. Madura no. 1738 d. 6/9/97 [Flag A]

SUBJECT.

Submitting report under Rule 37 of the Election Rules on an objection raised to the validity of the election of Magdum Rowthar Sahib as a member of the Dindigal Municipal Council.

Misc.

Order

The Government agrees with the Collector in considering that M.R.Ry. P.S. Muhammad Magdum Ravutar was ~~not~~ at the time the Election was held, not qualified as a Candidate. His Election is accordingly Cancelled and the name of M.R.Ry. K. Venkatadasari Nayudu, who was the only other Candidate for the seat will be notified in the Fort St. George Gazette.

V.R.
15/9/97

H.M. The fact that the Ravutar's candidature was objected to, & the objection overruled both by the Chairman & by the Collector on appeal under rule 20 of the Election Rules (p. 4 G.O. 8/12/90 no. (876 M) does not

The Collector of Madura Flag C
(with Enclosures, reqd.)

Gazette

appear to make the matter *res judicata* so as to prevent the ~~eligibility~~ validity of his election being questioned after the poll under rule 35 – "The validity "of any election may be questioned by "a petn. put in before the Collr. "by any candidate at the election "---- within 15 dys after the day "on wh. the election was held" Under rule 36 among the grounds upon wh. an election may be so questioned is that the person was "at the time the election was held not qualified as a candidate". The rules might have made the matter clearer; but rule 20 appears to deal ~~primarily~~ with the prima facie validity of the nominations leaving it still open to a defeated candidate or the electors to question the eligibility of the person actually elected. Perhaps the H.G. wd like legal opinion on the point.

But it may also mean that it is only open to do so if objection was not previously raised & decision passed under Rule 20

The qualification in Rule 5(f) – "paying a house rent of R10 p.m. & upwards"; is also not very clear. What is meant precisely by "houserent"; wd. it include the rent of a business godown? As the phrase stands it is quite general – the rule does not say "dwelling house". In the present case the arrangement that

It seems to be the property qualification & wd. include any tenement. The residential qualification is given by another clause.

before him.' The candidate may now be

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.
No 3715	M.L. 97		

Flag D

the rent of R10 shd. be paid in the name of the Rowther was made sometime about April 1897 (vide para 8 of the petn of 9/8/97 to the Collector of Madura) – i.e. more than 3 months before the election which was held on 27th July. The acquisition of an elective title in anticipation of an election is not in itself improper, provided it is acquired in time & is complete. The alteration of the books from Sept. 96 may have been in every sense wrong ~~[illegible]~~, but if in fact the candidate had a complete qualification on the day of the election his improper conduct wd not ~~disqualify~~ qualify him.

The Rowther is admittedly a partner of the firm from whom the rent is due. Can a firm give one of its partners the qualification by transferring the payt. into his name? It is diffic'l to see how the rule can go behind the ostensible rent payer. The senior member of a Hindu household, if the qualification stands in his name, has I believe "been always held eligible. "If in this case the other partners "of the firm recognise Magdum "Rowther as the person "paying "the house rent", are we to go behind the "arrangement".

That he possesses the residential qualification is not questioned.

In his last petition* the Rowther claims also on the ground of income tax, but admittedly the tax was not paid till 14th Septr. (vide receipt). He does not say that he was assessed before 27th July. Although the income tax is for the year from 1st April, the qualification was not possessed on the date of the election, & the subsqt. payt. & asst. cannot now be held to relate back to that date.

S. T. 16/9/97

*Curnt 32547 d/ 15 Septr 97

Flag E

No. But on the other points above, I think we had better take the Adv. Genl's opinion —
It is clear that the sooner these Election rules can be amended, the better.

20/9/97

before him." The candidate may now be

VBR.

Reference No. 1026 d/ 4.10.97

The Advocate General will be requested to favour Government with his opinion on the following case: —

On the publication of the list of nominated candidates for election to vacant seats in a municipal council, objections were raised to the eligibility of one of them, under Rule 20 of the election rules (page 4 of G.O. No. 1876 M. d/ 8.12.90). These objections were overruled at the time both by the chairman and by the Collector on appeal. The candidate in question was, ~~[illegible]~~, ultimately elected by a majority of the voters. The validity of the election is now questioned under Rule 35 of the said rules on the ground that the person was, at the time the election was held, not qualified as candidate (Rule 36).

