Sectt. II-27—30,000—26-11-31.

Law (General) (1932) Department.

1/1539

Ms. SERIES.

G.O. No. 1539

DATED 15-4-1932.

உத்தரவுகள்

[Despatch Abstract.]

Convict – Classification – Madura District – Thayammal and Sitalakshmi – "B" Class – Ordered

FURTHER PAPER

Department.	Date.	G.O.	No

பாதுகாப்பு பிரிவு -1

செப்பனிடுபவர் பெயர் : மா.விஜயகுமார்

செப்பனிடுவதற்காக எடுத்துக்கொள்ளப்பட்ட நாள். 4/09

செப்பனிட்டு முடித்த நாள். 5/09

15/6/09 சரிபார்க்கும் முதல் முறையாள கையொப்பம்

18/6/09 சரிபார்க்கும் 2ம் முறையாள கையொப்பம்

18/6 ஆராய்ச்சி உதவியாளர் கையொப்பம்

1

2/1539

ZG 1398A
9.3.32

To

ASSISTANT SECY. TO GOVT. 9 MAR 1932 LAW DEPT.

The Secretary,
Law and General Department,
The Government of Madras, MADRAS.

The humble petition submitted by Sundararaja Pillai, agent, M.R.O.P.L.M.R. Murugappa Chettiar of Natrajapuram, residing in Aralikottai, Thiruppattur Taluk, Ramnad District, Most Respectfully Showeth :---

1. The petitioner is the brother of one Thayammal and the maternal uncle of one Seethalakshmi, who were charged by the police in connection with their peaceful picketing operation of the foreign cloth shops at Madura. They were tried by the Additional District Magistrate, Madura Town, in C.C. No. 35 and 36 of 1932 and sentenced on 4. 2. 32 to one year and six months imprisonment respectively and they were ordered to be put in Class 'C'.

2. The petitioner begs to submit that the prisoners are entitled to be put in Class 'A'. They both possessed of properties worth nearly Rs. 1,00,000/--- They belong to a joint family consisting of them both and their respective mothers and are jointly possessed of agricultural lands, both wet and dry garden lands in Sindupatti village, Tirumangalam Taluk, besides a house there, all worth about Rs. 15,000/-- to Rs. 20,000/---

Further, the 1st named Thayammal owns severally two houses in Ponnuswami Pillai Lane, bearing Door Nos. 6 and 7 in Madura Town and pay an annual house tax to the Municipality of Rs. 80/--- The said houses are worth more than Rs. 15,000/--- The second named Seethalakshmi also owns a house in Madura Town worth nearly Rs. 17000/--- bearing Door No. 11, the annual house tax of the same being Rs. 60/--- Besides these, immoveable properties, they were also possessed of moveables and jewels to the values of Rs. 15,000/--- and Rs. 20,000/--- respectively.

3. In addition to the financial position of the ladies set out above, they were having a fairly high status in social life. They are highly connected, being a close relation of the famous Vidwan, the deceased Nathaswaram Ponnuswami Pillai of Mysore ~~xxx~~ Samasthanam. The second named Seethalakshmi is herself a songstress of renown. Her voice is broadcast by "His Master's Voice" Gramaphone company who have recorded several of her masterpieces ~~xxxxxxxxxs~~ in Music. She has studied up to IVth Form and also a Scholar in Vernacular. She also owned a Motor Car of her own.

4. The petitioner submits that by birth, breeding, habits and upbringing the said ladies have always been used to a high standard of life. By their own wealth and social position, they were used to amenities and comforts of an elegant cultured life. To be now suddenly deprived of all these, would unduly depress them both in body and mind. They were convicted of only a technical political offence, of picketing foreign cloth shops, which they did ~~xxx~~ in an absolutely non-violent fashion and the moment they were arrested, they submitted quietly.

They got the punishment which they voluntarily and cheerfully incurred owing to their patriotic convictions and and a lofty sense of duty to their mother country. A consideration of all the circumstances stated above would show the justice of the petitioner's request to have them transferred to Class 'A'

5. The Petitioner has moved the Additional District Magistrate, Madura, for such indulgence in respect of the said prisoners. The petitioner has not been communicated with an order as yet. Probably the authorities seem to have been influenced by the fact that the (lady and the Girl) 2 ladies belong to Devadasi community and as such not entitled to an elegant and high standard of Life. The petitioner submits that the said distinction is invidious and quite opposed to the times and can in no event be urged against just and legitimate claims of individuals who have always led a honourable, decent and respectable life, and caste can never be a ground of disqualification. The first mentioned Thayammal is a member of the Madura Ratepayers' Association, organised by Rao Sahib. R. Narasimha Iyengar, X Jail Visitor, having been elected member by the General Body of the Association. This is eloquent proof to show her status in society and how Madura public have recognised her services and with what esteem and respects she is held by them. She was also a member of the Tamil Nadu Provincial Congress Committee and the Madura District Congress Cimmittee. She is the president of the Bharata Sevika Samithi ; and the second mentioned Seethalakshmi is the Secretary of that Association.

