Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

Local & Munl. (Rural) Department.

MISCELLANEOUS.

G.O., No. 575-M.

DATED 15-3-98.

INDEXED.

DESPATCHED

[Despatch Abstract.]

Munl. Council

Ordering, with remark, that the Election of M.R.Ry M. Parameswaram Pillai as a member of the Madura —— be notified.

station and interfering w

G.O.	No.	Department.	For what purpose.	G.O.	No.	Department.	

FURTHER PAPERS.

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

[L. & M. 3 / 300—2-12-97.]

Election of Councillor in the 7th Ward of the Madra

LOCAL AND MUNICIPAL DEPARTMENT.

Papers to be read in Proceedings:—

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

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

Current No. 242. M of 1898, dated 14th January 1898 from the Collector of Madr

" " " 189 , " , "

" " " 189 , " , "

Misc ORDER. No. 575 Mins dy 15/3/98

The Government agr
with the Collector in considering
no sufficient reason has been sh
for cancelling the election in que
The petition of objection is accord
rejected and the name of the s
-ful candidate will be publish
in the Fort Saint George Gaze

2. It is however observed b
the conduct of the election was m
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irregularities which the Chair
should take steps to prevent
future occasions. The action of
Chairman-delegate and the m
cipal servants in canvassing
votes and more especially
of the former in going to the
station and interfering wi

Sorry the office delayed the sample paper from it. Not proved.

G.O.	No.	Department.	For what purpose.	G.O.	No.	Department.	

FURTHER PAPERS.

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

Election of Councillor in the 7th Ward of the Madra

[L. & M. 3]
300—2-12-97.

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Sorry the office delayed the sending papers from 17.1. Not proved.

uig, were most objectionable.
collector is requested to warn
rsons concerned and instruct
chairman to see that this does
ccur.

P
3/98

To
The collector of Madura with
papers returned
Gazetted 15/3/98
14/3/98
dept 16/3/98

NOTIFICATION.

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

The R.Rg. M. Parameswaram Pillai Avargal.

Ext
No 242 h

f. 0.575. M

Gazette Part I A.

14/Mar.

Local & Munl. (1898) Department.

CURRENT No. 242 M

From The Collector of Madura.

SECRETARY TO GOVERNMENT
17 JAN 1898
LOCAL & MUNICIPAL DEPARTMENT

Order

Reference on Current No. No. 3755 of 1897

Dated 11th January 1898

Received 17-1-1898

Registered 17

Enclosures 14 as per list.

Spare copies

SUBJECT.

Submitting report on the petition presented by M.R.Ry L.S. Subramania Aiyangal, objecting to the election of M.R.Ry Parameswaran Pillai Avargal, as councillor for the VIII ward of the Madura Municipality.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

List of enclosures to accompany this office letter. Ref: our cur. No. 3755/Genl of 97 dated 14th January 1898 to Government Local and Municipal Department

No	Nature of papers	No of papers
1	Letter No. 57/20.10.1897 from the Chairman Municipal Council Madura to Government	1
2	Petition dated 2nd November 1897 from P.S. Subramaniar	2
3	Records of enquiry	1 bdle
4	Letter No Dis 2288/2.12.97 from the Deputy Collector Madura Div to the Collector of Madura	1

Madura Collectors office
Dated 14th January 1898.

for Sivaramakrishna
for ag collector

3754
Revd
22-10-97

Local & Munl. (189) Department.

CURRENT No.

Enclosure No 1 to Madura
collectors letter Roc No 3755/jul
of 97 dated 14th January 1898

From

The Chairman Delegate
Municipal Council
Madura.

Order

No. 57.

Dated 20th October 1897
Received
Registered
Enclosures
Spare copies

SUBJECT.

Reporting the result of election held in the 7th Ward on the 20th October 1897.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Disposal No 2288 of 97.

Madura Dt. 2 Collector's Office
2. 12. 1897.

