-97.]

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 267L

DATED 12-2-98.

INDEXED.

DESPATCHED

[Despatch Abstract.]

Petition Rejecting, with remark, petition from Annasiri Mudali, late Local Fund overseer Madanapalle Taluk Cuddapah district appealing against his dismissal by the President of the Dt. Board.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & M.]
150—16-2-97.

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in proceedings :—

~~Again G.O., No.~~ ~~dated~~ ~~189~~ ,
~~Again G.O., No.~~ ~~dated~~ ~~189~~ ,
Current No. 582 of 1898, dated 6th January 1898, from the Private Secretary to H.E. the Governor.
" " " 189 , " , "
" " " 189 , " , "

Secy.
Mis.

ORDER. No 267 Leg 9 12/2/98

The Government sees no reason to interfere on behalf of the Petitioner. His appeal, which should have been submitted through the District Board ~ President, is accordingly rejected.

(From Orders.)

V.R. 11/2/98

W.T. 12.2.98.

To
The Petitioner
Dup 14/2/98

tioner prepared the bill wrongly,

Petn. of one Virandi Venkatasubbiah late L.F. Overseer, Madanapalle Taluk, against his dismissal.

Local and Municipal Department.

Current No. 58 L of 1898, dated 6th January 1898 from the Private Secretary to H.E. the Governor.

H.M.

FOR ORDERS.

The petitioner who was employed as Local Fund Overseer of the Madanapalle taluk in the Cuddapah district was committed by the District Magistrate to the Sessions Court on charges of (1) Criminal breach of trust under section 409 of the Indian Penal Code for misappropriating the money entered in his accounts as paid to coolies, (2) framing an incorrect record with intent to cause loss under section 218, Indian Penal Code, by preparing a false measurement sheet and bill for work that was not done and (3) cheating under section 420, Indian Penal Code, by dishonestly inducing the District Board Engineer to prepare a valuable security, namely, a cheque for R.210-1-10 in favour of the contractor. The Sessions Judge, however, acquitted him of all the charges on the grounds (1) that the first charge was got up by the Petitioner's enemies, as there was great room for it on account of the slipshod manner in which payments are made and work is done in the Engineering department, (2) that as regards the second charge, it was only proved that the Petitioner prepared the bill wrongly,

The appeal shd be dismissed - apparently it shd. also be rejected on the technical ground that it was not presented through the Dt. B. President

BS
9/2/98

but not that he received any illegal gratification and that, although he framed a false account he had no intention to cause loss to the Taluk Board, and (3) that there was no evidence for the third charge.

2. The President of the District Board, however, then dealt with his case departmentally and dismissed him for gross misconduct in preparing a false bill without measuring up the work and for having been previously convicted of forgery by another Sessions Court. Against this order, the Petitioner appealed to the District Board; but the appeal was unanimously rejected.

3. The Petitioner now appeals to Government against the District Board's order on the ground that although he was honourably acquitted of all the charges brought against him, The President treated him unjustly and harshly through malice, without replying to his petitions, and without affording him a fair opportunity of defending himself, and that even when his appeal to the District Board came up for consideration, the President prejudiced the members and closed the meeting without allowing the Petitioner's Counsel sufficient time to represent his case and without announcing the resolution of the Board. The Petitioner requests ~~Government~~ that his appeal should be reheard at another meeting of the District Board, in the proceedings of which Mr. Tate should not take part, and that if the Government deems it inexpedient to comply with his request, an order may be issued that the Petitioner is not debarred from getting an appointment in any

department, public or private.

4. As the Petitioner himself appears to have admitted having prepared a wrong bill, it is submitted that there is no reason to interfere on his behalf.

P.P.
11/2/98

Mr. Underwood was the Judge & acquitted the man through the Assessors found him guilty. He was pretty clearly guilty of framing an incorrect record, & I submit the President wrongly to dismiss him.

H.P.
F.2.98

Local & Munl. (1898) Department.

CURRENT No. 582

From H. a Sim Esq Jcs
Private Secretary to
H. E. the Governor

Order

SECRETARY TO GOVERNMENT
10 JAN 1898
LOCAL & MUNICIPAL DEPARTMENT
No.