5/1539

Wherefore the petitioner prays that your Honour may be graciously pleased to intervene in the matter and direct that the said lady prisoners be put in Class 'B' if not in Class 'A', at the earliest date and render JUSTICE.

Dated, 7. 3. 1932.
Madura.

Petitioner.

P.T.O

8

5

199

COLLECTOR
13 MAR 1932
MADURA

14.3.32
5.P.M

To

The Secretary,
Law and General Department,
The Government of Madras,
MADRAS.

****
PETITION
****

Petitioner.

Sundararaja Pillai.

Law (General) Department.

Endorsement No.1398 A-1 dated 12th March 1932.

Referred to the District Magistrate, Madura, for very early report.

V.N.Viswanatha Rao,
Secretary to Government.

To
The District Magistrate, Madura
(to be returned with reply.)

Forwarded.

(By order)

C.Viswanatha Aiyar
Superintendent.

A.K.

5

? 6/539

Endt. 1398A-1 Law Genl Dept
(13) 3.32

Convicts - classification -
Thayammal and Seethalakshmi -
Petition from (Sundararaja Pillai, agent,) M.R.O.P.L.M.R.
Murugappa chettiar, of Ramnad dated
7.3.32

Referred to the D.M, Madura
for very early report.

BR
11/3

Sod
10.3.32

14/3

Dpd. by Vyz
Date 19

Lwith ens

20

The D.M, Madura
(with c-7 to be returned with reply)

Rd. 6.4.32

To Law S.

To D. M. for report as to classifications.
10-3-32

6

T/1539

Lg 1422A
10-3-32

SECRETARIAT GOVERNMENT OF MADRAS
LAW DEPARTMENT
MAR-1932

original sent

Copy only

To

The Hon'ble Law Member,
Government of Madras, MADRAS.

The humble petition submitted by Sundararaja Pillai, Agent, M.R.O.P.L.M.R. Murugappa Chettiar of Natrajapuram, residing in Aralikottai, Thiruppathur Taluk, Ramnad District, MOST RESPECTFULLY SHOWETH :---

1. The petitioner is the brother of one Thayammal and the maternal uncle of one Seethalakshmi, who were charged by the Police in connection with their peaceful picketing operation of the foreign cloth shops at Madura. They were tried by the Additional District Magistrate, Madura, Town, in C.C. No. 35 and 36 of 1932 and sentenced on 4. 2. 32 to one year and six months imprisonment respectively and they were ordered to be put in Class 'C'.

2. The petitioner begs to submit that the prisoners are entitled to be put in Class 'A'. They both possessed of properties worth nearly Rs. 1,00,000/-- They belong to a joint family consisting of them both and their respective mothers and are jointly possessed of agricultural lands, both wet and dry garden lands in Sindupatti village, Tirumangalam Taluk, besides a house there, all worth about Rs. 15,000/--- to Rs. 20,000/---

Further, the 1st named Thayammal owns severally two houses in Ponnuswami Pillai Lane, bearing Door Nos. 6 and 7 in Madura Town and pay an annual house tax to the Municipality of Rs. 80/-- The said houses are worth more than Rs. 15,000/--- The second named Seethalakshimi also owns a house in Madura Town worth nearly Rs. 17000/-- bearing Door No. 11, the annual house tax of the same being Rs. 60/--- . Besides these, immoveable properties, they were also possessed of moveables ~~to~~ and jewels to the values of Rs. 15,000/-- and Rs. 20,000/-- respectively.

3. In addition to the financial position of the ladies set out above, they were having afairly high status in social life. They are highly connected, being a close relation of the famous Vidwan, the deceased Nathaswaram Ponnuswami Pillai of Mysore Samasthanam. The second named Seethalakshmi is herself a songstress of renown. Her voice is broadcast by "His Master's Voice" Gramaphone Company who have recorded several of her masterpieces in Music. She has studied up to IVth Form and also a Scholar in Vernacular. She also owned a Motor Car of her own.

4. The petitioner submits that by birth, breeding, habits and upbringing the said ladies have always been used to a high standard of life. By their wealth and social position, they were used to amenities and comforts of an elegant cultured life. To be now suddenly deprived of all these, would unduly depress them both in body and mind. They were convicted of only a technical political offence, of picketing foreign shops, which they did in an absolutely non-violent fashion and the moment they were arrested, they submitted quietly.

