

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	453	~~Press.~~ ~~Mis.~~
	390-91	
Dated	27-2-1861.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
27th February 1861.*

No. 390. Read the following Proceedings of the Board of Revenue, dated 9th February 1861, No. 722:—

Read letter from the Collector of Madras, dated 19th January 1861, No. 10.

(In Cons. 21st January 1861, No. 405.)

1. In paragraph 2 of their Proceedings, dated 4th ultimo, No. 17, the Board requested the Collector of Madras to report whether the late Magistrate of Chingleput had taken any notice of the conduct of Swámi Náyudu when Tahsildár of the Sydapet Táluq, in the matter which forms the subject of the Suit noted in the margin; and

O. S. No. 11 of 1860 in the Mufty if not whether any reason could be assigned for such conduct being allowed to pass unnoticed.
Sudder Amin's Court at Chingleput.

2. In their orders (dated 10th ultimo, No. 70) on these Proceedings, Government desired that the Tahsildár's conduct should be strictly investigated, irrespective of the notice which the Magistrate might have taken of it, and they particularly mentioned two points, viz., the non-discovery in the Magistrate's Office of the Tahsildár's misrepresentations, and the disregard of the numerous petitions presented by the Plaintiff in the Suit above referred to.

3. In his letter of the 8th ultimo, written before the receipt of the Government Order, No. 70, above quoted, Mr. Cunliffe reported that the late Magistrate Mr. Shubrick, had not taken formal notice of the Tahsildár's conduct, and that no reason could be assigned for his not noticing it. Mr. Cunliffe considered that, as a Suit had been instituted against the Tahsildár by the aggrieved party, and the Tahsildár had in May last been transferred to another Táluq, no further proceedings were necessary on the part of Government.

In Cons. 9th January 1861, No. 126.

Dated 10th in Cons. 11th January 1861, No. 196.

4. In this view the Board concurred, and Government assented to this course in their Order, dated 29th ultimo, No. 219; but at the same time the Government remarked that the Collector had omitted to furnish the information required in paragraph 2 of their Order, No. 70.

In Cons. 30th January 1861, No. 595.

Dated 10th, in Cons. 11th January 1861, No. 196.

5. This omission, as already remarked, was owing to the circumstance of the Collector's letter having been written two days before the date of the Government Order, and to its being in fact a reply only to the Board's Proceedings of the 4th January.

6. Mr. Cunliffe now replies to the Order No. 70, and reports that the Magistrate's Jawáb-nawís states that he brought the Tahsildár's misrepresentations to the Magistrate's knowledge, but that the Tahsildár had, on a personal representation, obtained the orders under which he acted. There is, however, nothing on record bearing on this point.

7. The petitions presented by the Plaintiff in the Suit were, Mr. Cunliffe states, rejected with a simple endorsement that the case had already been disposed of. The Board remark that Plaintiff asserts that he presented about 10 petitions in 1858, and that he also submitted an English endorsement from the District Engineer admitting the truth of his allegations. They must, therefore, withhold their belief from the statement of the Jawáb-nawís that the Tahsildár alone kept the Magistrate in ignorance of the true state of the case. It is impossible however now to arrive at the truth.

8. Finally, Mr. Cunliffe points out the inutility of his making any further inquiries into the Tahsildár's conduct, and considers that the issue of the Suit now in progress will prove a sufficient punishment for his misdeeds.

*Proceedings of the Madras Government, Revenue Department,
2nd February 1861.*

9. The Government have already in
Dated 29th, in Cons. 30th January 1861, No. 595. their last Order (No. 219) expressed
their intention of awaiting the result of the
Suit, and it is only necessary for the Board to submit the Collector's letter as furnishing the only
information procurable on the two points specially noticed in their Orders. The Board, however,
deem it right to remark that they take a more serious view of the case than the Collector
does, and that their only reason for abstaining from immediate notice of the Tahsildar's conduct
is the fear that such a course might prejudice his defence in the Civil action brought
against him. The Board will judge for themselves when the Civil proceedings are closed,
whether he is fit for his present position or not.

(A true Extract.)

(Signed) J. D. SIM, Secretary.

No. 391.

ORDER THEREON, 27th February 1861, No. 453.

1. With these Proceedings the Board of Revenue forward a letter from the Collector of
Madras replying to paragraph 2 of the Order of 10th January last, No. 70, wherein an
investigation was directed to be made into the conduct of M. Swami Nayudu, late Tahsildar of
Sydapet, with reference to the circumstances which formed the subject of the Order.

2. As the case stands at present, it will be sufficient for the Government to express their
general concurrence in the view taken by the Board as explained in paragraphs 7 and 9 of the
Proceedings under review. The Board will be requested to report hereafter what further
notice they find it proper to take of the Tahsildar's conduct, after the result of the Suit is
known.