~~I~~ Can this be done? Does the adjudication under Rule 20 ~~only~~ deal only with the prima facie validity of the nominations, or is ~~leaving~~ it still open to a defeated candidate or the electors to question under rule 35 the eligibility of the person ~~actually~~ elected, whether objection was or was not previously raised & decided under rule 20?

2. ~~As to~~ ~~the~~ the qualification in Rule 5(f) "paying a house-rent of Rs 10 and upwards", ~~occupy~~ ~~is also to be somewhat obscure~~ ~~open to question. Does it~~ ~~[illegible] clear. What is meant precisely by house rent? Would it~~ ~~include~~ does it include the part of the ~~rent~~ rent of a business godown? As the phrase stands it ~~appears to be~~ is quite general and ~~the rule~~ is not restricted to the rent of a ~~does not say~~ "dwelling house". ~~Apparently~~

3. In the case which has given rise to the reference, the candidate whose qualification is disputed claimed to be eligible on the ground that he paid the rent of a business godown belonging to a firm of which he was a partner. The rent was formerly paid by or in the name of the firm but sometime (about three months) before the election the payt was transferred to the sole name of the candidate. Is a qualification so obtained disputable under the rules, or can the adjudication go behind the ostensible rentpayer?

E.V.B. 1/10/97

~~The rent of the godown, by the payment of which the candidate~~ derives the necessary ~~qualification for a councillorship, is due by a firm.~~ ~~Can the firm thus enable one of its partners to acquire this qualification by transferring the payment into his name? It is difficult to see how the rules can go behind the ostensible rent-payer. It may be remarked that the senior member of a [illegible] household, if the qualification stands in his name, has always been held~~

before him." The candidate may now be

~~eligible~~

Seal 23/9/97

(From order)

To
The Govt. Solicitor. ✓
with copy of G.O. 1876 M of 990.

Ordered 7/10/97

3/11

before him.' The candidate may now be

1

V.2R

Local & Munl. (1897) Department.

CURRENT No. 3715 M

From The Govt. Solicitor, Madras

Order

No. 631

Dated 27-10-97

Received 28-10-97

Registered 28-10-97

Enclosures

Spare copies.

SUBJECT.

Forwarding opinion of the Advocate General, Madras, regarding question as to the validity of the election of a certain candidate to a vacant seat in a Municipal Council.

3/11

BACK PAPERS.

G.O.	No.	Department.	Date.
Gm	1026 dt	4·10·97 & put up papers	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

3715h

Re

Questions as to the validity of the election of a certain candidate to a vacant seat in a Municipal Council-vide Memorandum of Government dat 4th October 1897, No 1026, Local & Municipal.

Opinion

1. I take it that the name of the candidate in question appeared in the list of persons qualified to be elected, which was prepared corrected and published or amended under Rule 14. Assuming that under rule 20, objection could be taken to the inclusion of his name in the list of nominated candidates published under rule 19, (except) on the ground that he had not "been resident in the town for at least 6 months immediately preceding the publication" of such list (vide 1st proviso to rule 5), or that he had become disqualified under rule 6, clauses b, c, d, f, or g, subsequent to the publication of the list under rule 14, and that objection could be taken under rule 20 that by reason of the candidate not having the property qualification prescribed by rule 5, his name ought to have been omitted from the list as settled under rule 14, I am of opinion that the decision of the Chairman or of the Collector on revision, as the case may be, overruling such objection under rule 20 is final, as expressly declared by that rule, and cannot be questioned by raising the same objection under rule 35 after the candidate had been elected.