Dated 6th January 1898.

Received

Registered

Enclosures 23. from A to W both inclusive with the exception of I

Spare copies

SUBJECT.

Transfers a petition dt 5th January 98 from Chevenapiri Mudaliar, late Head Kanakapulle Overseer Madampatty & Pallada pat Dt. praying that the District Board, Coddapah, may be directed to reconsider his case &c.

(By order)

A57/1/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

LOCAL & MUNICIPAL DEPT.
CURRENT No.

To

His Excellency the Right Hon'ble

SIR ARTHUR ELIBANK HAVELOCK, G.C.M.G., G.C.I.E.,

GOVERNOR OF FORT ST. GEORGE,

MADRAS.

The humble Memorial of C. ARUNAGIRI MUDALIAR,
late Local Fund Overseer, Madanapalle Taluk,
Cuddapah District.

MOST RESPECTFULLY SHOWETH,

That this is a humble petition protesting against the conduct of the President, Mr. A. C. Tate, in the disposal of the petitioner's appeal to the District Board praying for the cancellation of the President's order dismissing him from his post of Local Fund Overseer in the above taluk.

2. In 1891, the petitioner was appointed temporarily as a Sub-Overseer in Rayachoti Taluk on Rs. 30 + 15 (travelling allowance). After the lapse of a few months, the District and Taluk Boards' Presidents, Messrs. Wolfe-Murray and J. N. Atkinson, and the Local Fund District Engineer, Mr. H. C. R. Harley, having been greatly pleased with the earnest, conscientious and painstaking manner in which he executed the famine works in the district, and, apparently, having regard to the past meritorious services rendered by the petitioner to the Revenue and Local Fund departments in the North Arcot District, they were good enough to confer upon him a substantive appointment in the Overseer's grade in Kadiri Taluk on a salary of Rs. 50 + 15 (travelling allowance). He was subsequently transferred to Madanapalle on the same post in a higher grade on Rs. 60 + 15, the pay which he was drawing up to 1896.

3. While the petitioner was holding the last-mentioned appointment, false charges under Sections 218, 409, and 420 of the Indian Penal Code were preferred against him by his Clerk, Rambuksh, and his temporary Maistry, Mukundu Naidu, both of whom are petitioner's enemies, as will be seen from the remarks of the Sessions Judge quoted below *in extenso*. The President, Mr. A. C. Tate, thereupon held a preliminary enquiry, in his capacity as District Magistrate, which resulted in the commitment of the petitioner to the Court of Sessions. During the course of the above enquiry, Mr. Tate showed unmistakable signs of malice and cruelty towards the petitioner, inasmuch as he refused to release him on bail in spite of the offences being bailable, and unjustly kept him in wrongful confinement for a period of over 45 days. He had even gone to the length of intimidating the persons that came forward with the required bail on petitioner's behalf. M.R.Ry. Giddoo Naraniah, the then Tahsildar of Madanapalle, and now the Tahsildar of Cuddapah, who was also the petitioner's inveterate enemy, was chiefly instrumental in concocting false evidences against him and discrediting the sufficient sureties produced by him. Before the commencement of enquiry, the petitioner was not given any notice or opportunity to prepare his defence or to consult a

legal adviser on the matter. Added to these irregularities **no reference was made by the President to the District Engineer, Mr. H. C. R. Harley, the petitioner's immediate superior,** and an able officer of above 18 years' standing in the district, **on the complaints preferred against his subordinate.** The summons was served on the petitioner at 9-30 A.M. on the 24th August 1896, and the enquiry began at 11 A.M. on the self-same day. The amount of bail, viz., Rs. 7,500, demanded by the District Magistrate in petitioner's case was rather extraordinary, and he had the hardihood of refusing to accept sureties worth more than Rs. 40,000. The sureties rejected by him were readily accepted by the Sessions Judge. This solitary fact is sufficient in itself to evidence the malicious motive with which Mr. Tate was impelled. The prosecution evidence being too weak, the Sessions Judge saw no necessity to call on the accused to set forth his defence. He accordingly acquitted the accused honorably of all the charges launched against him, and passed the following remarks in the course of his judgment which indicate, beyond doubt, that the action of the complainants was prompted by nothing but spite and enmity—*vide* copies of judgments enclosed marked A and B.