From

Enclosure No 4 to Madura Collector's
letter Roc No 3755/Genl. of 97 dated 4th January '98 The Deputy Collector
Madura Dt.

To

The Collector of Madura.

Sir,

I have the honor to return herewith the petition submitted by P.S. Subbaramaiyer objecting to the election of Parasuraman Pillai as a Councillor for the 7th ward of the Madura Municipality and referred for enquiry with your No. Roc 3755 dated 4.11.97 and to report as follows:

2. The election is impeached on the following amongst other grounds.

(a) That it is the result of intimidation and fraud.

(b) That no secrecy has maintained in the polling booth as General Municipal Servants remained therein canvassed votes for

for the Counte petitioner and in doing so — intimidated and influenced the voters (c) That many of petitioner's voters were pushed aside, ill treated and prevented on same pretext or other from registering their votes by the chairman Delegate and Municipal Servants and that being disgusted with and annoyed by the above acts they went away without voting. (d) That while the regular gate keeper on the northern side a Municipal Servant let open the small doorway on the eastern side and through it allowed a large number of persons to enter the polling booth and vote for Counte petitioner. (e) That the election is not supported by a majority of valid votes.

3. 1st witness V. Ramachandier and 4th witness Ramiengar both B 4 and BL Speak to having seen the chairman — Delegate P. R. Venkatasalu Naidu — troubling retired record keeper Mee-

Meenakshisundaram to vote for — Counte petitioner. The former adds that Devanayakalu Naidu a municipal Servant and brother in law of chairman Delegate threatened one of the voters of petitioner and caused him to be forcibly taken away by one of Counte petitioner's party. The latter also mentions that he observed one Municipal Servant intimidating a voter at the polling office and closely — watching him till he gave his vote.

6th witness Ayyasamy Pillai says — that he was threatened by Muthusamy Pillai Pleader and Municipal — Councillor to vote for Counte petitioner on pain of increase of tax.

7th witness states that he was likewise coerced by the 7th ward bill Collector and that a dust bin which was kept some 10 houses off his house had —

had lately been removed and placed in front of his house. He further says that the above said bill Collector and Gajanutha Pillai another bill Collector and 2 Municipal peons have, in his presence & hearing threatened Narayana Pandithan and Valu Pandithan near their houses that if they did not vote for Counter petitioner they would be charged in nuisance cases and their taxes raised.

9th witness D. M. Srinivasa Iyengar a first grade pleader states that when he went to Polling office Muthusamy Pillai who had asked him to vote for Counter petitioner before and was at the gate at the time, told him that he was not a voter and that he might go away, that he stopped for 15 minutes, went in and voted for petitioner, although he was afraid that he would be pushed out by the 5 or 6 Municipal servants who were blocking up the way to the polling booth.

4. 3rd witness Letchumanan's 1st grade pleader and agent of petitioner and 4th witness Rathinavelar say that about 15 Municipal servants were at work in the Polling booth, that one or two of them were doing work under the Polling officer, while others were busy in talking with voters, that all sorts of objections were raised to petitioner's voters and that they were unnecessarily detained and oppressed while identification chits were easily given to Counter petitioner's voters who were freely allowed to go and vote, that about 9 A.M 10 or 15 persons were let in by the eastern gate, that they made several complaints to the Polling officer, that at 10.30 A.M the chairman Gategate Canniah in excited state

Standing

Standing out "Time is ours and stop polling"
Struck the bamboo with his stick and
remained till nearly 11 during which
time no votes were recorded and
that in consequence of the unwarranted
and illegal conduct of the chairman
Delegate General of petitioners voters
had to go away without voting for
him.
2nd witness Siluasapa Naidu Muni-
cipal Councillor and Polling officer
admits that petitioners agents made
several Complaints, and represented
that their voters were unnecessarily
detained, that some persons entered
by the eastern gate to which objection
was taken by petitioners agents, that
chairman Delegate came at about
10-30 A.M. shouted out "Stop polling"
and struck the bamboo with his
stick and stopped for 10 or 15 mi-
nutes and that he stopped polling
at