2. Rule 36 prescribes that the validity of an election can only be questioned on any of the three grounds therein specified, the second of which is that the person elected was at the time the election was held not qualified as a candidate (The italics are mine). Assuming that such objection under rule 36, Cl (b) need not necessarily be based on a disqualification which has arisen subsequent to the publication, under rule 21, of the schedule of valid nominations of candidates for election, full effect can be given to that clause without overriding the finality of the previous decision on the same point passed by the Chairman or the Collector, as the case may be, under rule 20, by limiting it to cases in which no such objection had been taken under that rule prior to the election of the candidate

3. Rule 20 expressly declares that a decision under that rule shall be final and it will be unreasonable to construe clause b of rule 36 as allowing such decision to be questioned at a later stage especially as the two rules can be construed consistently with each other by applying clause b of rule 36 to cases in which the identical objection had not already been heard and decided, and to cases in which a disqualification has risen subsequent to the publication of the schedule of valid nominations of candidates for election under rule 21 and before the time of election.

4. Though under rules 20 and 35, the proceedings are not instituted by or in the name of the whole body interested, yet the particular individual or individuals who act in the matter represent the whole body. It may also be mentioned here that a person who as a candidate is entitled to object under rule 35 would necessarily also be a person entitled to vote and, as such, to have objected under rule 20 to the nomination of the candidate who had been elected.

5. As regards the property qualification of the elected candidate under clause (f) of rule 5, I cannot express a definite opinion without information as to whether the business godown in question was ever occupied as a dwelling house, or is fit to be occupied as such. In this country, regular dwelling houses are often used and let as godowns or Warehouses, and buildings erected as godowns or warehouses used and let as dwelling houses.

6. Under section 63 of the District Municipalities Act, a tax is leviable on all buildings and lands excepting those specified therein. In that section, the term "building" is nomen generalissimum (vide definition of "building" in section 3 of the Act) and the term "land" means land unbuilt upon. In the rules framed under section 250 (1) (a) of the District Municipalities Act, whether intentionally or otherwise (probably unintentionally), the word "house" is used instead of "building", and as there is nothing in the rules to indicate that the term "house" is used otherwise than in its ordinary sense, it will not be permissible to construe it as being equivalent to building. The question has been considered in more cases than one, with reference to similar English Statutes in which the term "house" instead of "building" was used. In Daniel vs Coulsting (14 Law Journal Common Pleas 70), a question arose with reference to section 27 of the Reform Act (St 2 & 3 will IV C 45) in which the terms "house, warehouse, counting house, shop or building" were used, whether the voter was correctly described in the list as occupant of a "house", the building in his occupation being one used partly for warehousing goods, partly for a sale room and partly for workshops but not inhabited. It was held that the building was properly described as a "house" because it appeared that it was calculated for a dwelling house, had been inhabited as such and, with little trouble, might be lived in again. In Surman vs Darley (14 Me~~s~~eson & ~~Welsby~~ Welby p. 18 where the question was whether Covent Garden Theatre was a "house" within the meaning of a Rating Act which charged a yearly sum upon all "houses" within the parish for the support and benefit of the rector, curate, clerk and Sextons of that parish, Pollock C.B. commenced his Judgment by saying "We all think that the term "houses" prima facie means dwelling houses". It was held in that case that the theatre was not rateable as a house under the Act because it was not intended for human habitation and was not capable of being occupied as a dwelling house. In Angell vs Paddington Vestry (L.R. 3. Q.B. 714), the question was whether under the Metropolis Management Act, 1855 (St 18 & 19 Vic C 120) section 105, a church was liable as a "house" to contribute to the expense of paving an adjoining Street, and it was contended that the term "house" was used in a much larger sense than a dwelling house so as to include, warehouses, shops, stables and other buildings; but the contention was overruled and it was held that a church was not a "house". The business godown in question would be a "house" within the meaning of rule 5. Cl. (f) if, having regard to the habits of the natives of this country and the simple requirements in a building to serve as a dwelling house for a native, it can be used as a dwelling house.