* * * * * * * *

(1) "Mukundu Naidu appears *in the character of prophet and accuser.* There is also a request that the District Board Engineer be not allowed to interfere. The exhibit has the *flavour of strong personal animosity.* The evidence seems to show that *this dislike arises from Arunagiri Mudaliar doing his duty.*"

* * * * * * * *

"*The only deduction* to be drawn from the evidence is that the charge was *floated by the accused's enemies.*" * * * * * *

"There has no complaint *been made by anybody save by Arunagiri's enemies.*"

* * * * * * * *

(2) "The accused has not concealed the fact that he prepared the bill improperly."

* * * * * * * *

"*This does not amount to a fraud.*"

* * * * * * * *

"As the work had to be measured by the District Board Engineer before a final payment could be made, *there was no money with which to commit a fraud.*"

* * * * * * * *

"In this case it is only proved that Arunagiri Mudaliar prepared a bill wrongly. It is *not shown that under it he received any illegal gratification.* In fact, the evidence goes to show that he would be unable to do so. He made the bill without measurement. I don't think he wanted to take the money. *He had no bad intention.*"

4. The petitioner having thus absolved himself from the above charges, and, after the Sessions Judge delivered his judgment of acquittal on the 3rd and 5th days of November 1896, a petition was presented to the President on the 28th December 1896, through the petitioner's immediate superior, Mr. Harley (Local Fund District Engineer), praying for the petitioner's restoration to his former post with arrears of pay for the period he was kept under suspension. Mr. Harley, to whom a reference was made **with the express directions to frame any charges for disallowing restoration, reported on the contrary that the petitioner was entitled to be reinstated as he was guilty of no charges of any kind during his tenure of office in the District.** The President having paid no heed to this petition, was again requested, on the 14th March 1897, to pass orders on the petitioner's case. Even then the President preserved silence and took no action whatever. The petitioner, having exhausted all the means open to him, endeavoured to move

him by Government, and he accordingly put in a complaint against the President in regard to his delay in the disposal of his case long after his honourable acquittal by the Sessions Judge. The Government having forwarded the petition to the President for disposal, the Memorialist was favoured with an endorsement from the President directing him to appear in person before him with the remark that he did not do so till then. It is curious to note while passing that the President passed two orders on one and the same date—*vide* documents marked F and G. In one of them he directs the petitioner to appear in person, remarking that he never did so till then. In the other he fixed a period (*i.e.*, a fortnight) within which the petitioner should appear in person and show cause why he should not be dismissed. In the first place it will be observed that these orders were passed **after an interval of over seven months from the date of the petitioner's acquittal,** and that in the first endorsement his remark that the petitioner did not appear in person is quite frivolous. He never directed petitioner to appear prior to that date. This inordinate and extraordinary delay on the part of the President caused serious pecuniary losses to the petitioner, so much so that a suit for damages could successfully be maintained against him if the petitioner thought fit to do so. It will be seen, from the documents marked H and J in the file herewith sent, that the President's delay placed the petitioner under a disability to accept offers of overseer's appointments from other quarters.