They got the punishment which they voluntarily and cheerfully incurred owing to their patriotic convictions and a lofty sense of duty to their mother country A consideration of all the circumstances stated above would show the justice of the petitioner's request to have them transferred to Class 'A'

5. The petitioner has moved the Additional District Magistrate, Madura, for such indulgence in respect of the said prisoners. The petitioner has not been communicated with an order as yet. Probably the authorities seem to have been influenced by the fact that the (lady and the Girl) 2 ladies belong to Devadasi community and as such not entitled to an elegant and high standard of life. The petitioner submits that the said distinction is invidious and quite opposed to the times and can in no event be urged against just and legitimate claims of individuals who have always led a honourable, decent and respectable life and caste can never be a ground of disqualification. Thefirst mentioned Thayammal is a member of the Madura Ratepayers' Association, organised by Rao Sahib. R. Narasimha Iyengar, Jail Visitor, having been elected member ofthe General Body of the Association. This is eloquent proof to show her status in society and how Madura people have recognised her services and with what esteem and respects she is held by them. She was also a member of the Tamil Nadu Provincial Congress Committee, and the Madura District Congress Committee. She is the president of the Bharata Samithi; and the second mentioned Seethalakshmi is the Secretary of that Association.

Wherefore, the petitioner prays that your Honour may be graciously pleased to intervene in the matter and direct that the said lady prisoners be put in Class 'B' if not in Class 'A', at theearliest date and RENDER JUSTICE.

Dated, 7. 3. 1932.
Nabha

Petitioner.

To

The Hon'ble Law Member,
Government of Madras,
MADRAS.

****

PETITION.

****

Petitioner.
Sundararaja Pillai.

Law S:
this is not apparently signed – an omission; may be sent to D.M. for report.
25.3.32.

L. Genl: 1791 A 10
31.3.32

11/1539

Copy only

SECRETARY TO GOVERNMENT LAW DEPARTMENT
31-MAR-

To

The Secretary,
Law and General Department,
The Government of Madras, MADRAS.

The humble petition submitted by Sundararaja Pillai, agent, M.R.O.P.L.M.R. Murugappa Chettiar of Natrajapuram, residing in Aralikottai, Thiruppattur Taluk, Ramnad District, Most Respectfully Showeth :---

1. The petitioner is the brother of one Thayammal and the maternal uncle of one Seethalakshmi, who were charged by the police in connection with their peaceful picketing operation of the foreign cloth shops at Madura. They were tried by the Additional District Magistrate, Madura Town, in C.C. No. 35 and 36 of 1932 and sentenced on 4. 2. 32 to one year and six months imprisonment respectively and they were ordered to be put in Class 'C'.

2. The petitioner begs to submit that the prisoners are entitled to be put in Class 'A'. They both possessed of properties worth nearly Rs. 1,00,000/--- They belong to a joint family consisting of them both and their respective mothers and are jointly possessed of agricultural lands, both wet and dry garden lands in Sindupatti village, Tirumangalam Taluk, besides a house there, all worth about Rs. 15,000/-- to Rs. 20,000/---

Further, the 1st named Thayammal owns severally two houses in Ponnuswami Pillai Lane, bearing Door Nos. 6 and 7 in Madura Town and pay an annual house tax to the Municipality of Rs. 80/--- The said houses are worth more than Rs. 15,000/--- The second named Seethalakshmi also owns a house in Madura Town worth nearly Rs. 17000/--- bearing Door No. 11, the annual house tax of the same being Rs. 60/--- Besides these, immoveable properties, they were also possessed of moveables and jewels to the values of Rs. 15,000/--- and Rs. 20,000/--- respectively.

3. In addition to the financial position of the ladies set out above, they were having a fairly high status in social life. They are highly connected, being a close relation of the famous Vidwan, the deceased Nathaswaram Ponnuswami Pillai of Mysore Samasthanam. The second named Seethalakshmi is herself a songstress of renown. Her voice is broadcast by "His Master's Voice" Gramaphone company who have recorded several of her masterpieces in Music. She has studied up to IVth Form and also a Scholar in Vernacular. She also owned a Motor Car of her own.

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They got the punishment which they voluntarily and cheerfully incurred owing to their patriotic convictions and and a lofty sense of duty to their mother country. A consideration of all the circumstances stated above would show the justice of the petitioner's request to have them transferred to Class 'A'

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Wherefore the petitioner prays that your Honour may be graciously pleased to intervene in the matter and direct that the said lady prisoners be put in Class 'B' if not in Class 'A', at the earliest date and render JUSTICE.