7. The candidate in question appears to have been paying rent to hi land-lord in his own name for several months preceding the election though formerly the rent appears to have been paid in the name of th firm of which he was a Member. Whether in reality he paid the rent

on his own account individually, or on account of the firm though in his own name will make no difference as to his eligibility for election. If the payment of rent be really by or on behalf of the firm, it will be eligible for being elected as in the analogous case of an undivided Hindu family. But, in the nature of things, only one and that any member of the firm or undivided family can be elected. This, it will be seen, is expressly provided for in Section 7 of Madras Municipal Act, 1884, as amended by Madras Act II of 1892. Though there is no such express provision in the rules in question, the same principle will necessarily govern the application of the rules to the case of a firm or an undivided Hindu family (vide definition of "person" in Section 3 of the District Municipalities Act.)

26th October 1897)
Madras)

V. Bhashyam Iyengar
Offg Advocate General

(True copy)

William Morgan
Acting Government Solicitor.

(1897) Department

From William Morgan
Ag: Government Solicitor
Madras

To
The Secretary to Government
Local & Municipal Department
Madras

No. 631.

Dated 27th October 1897
Recd

SECRETARY TO GOVERNMENT
28 OCT. 1897
LOCAL & MUNICIPAL DEPARTMENT

Enclo:

Forwarded with enclosure with reference to the Memorandum of Government dated 4th October 1897. No. 1026. Local and Municipal.

William Morgan
Ag: Government Solicitor

Local & Munl. (189) Department.

CURRENT No. 3221 M.

Order

From
Venkadadhas Nayudu
Dindigul

No.

Dated 6-9-97
Received 10-9-97.
Registered
Enclosures
Spare copies.

32 Wog Form.

SUBJECT.

Praying that his name may be gazetted as a councillor for the IV ward of the Dindigul Multy in case the election of M.R.Ry. P.S.M. Magdoom Rauther is set aside.

BACK PAPERS.

G.O.	No.	Department.	Date.
Cir	315	L/97	
10	1432	L&M	11-10-94

FURTHER PAPERS.

G.O.	No.	Department.	Date.

COURT FEE
INDIA
TWO RUPEES
6/9/97

LOCAL & MUNICIPAL DEPT
CURRENT No. 3221 M.

6 SEP. 1897

To

The Secretary to the Government of Fort St. George,
Local and Municipal Dept.,
Madras.

The humble petition of Venkadadhas Nayadu, Dindigul Town most respectfully sheweth that:—

At the election of a councillor for the IV Ward of the Dindigul Municipality, held on the 27 July last, one Mr. P. S. Mahamad Magdum Rauter was declared elected by a majority of electors, and the petitioner was the only rival candidate at the election.

2. The said Mr. P. S. M. Magdum Rauter was represented to be qualified for election on the only ground of his paying a house rent of Rs. 10 per mensem, and the petitioner filed an objection petition under rules 35 and 36 saying that the successful candidate was not paying the rent and was therefore not possessed of any of the necessary qualifications.

3. An enquiry was thereupon held by the Sub-Collector in the course of which the account books of Mr. P. S. M. Magdum Rauter were called for by the petitioner and filed. The entries of payment of the rent in the account books have all been found to have been forged for the purpose of supporting the said qualification, and the payment of rent itself was found to be

false

Rol. No. 3201/Genl. of 1897 MADURA COLLECTOR'S OFFICE,

ber 1897.

false. The election of Mr. P. S. M. Magdum Rauter has therefore to be set aside.

4. The petitioner is the senior partner of the oldest and long reputed Cigar factory known as Messrs. C. Kuppusami Naydu & sons, and is the only candidate who has obtained the next highest number of votes at the said election. It is therefore submitted that in case the election of his rival candidate is cancelled, the petitioner has to be declared duly elected as councillor for the IV ward.

The petitioner therefore humbly prays that His Excellency the Governor in Council will be pleased to declare under the circumstances that the petitioner has been duly elected and order his name to be gazetted as a councillor elected for the IV ward of the Municipality.

The petitioner also begs to refer the Government to its order No. $\frac{1432}{11.10.94}$ M. Mis. in which the candidate who had obtained the next highest number of votes was declared elected when the election of the first elected candidate was set aside.

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

6th Sept: 1897.
Dindigul

Note: To save delay this petition has been sent direct, and a similar application has been submitted through the Collector.