5. The President's endorsements above referred to were received at a time when he was ailing from dyspepsia and attending the General Hospital as an out-patient. The petitioner accordingly wrote to him alleging his inability to present himself in person—*vide* copy of petition, dated 8th June 1897. No reply having been received up to the 22nd idem, another petition was presented to him setting forth in detail all the grievances caused to him by his inordinate delay as well as his inconveniences to attend in person, and requesting that he might be pleased to specify the point or points on which he might require fuller information and to accept a written explanation therefor or to allow him to represent his case through a Vakil or Barrister. The President, with his stubborn attitude of bringing down ruin on the petitioner, discredited his statement and made a reference to the Senior Medical Officer at the General Hospital, Madras, as to whether the above statement of the petitioner was true. In spite of the Senior Medical Officer's reply that the statement was true, the President unnecessarily insisted on petitioner's personal appearance with a view to create fear in his mind, and accordingly informed him that on the expiry of the period fixed by the Doctor, viz., a fortnight, orders would be passed on his case. On receipt of this endorsement, the petitioner, believing that it was passed before the receipt of his last petition, respectfully drew the President's attention to his petition, dated 3rd July 1897, in which he was solicited to accept a written explanation or to accord sanction for representing his cause by a Vakil and awaited his reply to the same. Again, on the 14th July 1897, the petitioner put in a reminder petition alleging the extent of loss both pecuniary and otherwise he has suffered by the President's delay since the date of acquittal, and pointing out the necessity for his speedy action in the matter—*vide* petition marked Q. After all, on the 19th July 1897, *i.e.*, **after nine months' delay**, he informed the petitioner that he must appear in person, or else his services will be dispensed with.

6. On receipt of the above endorsement, the petitioner wrote to him asking whether he could present himself with a Vakil as prayed for by him, inasmuch as the President made no reference to the petitions presented to him on the subject. To this he was not favoured with a reply at all.

7. Notwithstanding the petitioner's ill-health at the time and his reluctance to travel all the way from Madras to Cuddapah (about 165 miles), he went in person chiefly to

obviate the charge which he might probably frame of having disobeyed the President's orders. The petitioner saw the President in his bungalow on the 2nd August last, but he was directed to go to office. He accordingly did so. As soon as he saw the petitioner, the following were the very words uttered by him at about half past 4 o'clock :—

"Oh ! you want your appointment. You are a very fortunate man. Had I remained here, I would have seen you convicted and sentenced. You have escaped as I went away on leave. I am going to dismiss you. If you have anything to say put it in writing and submit it before this evening." From these words, emitting fire and thunderbolt, as if it were, what the position and the feeling of a subordinate like the petitioner would have been could rather be imagined than described. The words themselves import the spirit of vengeance and malice with which he carried on his proceedings in the petitioner's case. His idea seems to be rather to convict the poor petitioner than to administer justice. A Collector and District Magistrate has all the powers vested in him by law—he may do and undo things at his whim and pleasure. An individual holding such responsible office ought to be one devoid of likes and dislikes and possessed of a mind to do justice for its own sake. But Mr. Tate has proved to be otherwise in the petitioner's case. The petitioner being thus overwhelmed with emotion of terror, was unable to state anything in writing within the limited time allotted to him. The next day after this memorable event, the petitioner received the order of dismissal. Thus it is clear that the President's obstinacy in insisting on petitioner's personal appearance was rather to wreak his vengeance by threatening him in the manner above referred to, and summarily dismissing him without an opportunity to present his defence either orally or in writing, or by means of a Vakil after sufficient notice.

8. The petitioner having been disappointed by the summary way in which his case has been disposed of **after the lapse of nearly a year since his acquittal,** he went up to the District Board with an appeal against the above order in the hope that there at least he would receive justice. To his sad disappointment, even there he was not permitted to be dealt with justly. In the usual course of business, the Local Fund Head Clerk used to arrange the subjects that are to be discussed in the ensuing meeting. But when the petitioner's case came up, the President himself put it up to the last in order that the members might not give sufficient consideration to it. Further, he influenced as many members as he could to the petitioner's prejudice, and designedly made arrangements to be himself present at that meeting for confirming by hook or crook his own order of dismissal. The Sub-Collector Mr. Vaughan, who was not present at any of the previous meetings, was specially invited by Mr. Tate to be present at the meeting when the petitioner's case would be considered, because by his presence he was sure of a vote in support of his contention. The day before the meeting at which the petitioner's case was to be discussed, the President was away on circuit at Yerraguntla, *26 miles distant from the head-quarters. He was also suffering from fever at the time.* In spite of these inconveniences for him to attend, he somehow managed to be present at the meeting, and held a preliminary conference with the official and non-official members when he induced one and all of them to confirm the order of dismissal and reject the petitioner's appeal. When so responsible an official as the Collector used such means for carrying out his own long cherished wish, the members, most of whom were officials and as such could not run the risk of incurring his displeasure, agreed with him in rejecting the petitioner's appeal. In that meeting, several subjects were discussed, but the petitioner's case came up last. This subject was *considered only for five minutes.* The petitioner's appeal petition was not even read out to the members nor interpreted to those who had no knowledge of the English language. The appellant, however, was ready with a Barrister to plead his cause before the members. The President, *besides treating the Barrister with incivility,* had allowed him *only ten minutes* within which he was directed to finish his plea. A case **which**