at 11 A.M. This witness stated in exami-
nation in chief that he did not know
why he came but in cross examination
said that the chairman Delegate
told him that he came there on account
of the Complaint made by Counts-
petitioners. He added that he could not
say if some paper shown him by the
chairman Delegate was the petition of
Counts petitioners. It was attempted on
the side of Counts petitioners to examine
him again with reference to Counts
petitioners letter but this was disallowed
as he was examined before on the
point.
5. On the side of Counts petitioner 3 wit-
nesses have been examined. The 1st
witness Kumanathan 1st grade pleader
speaks to having at the request of
the petitioner and some of his friends
asked the Counts petitioner to withdraw
his Candidature. The 2nd witness bro-
ker

B. Venkatachariar the Town Cubemasts-
bable states that he was near the
Polling officer from 8.30 to 10.40 or 50
A.M. that the chairman delegate came
there, found fault with the Polling-
officer as regards his presence, stopped
there for 10 minutes, that the agents of
both Candidates made Complaints
and that objection was taken to the
admission of some persons by the
eastern gate and that leaving out of
consideration all Complaints made,
election went on fairly. 3rd witness -
Abdul Subhan Asst Town Police Inspec-
tor states that he was present -
throughout the election, that there was
no hindrance of any kind to voters
and that election went on smoothly.
It is urged on the side of the Counter-
petitioner that the rakers Convened a
meeting and put up the petitioner, and
ran

that

that Several attempts were made to
induce the Counterpetitioner to retire
in his favour. As there was nothing
wrong in the above procedure I did
not allow evidence to be let in.

7. It is Contended on behalf of petitioner
that Municipal Servants from the
chairman delegate downwards were
working for the Counterpetitioner. The
impression created in my mind is also
the same. It is argued that the
arrival of the chairman delegate
at the Polling booth at a time when
there were many voters for the petitioner
and his Conduct therein bore the re-
sult of a fraudulent premeditation
and purposely intended to prevent
persons present from voting for peti-
tioner. It is also submitted that the
chairman delegate did not Come on
the Complaint of Counterpetitioner

lent on the information conveyed to him
about the presence of a large number of
voters for petitioner by Doraiswamy Naidu
Municipal Manager who left the
Polling office after voting a few
minutes before. The chairman delegate
was not a voter. There was no necessity
~~for~~ for him to go. He could have
sent the Counter petitioner's Complaint [x] enclosed
to the Polling officer as the endorse-
ment on it shows. The Submagistrate was
present from 8.30 A.M. in the Polling
booth. This should have been communica-
ted to the counter petitioner by his agents
immediately and if he thought that the
presence of Submagistrate was objec-
tionable he could have complained at
once. It is suggested that the counter-
petitioner's Complaint is only put forward
as an excuse for the chairman's arrival
and the production of the Complaint at a
later stage of the enquiry supports that
view. I am inclined to think that the

the chairman delegate should have
come on the information given by the
Municipal Manager.

8. 3 witnesses were produced to be exa-
mined at the last stage to prove that
they went to vote for petitioner and
having been intimidated by Munici-
pal servants were unable to vote.
These witnesses were rejected as there
was nothing in existence to show that
they were at the Polling office and
intimidated, beyond their statements
and as it was said on the opposite
side that they were the rejected voters.

9 It is strongly urged that on account
of the unwarranted arrival and
Conduct of the chairman delegate
General of the petitioner's voters were
obliged to go away without voting.
Although it has not been satisfactorily
proved as in the case of the other objection

it is worthy of note, that neither

lent on the information conveyed to him
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they were at the Polling office and
intimidated, beyond their statements
and as it was said on the opposite
side that they were the rejected voters.

9 It is strongly urged that on account
of the unwarranted arrival and
Conduct of the chairman delegate
several of the petitioners voters were
obliged to go away without voting.
Although it has not been satisfactorily
proved as in the case of the other objection

there is no clear evidence on this point, but
it is worthy of note, that neither

objection petition that several voters were prevented from voting and did not vote for petitioner, yet it is impossible to say that such result has not been produced by the above acts. Taking into consideration all the facts elicited in the enquiry I am unable to say that no intimidation was practised at the time of election.