Rol. No. 3201/Genl of 1897

MADURA COLLECTOR'S OFFICE,

Dated 1st September 1897.

3157/M

From

J. Twigg Esquire,
Collector of
Madura.

To

The Secretary to Government,
Local and Municipal Department,
Madras.

Sir,

Under rule 37 of the Municipal Election rules, I have the honor to report as follows upon an objection raised to the validity of the Election of Magdum Rowther Sahib as a member of the Dindigul Municipal Council on 27th July 1897.

2. The objector maintains that at that time the Counter-petitioner was not qualified for election.

3. The Counter-petitioner claims qualification under Rule 5 (f) as paying a hous

the candidate may hold the

house-rent of Rupees 10 per mensem. From his own statement it appears that he does not live in the so-called house, which is rented as a go-down and office in his name on behalf of the firm of which he is junior partner. The building belongs to a connection of his, and, prior to the little family arrangement by which he was to appear from September 1896 as the renter of the house, the rent used to be paid by the firm. The rent therefore is not house-rent, nor is the Counter-petitioner the person paying it, in the sense in which these expressions are used in Rule 5 (f).

4. The enquiry further shows that Counter-petitioner's accounts have been falsified in order to show payment of Rupees 10 rent, interpolations and alterations appearing in each month

month from September onwards.

5. I accordingly agree with the Revenue Officer in charge of the Division in recommending that the election should be declared invalid. His report is forwarded with the records, excepting the account books which are bulky and do not appear to be necessary.

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

Collector.
2-9-97

From

The Collector of

Madura.

To

The Secy. to Govt.,

Department,

Madras.

Dated }
Received } 189 .

No.

Enclosures

SUBJECT.

The candidate may now be

Local & Munl. (1897) Department.

CURRENT No. 3254 M.

Order

From

M. R. Ry. P. S. Muhammad
Magdum Ravatur
Dindigal.

No.

Dated 15-9-97.
Received –
Registered
Enclosures 1
Spare copies.

SUBJECT.

Praying that his election as a member of the Dindigul Municipal Council may be confirmed and that the petion of objection may be rejected

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 186

LOCAL & MUNI
CURRENT No. 3254 M.

Madras
15th September '97

To

The Secretary to Government
Local + Municipal Depts:
Fort Saint George.

Respected Sir,

I, P.S. Mahomed Magthoom Rowther, of Dindigul, beg to bring the following few lines to your honor's kind consideration & orders.

2. I was elected as a Councillor for the Dindigul Municipality on the 27th July 1897. My election has been objected to by a rival candidate on the ground that at the time of election I was not qualified as a Candidate. The rival Candidate has failed to prove that I was not paying any house rent at all. From the evidence adduced by him, it is, on the other hand, evident that I was paying house rent of the firm, of which I am a partner.

3. As a partner of the firm I could stand as a Candidate, the document having been executed by me for the firm, here I beg to point out that under the rules, any one member of a firm can stand as a Candidate.

4. My candidature has been approved of by the Sub-Collector as Ex: Officio Chairman, & by the Collector as Appellate Authority on 2 previous occasions for this very election, a perus of the proceedings of the Collector, date 17th July 1897, will confirm my statemen

5. Further I beg to state that I am also otherwise qualified inasmuch as I have been assessed for Income Tax for 1897–98, and paid the amount of the Tax, receipt of which is herein enclosed for your perusal. The said tax, I beg to state, is for 12 months (ie from 1st. April 1897 to 31st. March 1898)

6. As the election was held on the 24th July last, I beg to say that I was duly qualified with reference to this tax too, from April last.

7. Under the above mentioned circumstances, I once more beg to request that your honor will be graciously pleased to confirm my election and to reject the petition of objection.

With profound respect
I beg to remain
Respected Sir
Your Most obedient Servant
P. J. Md. Jurythen

of Dindigul.

INCOME TAX.

FORM P.

Form of Receipt to be granted under Section 32 of the Income Tax Act II of 1886.

No.