the President had been delaying for over a year should be fully represented within ten minutes is indeed impossible. Within such limited time, the Barrister made the best he could. But whatever he stated proved to be rather a cry in the wilderness. Because though some of the members had been convinced of the unjust procedure of Mr. Tate, they had not the moral courage to say it out and go against his wishes. After the counsel finished his statement, no proposition was put before the meeting, nor was any vote taken. Immediately the meeting dispersed. It is remarkable to note that when the petitioner's case was called on, Mr. Tate expressed to his guest, Mr. Vaughan, as well as to other official members, that it was high time for breakfast. Apparently his idea was to summarily reject the petitioner's appeal. The petitioner was at a loss to know what became of his case. Even the members were unable to inform him what orders were passed. **After an interval of nearly a fortnight,** the petitioner was informed of the result of the Board's so-called deliberations, viz., that his appeal has been rejected. Though the meeting was conducted publicly in regard to all matters, it became private, and every one other than members was excluded when the petitioner's case came up for consideration. What can be the object of the President in this invidious treatment, if it be not spite and ill-will towards the petitioner ? So much for the manner in which the Board's meeting was conducted, headed by Mr. Tate.

9. The petitioner has endeavoured in his own humble way to represent the facts of his case as fully as he can in paras. 3 to 8 *supra.* Now he proceeds to consider in full the President's attitude towards the petitioner from the date when he received a complaint against him from his own clerk and temporary maistry down to the date of the order of confirmation passed by the District Board alluded to in the preceding para.

During the preliminary inquiry held by the President, it has been already stated that he *did not allow him time for preparing his defence, and that he kept him in wrongful confinement for a month and-a-half, though the offences with which he was charged were bailable, and the petitioner was ready to furnish the requisite bail.* Mr. Tate did not even think that in this he would set at defiance the law of the country. The primary object of law in the view of Jurists is to promote personal freedom and liberty and to protect the rights of property. In petitioner's case Mr. Tate had completely overlooked it, and tried to accomplish his object, viz., to ruin the petitioner and his family in spite of legal obstructions in his way. Thus in the beginning alone, there are *clear indications of the President's partiality and spiteful motive towards the poor petitioner.* Further, the persons who came forward to help the petitioner by furnishing the required bail were threatened with punishment by the Tahsildar Giddoo Naraniah, who received private instructions from the Collector not to admit any sureties on behalf of the petitioner. Not being content with instructing the Tahsildar, Mr. Tate even sent word to the Sub-Magistrate through his Magisterial Clerk to adopt the same course. These are facts which His Excellency himself may verify if deemed necessary. Not being satisfied with the perpetration of these irregularities, he committed the petitioner to the Court of Sessions **after a protracted delay of 17 days, during which the petitioner was kept under remand warrant.** The President went away on leave the next day leaving word with the Sub-Collector, Mr. Forbes, to watch the case and to see that the petitioner was sentenced. In accordance with the words of Shakespeare—

"Let us know
Our indiscretion sometimes serves as well
When our deep plots do poll; and that should teach us,
There is a divinity that shapes our ends,
Rough hew them how we will"—