10 The records of enquiry and other papers noted in the margin are herewith submitted.

× Vide Separate Index Sheet attached

I have the honor to be
Sir
Your most obedient Servant

Deputy Collector

Dm
4-12

1897

3755
Genl
5-12-97

From,

The Deputy Collector
General Duties
Madura Dt.

To

COLLECTOR'S OFFICE
6 DEC 1897
MADURA

The Collector
of Madura

Dated 2nd
Despd 4th } December 1897
Recd

Dy collector's Report

Disposal No 2282 of 1897

Subject-

Reporting with remarks on the petition of P. Subramania Ayer objecting to the election of Paramaswaram Pillai as a Councillor for the VII ward of the Madura Municipality.

Proceedings

R.
6.12.97

14
242 in of 1898

re. I am inclined to think that the

Dated Madura the 1st January 1898.

From

J. G. D. Partridge Esquire,

Acting Collector of
Madura.

242/M

To

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

Sir,

I have the honour to report on the petition presented by M.R.Ry P. S. Subramania Aiyar Avargal objecting to the election of M.R.Ry Paramasvaram Pillai Avargal as Councillor for the VII Ward of the Madura Municipality.

2. The election was held on the 20th October 1897 when M.R.Ry Paramasvaram Pillai Avargal obtained 117 votes and the Petitioner 93 votes and 7 votes were rejected under rule 27. At that time the Chairman Delegate was M.R.Ry P.R. Venkatesalu Nayudu Garu and the Petitioner alleges that he and certain Municipal servants were actively engaged in canvassing for votes and trying to intimidate the electors to vote for the Counter-petitioner.

3 The petitioner states that the election is

[illegible] of these witnesses
evidence
there is no clear on this point, but it is worthy of note, that neither

... It was due

(6) It is not supported by a majority of valid votes.

4. To show that there was intimidation, he remarks that there was a large number of Municipal servants inside the polling place and that they canvassed for votes, that no order was preserved and some of his voters were prevented from giving their votes while the Counter-petitioner's voters were freely admitted, and that a small doorway on the eastern side of the room was opened by some Municipal Servant and voters for Counter petitioner admitted, when they ought to have entered by the doorway on the northern side.

5. As some disturbance was feared at the time of the election, the Town Police Inspector as well as the Sub Magistrate attended and reported about the matter. The Police Inspector in his Diary said there was no disturbance and the Sub-Magistrate said there was a large crowd and owing to the rival parties canvassing for votes order was not properly preserved. Voters were allowed to crowd round the polling officer's table. About 10.40 a.m. the Chairman Delegate came in and began to find fault with the Polling officer and also objected to the Sub-Magistrate being present.

6. The two agents of the Petitioner, M.R.Ry V. Ramachandra Aiyar and M.R.Ry Ramiyengar examined as 1st and 4th witnesses stated generally

... I am inclined to think that the

with the voting in the room but they [illegible] the names of any voters who were threatened or prevented from voting there.

One Arjasami Pillai, 6th witness, said that the agent of the Counter-petitioner, Muthuswami Pillai threatened that if he did not vote for counter-petitioner his tax would be raised and tried to prevent his going to give his vote. He voted, however, for Petitioner.

The 7th witness Gopal Nayudu said that a bill Collector threatened him 3 days before the election and that he heard him threaten two other voters. He was not prevented from voting for the Petitioner.

Three other witnesses were cited for the petitioner to prove that they went away without voting owing to some threats used by Municipal Servants, but the Divisional officer did not examine them as there was nothing to show that they went to vote except their own statements.