Dated

RECEIVED from

Rs. the sum of

duty assessed on , being the amount of the (first or second) instalment of

under Act II of 1886, according to the particulars specified below :—

1886 வருத்திய II-வது ஆக்ட்டாகிய இன்கம் டாக்ஸ் ஆக்ட்டின் 32-வது பிரிவின்படி கொடுக்கப்படும் ரசிதின் பாரம்.

நெம்பர் 146

1897வரு செப்டம்பர் ௴ 14 உ

1886 வருத்திய II-வது ஆக்ட்டின்படி கீழே குறித்த விவரங்கள் பிரகாரம் [illegible]

ரூ [illegible] க்கு போடப்பட்ட வரியின் (முதல் ~~[illegible]~~ இரண்டாவது) கெடுவுக்காக [illegible] மிருந்து [illegible] பெற்றுக் கொள்ளப்பட்டது.

Source or sources of estimated income. பாணிக்கப்பட்ட வருமானத்தின் மூலம் அல்லது மூலங்கள்.	Place or places, district or districts where the income arises. வருமானம் உண்டாகிற இடம் அல்லது இடங்கள ஜில்லா அல்லது ஜில்லாக்கள்.	Amount of income assessed. வரி போடப்பட்ட வருமானத்தின் தொகை.			Year or portion of the year for which duty is payable. வரி செலுத்த வேண்டிய வருஷம் அல்லது வருஷத்தின் பாகம்.	Amount of duty payable, including penalty, if any. ஏதாவது தண்டமிருந்தால் அதுவும் சேர்த்து செலுத்த வேண்டிய வரியின் தொகை.			Date of payment. செலுத்தின தேதி.	Amount of instalment if any, remaining to be paid on 189 189 வரு ௴ உ யில் செலுத்த வேண்டி இருக்கிற கெடுவு பணத்தின் தொகை.
1	2	3			4	5			6	7
		RS. ரூ.	A. அ.	P. பை.		RS. ரூ.	A. அ.	P. பை.		
[illegible]		700	..	..	1897-98	10	..	..	14/9/97	nil

1/3254 of 97

R. Rumugumasari
2-4.
14-9-97.

[illegible]

Head Accountant
~~Collector~~. Tahsildar

L.&M.
1,000—11-11-96.

Local & Munl. (1897) Department.

CURRENT No. 18610

Telgm
From Muhammad Mugthoom
Ravuttar, Dindigul

No.

Dated 16. 9. 97
Received do
Registered 17. 9. 97
Enclosures
Spare copies

SUBJECT.

Praying that his petition of 15th Septr 1897 may also be considered before passing orders on his election as Councillor of the Dindigul Municipality

7

L & M No. 186

INDIAN TELEGRAPHS Monthly Number. 168

Code Class. SS

To (Office) Ootacamund

From (Office) Madras

Words.	Day.	Hour.	Minute.	Official Instructions.
32/4	16	20	15	

To (Person) Forbes Esq I. C. S.
Secretary to Government
Local & Municipal Dept

From (Person) P. S. Moham
Mugthoom
Rowther
of Din

Praying to peruse petition dated 15th Instant with Secretary's receipt qualifying myself a candidate praying 1st to confirm my election.

J Mason
for Telegraph Master

Recd. from LN. At Hrs. Mts. by

Sent to LN. At Hrs. Mts. by

F. C1.

32 Word Form.

OOTACAMUND 16-9-97

U G P—No. 494 T—27 4 96—4000000

L.&M.
1,000—11-11-96.

Local & Munl. (1897) Department.

CURRENT No. 187/0

Telgm

From

Haji Shaik Muhammad
Ibrahim Ravuttar,
Dindigul

No.

Dated 17. 9. 97
Received 17. 9. 97
Registered do.
Enclosures
Spare copies

SUBJECT.

Praying that a fresh election may be held if Muhammad Mugthoom Ravuttar's election as * Municipal Councillor of the Dindigul Municipality be invalidate

L&M cNo 1870

Code Class. P **INDIAN TELEGRAPHS** Monthly Number. 169

To (Office) Ootacamund			From (Office) Dindigul S. I.		
Words. 46	Day. 17	Hour. 12	Minute. 10	Official Instructions.	