Dated, 1932. Petitioner.

Law (Genl.) Dept

A.S

P I C 7

This is only a copy of the petition already forwarded to the D.M.x, Madura, for report. No action therefore seems necessary.

BR
1/4

Sd
1.4.32
CW
1/4

To

The Secretary,
Law and General Department,
The Government of Madras,
MADRAS.

Law (Genl) Dept

****

PETITION.

~~2.A~~

****

This is only a copy of the petition already forwarded to

Petitioner.

Sundaraja Pillai.

CONFIDENTIAL.
3595-32-

C. Natesan, L.M.& S., M.L.C.

Laws, 14 Big Street,
Triplicane, Madras,
5th April 1932.

How does the case of these two women prisoners stand? MA 5.4.32.

16/1539

The Hon'ble Sir. M. Krishnan Nair,
Member of the Executive Council,
Government of Madras, Madras.

L.Genl: 1891A 5.4.32

SECRETARY TO GOVERNMENT OF MADRAS LAW DEPARTMENT 5-APR-1932

Dear Sir,

Re:- Placing in the 'C' class of one Thayammal and one Sithalakshmi Ammal of Madura City who were sentenced on 4-2-'32 for picketing.

There was already a petition submitted to you by Mr. Sunderaja Pillai the brother of Thayammal and Uncle of Sithalakshmi Ammal requesting you to have them placed in A' class.

I believe the parties approached Hon'ble Mr. P. T. Rajan and he promised to attend to it. I am sure he, being their representative in the Legislative Council, will approach you. I, being a friend of Mr. Sunderaja Pillai, his nephew approached me. I am of opinion that they must be placed in the 'A' class for the following reasons:-

1. I am of opinion that no ladies who take to picketting (who will generally be from middle and higher classes) shall be sent to 'C' class.

2. I have known the status of Mr. Sundaraja Pillai and I am also well informed of the statuses of the two ladies. I am made to understand that they possess properties jointly to the extent of Rs 1,00,000. This entitles them for 'A' class.

3. Other facts concerning their status entitling them for 'A' class are submitted in the petition to you by Mr. Sundaraja Pillai.

May I request you to take all these into consideration and place them in 'A' class and oblige.?

Thanking you very much in anticipation,

Yours sincerely,

C. Natesan

P.S. May I request you to attend to this as early as possible as two months are already over out of six months imprisonment given to one of them.?

16

L.Genl: 1902 A
6.4.32

17
1539

CONFIDENTIAL.
L.Dis.3595-32-

Madura Dt. Magte's. Office,
Dated the 2nd April 1932.

SECRETARY TO GOVERNMENT OF MADRAS LAW DEPARTMENT
6-APR-1932

From

J.F.Hall Esq., C.I.E.,O.B.E.,I.C.S.,
Dt. Magistrate, Madura.

To

The Secretary to Government,
Law (General) Dept., Madras.

Sir,

CONVICTS - Classification - Thayammal and Seethalakshmi - Concerned in C.C.36 and 37 of 1932 - on the file of the Addl. Dt. Magistrate, Madura.

--

P 5 ante

Government Endorsement No.1398-A-1 dated 12-3-32.

--

Thayammal was convicted and sentenced by the Addl. District Magistrate, Madura in C.C.No.36/32 on his file to undergo rigorous imprisonment for one year for an offence under section 17(2) of Act XIV of 1908 and Rigorous imprisonment for six months for an offence under sec.4 of Ordinance No.5 of 1932, the sentences to run concurrently. Seethalakshmi was also convicted and sentenced by the Additional District Magistrate in C.C.No.37/32 on his file to undergo Rigorous imprisonment for six months for each of the offences under section 17(1) of Act XIV of 1908 and sec. 4 of Ordinance V of 1932, the sentences to run concurrently.

2. On a petition similar to this a report was obtained from the Tahsildar, Madura taluk. Tahayammal has two houses in Madura town worth Rs.9000/-. She is reported to possess jointly with her sister, lands to the extent of about 10 acres in Sindupatty village of the Tirumangalam taluk and jewels worth about Rs.5000/-. The latter figure is pure hearsay and is incapable of verification. She has no education worth the name, but knows how to read and write tamil. She is reported to have been kept as a concubine for about 20 years by a Nattukottai chetti, who is now in Singapore. She was connected with the last Civil Disobedience Movement but was not convicted for any offence in connection with it. She is reported to have been connected with definite

anarchical activities. If further information regarding her criminal associates is required a reference may be made to the C.I.D.