7. I do not think that the charge of intimidation is at all established by the evidence of these witnesses and although there was a crowd and some disturbance in the polling room any voters who really wished to vote could have

vote

oral testimony of these witnesses
there is no clear evidence on this point, but
it is worthy of note, that neither
Insp[illegible] D[illegible]

It was alle[illegible] valid votes.
unicipal Servants to canvass for votes for any candidate, but there does not appear to be reliable evidence on this point.

I do not consider that the Municipal Servants interfered with polling in the room, as the Sub-Magistrate and Police Inspector were present and did not notice this.

An objection was raised by the Petitioner that a doorway was opened and the Sub-Magistrate says he ordered it to be closed.

There is nothing on record to show that this favoured the Counter-petitioner.

The Chairman Delegate appears to have entered the room in the morning and been angry with the polling officer and voting was probably stopped for a short time. The polling officer, 2nd witness, say that the Chairman remained 10 or 15 minutes.

The Chairman Delegate said at the time that he came in consequence of a complaint made by Counter petitioner.

The action of the Chairman delegate in interfering cannot however be held to have intimidated any voters, and to be sufficient to invalidate the election.

9. The only evidence on the second objection (b) is

who said that he was present at the coun[illegible] of votes and that the votes were first checked with a printed list of names and if there was any difference, with a manuscript list produced from the Municipal office.

It is suggested that there may have been fraudulent alteration of the old list but there is nothing whatever to support this view.

9. The Deputy Collector Madura Division held the enquiry and examined the witnesses under the orders of the Collector.

His report is enclosed.

I have gone through the records and heard the arguments of the parties. I am of opinion that there is no reason to set aside the election of the Counter petitioner.

I have the honour to be,
Sir,
your most obedient servant,
Fred Rubridge
Acting Collector

Inst.
10.1.95

there is no clear on this point, but it is worthy of note, that neither

SUBJECT.

Election of a councillor in the 7th ward of the Madura Municipality.

FOR ORDERS.

On the 20th October 1897, an election was held to fill up a vacancy of a councillor in the Seventh ward of the Madura Municipality. At this election, one In'R'Ry Parameswaram Pillai obtained 117 votes and was declared duly elected. The defeated candidate In'R'Ry P.S. Subrahmanya Aiyar, who obtained 93 votes, questioned the validity of the election by a petition put in before the Collector under № 35 of the Election Rules. The grounds of objection are:—

(1) that fraud and intimidation were practised at the election,

(2) that no secrecy was maintained in the polling booth in respect of voting, in as much as numerous municipal servants, such as

[illegible] removed and placed in front of his house. Excepting the oral testimony of these witnesses there is no clear evidence on this point, but it is worthy of note, that neither

[illegible] it [illegible]

tractors and other men, who were
canvorking for Parameswaram Pillai
fraudulently crowded inside the
polling booth, canvassed votes for
him and in doing so intimidated
and influenced the voters,

(3) that many of the petitioner's
voters were pushed aside, illtreated
and prevented on some pretext
or other from registering their votes
by the Chairman-delegate and
municipal servants in the polling
booth and that being disgusted
with, and annoyed at, these acts
they returned without voting,

(4) that while the regular gate
lay on the northern side a mu-
nicipal servant let open the small
doorway on the eastern side and
through it allowed a large number
of persons to enter the polling booth
and vote for the counterpetitioner and

(5) that the successful candidate
was not elected by a majority
of votes.

The second and third of the
objections above referred to, viz:-
want of secrecy in polling and
letting in voters by a way oth
than the one intended for the
purpose are no doubt serious
irregularities, but under No 3
of the Election Rules they can
not invalidate the election.
The only points requiring con
sideration are, therefore, objec
1, 3 and 5. The first two points
may be considered together.
The only direct evidence as regar
intimidation is that of the pet
tioner's 6th and 7th witnesses. The
former states that he was threate
-ed by Muthuswami Pillai (mu-
nicipal councillor and pleader)
to vote for counterpetitioner on
pain of increase of tax, while the
latter says he was coerced by
the 7th ward bill-collector and the
a dustbin which was kept some
ten houses off his house had been
lately removed and placed in
front of his house. Excepting the
oral testimony of these witnesses
there is no clear evidence on this point, bu
it is worthy of note, that neither