To (Person) G. S. Forbes Esq
Secretary to
Govt Local and Municipal
Department

From (Person) Hajee Shaik Mohamed [illegible]

Refile here S.O.

I stood as candidate and withdrew in favor of Mugthoom Rowther if Mugthoom Rowther election invalidated pray reelection be ordered as done in [illegible]

from LN. Sent to LN.

OOTACAMUND 17-9-97

J. Mason.
for Telegraph Master.

32 Word Form. F. C 1

G. P.—No T—27 4 96—4000000

L.&M. 1,000—11-9-96.

Local & Munl. (1897) Department.

CURRENT No. 188/O

From Petition

Muttukaruppan Chetti
Dindigul

No.

Dated 15. 9. 97

Received 17. 9. 97

Registered do.

Enclosures

Spare copies

SUBJECT.

Praying that the election of Muhammad Mugthoom Rawuttar as Municipal Councillor of the Dindigul Munlty may not be approved.

L&M cNo. 188/C

To

The Secretary to the Government
of Fort St. George,
Local and Municipal Dept.
Madras.

The humble memorial of Muthukaruppan Chetti, a registered voter in the IV ward of the Dindigul Town most respectfully sheweth that :—

Mr. P. S. Mahamad Magdum Kauter stood up for election as a Councillor for the IV ward of this Municipality and has obtained the majority of votes at the election held on the 27th July last.

2. Having tried in vain in various directions to create a qualification for Councillorship, Mr. Magdum Kauter at last managed to get his name included in the list of Councillors though he was in fact possessed of no qualification. Petitioner filed objection petitions upon the list; but as Mr. Magdum Kauter was himself a Councillor and as he had the support of his father and uncle who were also in the Council and of some others, he

succeeded in getting the objections overruled.
3. When Mr Magdum Kanter was elected
his rival candidate, one Mr Venkata Doss
Nayadu filed an objection petition to the Collr
under rules 35 and 36 which came before the
Sub. Collr for enquiry; The said Mr
Magdum Kanter stood up as a candidate
alleging his payment of Rs. 10 as house
rent to be the only qualification entitling
him for election. During the enquiry by
the Sub. Collr, the payment of the rent
has been clearly established to be false;
and the entries of such payments in his
account books have been found to be
deliberate fabrications made for the
purpose of this enquiry. The Govt
will no doubt see from the papers
submitted that he has clearly made
himself liable to criminal prosecution
with respect to these fabrications.
4. Now the petitioner hears that Mr
Magdum Kanter has played another
trick and is attempting to put forward
Incometax qualification which ~~b~~ has
subsequently created by means which are, to Say,

the least of it, unfair.

5. The petitioner has no doubt that the Hon: Government will not approve of the election of Mr. Magdum Kanter, a person who, the petitioner belives, has been found both by the Sub. Collr. and Collector of the District to have stooped so low as to commit patent forgeries & fabricate false evidence to support a false qualification.

6. All that the petitioner now submits for the consideration of the Hon: Govt. is that in case the said Mr. Magdum Kanter puts forward his incometax qualification, the Hon: Govt. will be graciously pleased to order a further enquiry to be made as to the bonafides of the said qualification, and the petitioner belives that further frauds will be brought to light in this direction also.

7. Even supposing that Mr. Magdum Kanter has acquired any qualification subsequent to the completion of the list of candidates, that would not entitle

him to be elected as a councillor till such list continues in operation: and G. O. No. 644 M. & L / 15. 6. 88 clearly contemplates only cases of omission.

The petitioner therefore humbly prays that the Hon: Govt. will be pleased to reject any further claims of qualification that may be put forward on behalf of Mr. Magdum Rauter, and thus set an example to put down unscrupulous practices in the matter of election.

15" Sept: 1897 }
Dindigul }

உ-வேலா-முத்துஸாமி
செட்டி

To

The Secretary to
the Govt of Fort St
Local & Municipal D
Madras

Memorial

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GAIN G.O., No. , DATED
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