the Sessions Judge, Mr. W. G. Underwood, who is well-known for his strict straightforwardness and for his shrewd sense of justice, fully considered the petitioner's case with the help of assessors and honorably acquitted him of all the charges maliciously brought against him. On this event, the petitioner presented a petition to Mr. Forbes, who was then in charge of the district, requesting his restoration to his former post. As the grant of this request would greatly displease his superior Mr. Tate, he passed no orders on the petition, but kept **it over till Mr. Tate's return from leave**. Even after his return, he took no steps for the disposal of the petitioner's case in spite of repeated petitions and reminders from the Memorialist detailed in para. 4 *supra*. **After a lapse of five months** he was compelled to move by the endorsement from Government in the Local and Municipal Department forwarding the petitioner's memorial for his disposal. As his wish was to dispense with petitioner's services he could have done so without **the inordinate delay of nearly a year**. What can be the object of this gross delay? The only answer the petitioner is able to guess is that his aim from the beginning was to cause any amount of loss to the petitioner, and thereby ruin his family and children. The petitioner is unable to state what indeed caused the President to entertain so much good-will towards the poor and unfortunate individual. By this gross delay, the petitioner was prevented from accepting an offer of a Municipal Overseer's place in the District of Tinnevelly. In proof of this fact, the petitioner humbly begs reference to the Chairman's order, dated 3rd May 1897, No. 29, marked H, in the enclosures. This is only one of the several offers of the kind received during the period of delay. *To add insult to injury, he insisted on petitioner's personal appearance at a time when he was physically unable to do so.* **After a delay of one year,** he dispensed with petitioner's services without assigning sufficient grounds therefor, and without affording an opportunity to set forth his defence. *He did not ask him any explanation either oral or written.* In spite of this summary disposal on his part, he used his evil influence with the members of the District Board while the petitioner preferred an appeal. The irregularities committed before and in the course of the meeting are detailed below *seriatim*—

(1) Notice of the hearing of the appeal was served on the petitioner at 2-15 P.M. of 13th October 1897, stating that the appeal would be heard at 8 A.M. of the 14th idem. *This comes nearly to 5 hours' notice excluding the intervening night.*

(2) The petitioner had little or no time to engage a counsel and much less to give him proper instructions on the petitioner's case **which was delayed for over a year**.

(3) Although petitioner engaged a counsel at the eleventh hour and instructed him as much as he could within the short time at his disposal, it is most unfortunate that his counsel was restricted *to finish his statement within ten minutes.*

(4) Neither the petitioner nor his counsel was allowed to be present when Mr. Tate was explaining the petitioner's case to the members before the regular meeting began.

(5) The petitioner's appeal written in English was not read out nor interpreted in the vernacular to members who had no knowledge of the former language.

(6) Although the meeting was a public one to all intents and purposes, Mr. Tate made it a private one when the petitioner's case was considered, by asking the strangers to clear out when the petitioner's counsel began to address the Board.

(7) *The petitioner's counsel was allowed only ten minutes.*

(8) No resolution was passed nor read out.

(9) **The most noteworthy of all is that of Mr. Tate sitting in judgment against his own order.**

10. The above irregularities are too serious to be passed over. They are sufficiently serious to render the Proceedings null and void and to justify the grant of petitioner's prayer for a rehearing. A notice of five hours is hardly enough to enable the petitioner to engage a proper counsel and give him sufficient instructions. Further, the Barrister *was allowed only ten minutes.* The petitioner nor his Barrister was permitted to be present while the case was explained to the other members. How the petitioner's presence would affect the President's explanation is indeed a mystery, unless it be that he induced them all to reject the petitioner's appeal.

11. Lastly, and not the least, the petitioner begs leave to narrate briefly the history of the petitioner's official career in the several departments of Government up to his advent in Cuddapah. To begin with, he had put in a long and faithful service of 23 years in different capacities. He first entered public service as a Surveyor in the South Indian Railway. He was for some years a Minor Irrigation Overseer under the Court of Wards and then a Local Fund Overseer in the North Arcot District, where he remained for six years, during which period the petitioner has discharged his duties to the entire satisfaction of his superiors and secured their good opinion. The following extracts from copies of some of the testimonials (copies enclosed, marked W) given by the petitioner's superiors during the tenure of his office in North Arcot and Cuddapah districts are sufficient to bear out the above allegations.

* * * * * * * *

(1) "C. Arunagiri Mudaliar * * * has given me satisfaction not only in the discharge of his duties as a Clerk, but also in attending to the duties of the Head Clerk, Storekeeper, Cashkeeper, and the Engineering Assistant during the absence of the permanent incumbents. He is well up also in Surveying and Levelling. He possesses a fair knowledge of English and Accounts, and **is a very intelligent and trustworthy young man**."