...ractors and other men, who were
...working for Parameswaram Pillai

...in the case and that no attempt
...has been made on the side of the
...counter petitioner to contradict
...the statements of these witnesses
...who appear nevertheless to have
...voted for the petitioner. Petitioner's
...1st, 4th and 7th witnesses say that
...they saw or heard that some of
...the petitioner's voters were threaten-
...ed or forced by municipal servants
...to vote for the counter petitioner,
...but their testimony is too general
...and vague to be entitled to any
...weight. The petitioner's 9th witness
...says that when he went to the
...polling office, Muthuswami Pillai
...(counter petitioner's Agent) who
...had asked him to vote for counter-
...petitioner, and was at the gate, told
...him that he was not a voter
...and that he might go away,
...that he stopped there for 15 minutes,
...and that he then went in and
...voted for the petitioner, although
...he was afraid he would be
...pushed out by the municipal
...servants who were blocking up
...the ... but

The Deputy Collector states that those
three witnesses were produced
at the last stage to prove that
they went to vote for petitioner, to
and having been intimidated, were,
by the municipal servants, were
unable to vote, but that he
rejected them as there was no
thing in writing to show that
they were at the polling office
and were intimidated. It is
however observed that no written
evidence as to the presence of
these voters in the polling booth,
and as to the alleged intimidation can be
produced in such cases and
that the only evidence which
will be available is oral. The
rejection of these witnesses appears
to have been improper, but no
explanation is offered as to why
this evidence was not produced
at the beginning of the enquiry
and its procrastination until
the last stage of the proceedings
is somewhat suspicious.

2. To prove the allegation of
fraud, it is stated that when
a...

actors and other men, some were
working for Parameswaram Pillai

bout 40 of them outside it were
tanding and bitterly complain-
ing of the delay and illtreatment
e Chairman-delegate came with
very aggressive and authoritative
tone and ordered the voters to go
away, loadly declaring "Time is
over; stop polling," and waving
his cane towards the voters and
striking it on the pillars and
poles, as a sign of his authority,
that it was then only 10-35-A.M, al-
though the polling should have
continued till 11-A.M, that he en-
gaged the polling officer in con-
versing with him, that there was
then great confusion, that the
voters being overawed by the
Chairman-delegate and annoy-
ed by the disorder returned home
without voting and that the Chair-
man-delegate's arrival at that
time and his conduct therein
were the result of a fraudulent
premeditation and purposely
intended to prevent the persons
present from voting for the
petitioner. The Chairman-dele-

Pend

counter petitioner objecting to the
presence of the town sub-magistrate
in the polling booth, but the
petitioner makes out that he came
there on information conveyed to
him by the municipal manager,
who went there to give his vote,
of the presence of a large number
of petitioner's voters. The Deputy
Collector is inclined to believe
the latter story, but assuming
that the petitioner's voters were
overawed by the Chairman-dele-
gate and went away without
voting in the morning, there was
nothing to prevent them from
attending the polling office in
the evening to register their votes.
There is however no evidence
to show whether they voted or
not in the evening. It will be
seen from the above, that
although there were several
irregularities in the conduct
of the election, there is not suffi-
cient evidence of intimidation
or fraud to justify the cancel-
lation of the election, although
it seems as if some malpractices

did

actors and other men who were

8

take place. The conduct of the chairman-delegate and of the municipal servants in this matter appears however to have been objectionable and this may be pointed out to the Collector.

The accompanying draft order is submitted for approval

V.R.
12/3/98

n given for copying ____
n copied ____
n examined ____
n signed 15/3

189 .

EAD AGAIN G.O., No. , DATED
189 ,

CURRENT No.

CLOSURES TO C. No.

RDER OF GOVERNMENT	A	A	A	A	A	A	A	
ETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

N.B.—

A = Copy in full.
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