3. Seethalakshmi is the daughter of the sister of Thayammal i.e. her niece. She has read up to 3rd form and is reported to be a musician. She has a house jointly with her mother worth about Rs.8000/- a share in the lands in Sindupatti village, Tirumangalam taluk along with Thayammal and jewels. She was getting a fairly decent income by her music. She was not connected with the previous Civil Disobedience Movement.

4. Both women are reported to be ordinary prostitutes.

5. These facts were before the Additional District Magistrate when he declined to transfer them to 'B' class. It may be that these prostitutes were accustomed to a certain amount of what may be termed 'luxury' at the expense of their patrons; but they are certainly women of no social status and are not fit associates for the persons of respectability who are supposed to constitute the B class of convicts.

6. The Government Endorsement is returned herewith.

S. V.-P-4-4-32.

For Dt. Magte.

4462 4.4.32

Law (General) Department.

P 16 C 2

[19.2.1]

From the D.M., Madura, L.Dis. 3596-32 d/ 2-4-32.

Convicts - Classification - Thayammal and Seethalakshmi - Madura District.

A.S.

Please see the D.M's report at pages 16-17 c.f. The convicts Thayammal and Seethalakshmi are in 'C' class. In the petition at pp. 1-4 c.f., the prayer is to transfer them to 'B' class at least. Reference is solicited in this connection to the letter of Mr. C. Natesan, M.L.C. at pp. 14-15 c.f. He considers that the convicts are eligible for 'A' class. The D.M. does not recommeds for the convicts any class higher than 'C'--vide paragraph 5 on page 17. c.f. For orders.

S.D.
6-4-32.

C.V.V.
6-4-32.

(A) The fact that they are prostitutes canno [illegible] the question of classification. The two ladies, according to the D.M's report, possess properties of their own. The D.M. himself admits that one lady was getting a fairly decent income by her music. The fact remains, whether at their

(B) own expense or at the expense of ~~her~~ their patrons, the ladies have been living in a style superior to that of an ordinary'c'class prisoner and as such, under the classification Rules they deserve a higher class. For orders whether they may be given 'B'.

P2 (E)

The D.M. raises an interesting point. He says that they are not fit associates for the persons of respectability who are supposed to constitute the 'B' class of convicts. This point of view based on the morals ~~xefexxe~~ has not been referred to in

P 17 C 2

the classification rules. The question of segregation in jails of prisoners is a matter which may well be left to the I.G. of Prisons.

BR
6/4

I am not prepared to go as far as (A) & (B) on p. 1 ante.

The fact remains that several women of this class have a high standard of living and of culture, and are not 'prostitutes' in the bad sense of the term.

MO
6/4/32.

C : Both in B class.
2
10.4.32.

SECRETARY TO GOVERNMENT OF LAW DEPARTMENT
12 APR 1932

A.S.

A draft order is submitted.

GA
12/4/32
CW
14/4

BR
14/4

Sectt. II-5 (a)

Law (Genl) DEPARTMENT.

Convict - Classification - Madura Dt - Thayammal and Seethalakshmi - B Class - Ordered -

19
1539

	Date.	Initials.
When received for Fair-copying.		25/ 15/4
When copied ..	19/4	[illegible]
When examined ..		
When signed ..		16/4
When despatched ..		

READ AGAIN G.O. No. ...., dated 19

" " " " .... " 19

READ ALSO :—

H 1-4 C. of No. 1398A From ~~the~~ M. R. Ry. Sundararaja Pillai, dated 7-3-1932

H 14-15 of 1891A " " M. R. Ry. Rao Bahr. C. Natesa mudr Avl M.L.C. " 5-4-1932.

H 16-17 of 1902A " " D. M. Madura " L. Dis. 35-95-32 " 2-4-1932

ORDER.
Mis

No. 1539, dated 15-4-1932.

The Govt. direct that Thayammal and Seethalakshmi concerned in C. C. Nos. 36 and 37 of 1932, respectively, ~~respectively~~, on the file of the A. D. M. Madura, be classified as 'B' class prisoners.

GA
12/4/32
CW
12/4

BR
14/4

The D. M. Madura

The I. G. of Prisons

Supdt. Presy. jail for women, Vellore

Copy to M. R. Ry. Sundararaja Pillai
Agent, M.R.O.P.L.M.R
Muruguppa Chettiar of
Natarajapuram
Aralikottai
Tiruppathur Taluk
Ramnad Dt.

Copy to M. R. Ry. Rao Bahr. C. Natesa mudr Avl.
M.L.C.
Big Street, Triplicane
Madras.

Noted in the Registers.