(Signed) A. BEESTON,
Engineer.

CHINGLEPUT,
4th August 1876.

* * * * * * * *

(2) "* * * **he is a hardworking and intelligent young man** * * * * he is **very honest and trustworthy**." * *

* * * * * * * *

(Signed) W. CLARKE,
Special Relief Officer.

TIRUTANI, NORTH ARCOT,
24th October 1878.

* * * * * * * *

(3) "* * * * is glad to record that he considers after inspection that Arunagiri Mudaliar has **honestly and satisfactorily executed** the works entrusted to him."

(Signed) A. J. STUART,
Collector.

NORTH ARCOT,
28th August 1884.

(4) "The undersigned having been **greatly pleased** and **fully satisfied** with the way in which Overseer Arunagiri Mudaliar carried out the Public Works, he has been appointed as Local Fund Overseer of Palmaner Taluk. * * * *

(Signed) WALTER VIVIAN, C.E.,
Local Fund Executive Engineer.

NORTH ARCOT,
22nd August 1885.

(5) "* * * * * when he took charge of the Polur Taluk * * * it was in very bad order indeed. The former Overseers * * * had allowed everything to go to wreck and ruin. This man **worked hard and did good work and greatly improved the Taluk**. In addition to this, he **brought to light a lot of swindling** that had been going on in the Taluk and **saved the Board some Rs. 800**."

North Arcot,
29*th June* 1891.

(Signed) WALTER VIVIAN, C.E.,
District Board Engineer.

(6) **"I have seen more evidences of work on this Overseer's roads than on any other in the Sub-Division**. This Local Fund Overseer has given the Maistries **inspection books for officials to record remarks—a good idea."**

Madanapalle,
9*th August* 1892.

(Signed) J. N. ATKINSON,
President, Taluk Board, Madanapalle.

(7) "This is the **most satisfactory** of the three diaries and best shows what the Overseer was doing."

Madanapalle,
October 1893.

(Signed) F. LEVY,
President, Taluk Board, Madanapalle.

(8) "It is satisfactory to note that this Overseer has submitted contract bills for all works in his charge. He seems to have paid up the **mile-cooly establishment without arrears**."

Cuddapah,
21*st November* 1894.

(Signed) J. HEWETSON,
President, District Board.

(9) "This Overseer's work * * * * is **exceedingly satisfactory as he has completed all the works in his range** * * * * his progress has been **very good.**"

Cuddapah,
22*nd February* 1895.

(Signed) C. JAMBULINGA MUDALIAR,
Vice-President,
for *President, District Board.*

(10) "The work done by this Overseer seems **satisfactory**."

Madanapalle,
4*th April* 1895.

(Signed) J. H. MUNRO,
President, Taluk Board, Madanapalle.

12. The above extracts are ample testimony of the petitioner's unerring integrity, intelligence and faithfulness in the discharge of the multifarious duties entrusted to him from time to time. His long and faithful service ranges **to nearly 23 years,** *i.e.*, **nearly quarter of a century**. During the whole period, the petitioner had given no occasion for the displeasure of his superiors, nor for any complaint from his subordinates. One and all the Collectors and Engineers under whom he happened to serve for the most part bore excellent testimony of **the petitioner's honesty and sterling character**. To the petitioner's great misfortune, the only Collector and President who has been the instrument of his ruin is no other than the one of whom constant mention has been made in previous paras. The petitioner has already been subjected to serious hardships and pecuniary losses from which he hopes to get relief by the merciful hand of His Most Gracious Excellency.

13. Your Gracious and Merciful Excellency has saved several families and lives **by the exercise of mercy—a divine part of human nature**. Several persons held

guilty of serious crimes have been pardoned and let free and those who have rendered long and meritorious services to Government have been saved from ignominious punishment. The petitioner believes it unnecessary to mention several instances in which the merciful hand of Your Most Gracious Excellency has been brought into play. The latest instance which occurred in the Salt and Abkari Department is still rife in the memory of all. From the fact already narrated Your Most Gracious Excellency will perceive that the poor petitioner has been guilty of no serious wrong so as to deserve the serious and unjust punishment of dismissal inflicted by the unsympathetic President. The punishment is quite incommensurate with anything that he might be held guilty of.

14. In conclusion, the petitioner earnestly prays that, in consideration of the serious irregularities detailed in para. 9 *supra*, and of the unjust and harsh way in which the petitioner has been dealt with, His Excellency will be gracious enough to direct a rehearing of the petitioner's case in another meeting of the District Board and render justice to the petitioner. He also requests that Mr. Tate, against whose order the appeal was preferred, be directed not to take part in that proceeding as no justice can be expected if an officer is allowed to sit in judgment on an appeal preferred against his own order passed in his capacity as the President of the District Board. Should His Most Gracious Excellency deem it inexpedient to comply with the above humble request, the petitioner, who has served Government for over a period of 20 years without any blemish on his part, prays that he may be shown some consideration by ordering that the petitioner is not debarred from fetching appointment in any Department either public or private.

Royapettah,
5 January ~~December~~ 1898

C. Arunagiri Mudaliar

Petitioner's address :—

C. ARUNAGIRI MUDALIAR,
No. 7, Perumal Mudali's Street,
Pudupaukam, Royapettah Post Office,
MADRAS.

N. B. Enclosures are submitted by packet post separately.

P. T. O.

List of Enclosures accompanying Memorial.

A. Copy of Judgment in Calendar Case No. 45 of 1896 of the Sessions Court of Cuddapah.

B. Copy of Judgment in Calendar Case No. 44 of 1896 of the Sessions Court of Cuddapah.

C. Copy of Petition to the President, District Board, Cuddapah, dated 28th December 1896, through the Local Fund District Engineer, Cuddapah.

D. Copy of Petition to the President, District Board, Cuddapah, dated 14th March 1897.

D_1. Petition to Government, Local and Municipal Department, dated 27th March 1897.

E. Petition to ~~Government, Local and Municipal Department,~~ the President, District Board, Cuddapah dated 27th May 1897.

F. District Board President's Endorsement No. $\frac{41}{\text{D B.}}$ of 1897, dated 31st May 1897.

G. District Board President's Memo., Reference on Current No. $\frac{722}{\text{D.B.}}$ of 1897, dated 31st May 1897.

H. Appointment Order of the Chairman of Palamcottah Municipality, No. 29, dated 3rd May 1897.

J. Order of the Chairman of the above Municipality, No. 33, dated 20th May 1897.

K. Copy of Petition to the President, District Board, Cuddapah, dated 4th June 1897.

L. District Board President's Endorsement, Reference on Current No. 722, of 5th June 1897.

M. Copy of Petition to the President, District Board, Cuddapah, dated 8th June 1897.

N. Copy of Petition to the President, District Board, Cuddapah, dated 22nd June 1897.

O. District Board President's Endorsement, L. F. Reference No. 722, of 21st June 1897.

P. Copy of Petition to the President, District Board, Cuddapah, dated 3rd July 1897.

Q. Copy of Petition to the President, District Board, Cuddapah, dated 14th July 1897.

R. District Board President's Endorsement, Reference on Current No. $\frac{722}{\text{D. B.}}$, dated 19th July 1897.

S. Copy of Petition to the President, District Board, Cuddapah, dated 23rd July 1897.

T. Copy of the Order of the President, District Board, No. $\frac{568}{\text{D. B.}}$ of 1897, dated 4th August 1897.

T_1. Appeal Petition to the District Board, Cuddapah, dated 20th September 1897.

U. District Board President's Notice, Reference on Current No. 145, dated 13th October 1897.

V. Proceedings of the District Board, Cuddapah, passed at a meeting held on Thursday, the 14th October 1897, No. 782, dated 21st October 1897.

W. Copies of Testimonials, &c., of Chingleput Arunagiri Mudaliar from Nos. 1 to 42 in a book.

C. ARUNAGIRI MUDALIAR,
Late Local Fund Overseer, Madanapalle Taluk.

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N.B.—
A = Copy in full.
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