(Signed) J. D. BOURDILLON,
Secretary to Government.

*Madras Collector's Office
Ow Circuit
Karanjuli 19th January 1861.
No. 11*

*I send
B. Cunliffe Esq^r
Collector of Madras.*

*To
A. D. Sim Esq^r
Secretary to the Board of Revenue
Fort St. George*

*Adverting to the 2^d Para of the
Proceedings of the Madras Government
dated 10th Instant No. 70 Communicated by
the Board under date the 12th Idem No. 730.
I have the honor to state that, having already
detailed in my reports of the 24th Ultimo
No. 511, and 8th Instant No. 2, all the particulars
connected with the demolition of Subramaneya
Mudali's buildings in the Bazar at Sydapet.
I can only repeat that the Proceedings of
the late Tahsildar, Sami Nayudu appear,
upon the records quite indefensible.*

*2. Subramaneya Mudali presented
several Petitions, but they were rejected
with*

with a simple Endorsement to the effect that the case had already been disposed of.

3. The Magistrate's Javabnevis states, that he brought to the Magistrate's notice the misrepresentation of the Tahsildar, but that the latter had on a personal representation, of the case obtained permission for the removal of the buildings in question. As there is nothing on records to verify the statement of the Javabnevis, I am unable to pronounce any definite opinion in the matter.

4. It is clear, that the Tahsildar, obtained the permission of the late Magistrate by a misrepresentation of the facts of the case; but he will probably, if put upon his defence, declare that he was himself misled by his subordinates, that he had not leisure to go into the past history of the case himself, and that though in the wrong, he had erred unintentionally.

5. It would be extremely difficult at

at this period to bring home wilful injury to him and I therefore hope that I shall be relieved from further investigation. It seems to me that sufficient punishment will overtake the misdoer in the result of the action now brought against him.

6. I will communicate to him the notice which the Government have taken of his conduct, which I hope will have due effect upon his future proceedings.

7. He was transferred from the Saidpet to another ~~Tahsil~~ in charge last by Mr. Ellis, while officiating Collector, with whom I concurred, in deeming his administration harsh and overbearing in many respects, but he is the representative of a well known Madras family which has given several faithful servants to the State, and I trust therefore that, should the Government be pleased

pleased to pass over his conduct in
this instance it may be in my power
to report more satisfactorily of
him in future.

I have &c

Signed / B. Cunliffe
Collector

(True Copy)

[Signature]
Secretary

against him. The Board will judge
for themselves when the Civil proceed-
ings are closed whether he is fit for his
present position or not.

(True Extract)

[Signature]
Secretary

[Signature]
J. D. Bourdillon Esq.
Secretary to Government
Revenue Department

note I enclose it will be
sufficient to certify, general concern
in the Board of the Minister
of the case is complete in 1870, &
I believe that I need not state further
within the Board is given a table of
the total amount of the duties & have
been to find a
order maintained while the

Robertson Esq.
copy should I cannot say, enclosed shall be returned.
with the Board. The case leaves a very small
balance now - I should imagine as to the expenses
of the Board of the Collection of the
the

Revenue Departt

N^o 453.

Proceedings of the Madras Government

Under date the 27th February 1861

Read the following proceedings of the Board of Revenue.

Submitting with the Board's observations, a letter from the Collector of Madras furnishing the information required by Gov^t regarding the non-discovery in the Magistrate's office of the Tahsildar's (Swami Vaidoo) misrepresentations and the disregard of the numerous petitions presented by the Plaintiff in Suit N^o 110 of 1860 in the Muztiff and Ameen's Court at Chingleput.

Swami Vaidoo
Amee
Tahsildar

Lyda pet

With these Proceedings the Board of Revenue forward a letter from the Collector of Madras replying to para 2 of the order of 10th January last N^o 70 wherein an investigation was directed to be made into the conduct of Mr. Swami Vaidoo, late Tahsildar of Saida pet, with reference to the circumstances which formed the

the subject of the order in question.

2. As the case stands at present, it will be sufficient for the Government to express their general concurrence in the view taken by the Board as explained in paras 7 & 9 of the Proceedings under review. The Board will be requested to ^{hereafter} report what further notice they find it proper to take of the Tasildar's conduct, after the result of the suit is known.

Yours faithfully, C. J. W.

J. H.

13 Copies

To the Board of Revenue.

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Dr. 136-37
 10-1-61
 4. 135-36
 29-1-61.

18390-1891.

Regarding all Sawmills and
 late Tahiti of Sandapet.

Revenue 1861 Sept 1st
 and for for February.

18453.

2nd of the Madras Govt.
 27-2-February/61.

2nd of the Madras Govt. 1861
 1069 in 1861.

On the Board's Report
 forwarding a letter from
 the Comr of Madras regarding
 the conduct of M. Suman.
 May be late Tahiti of
 Sandapet with the matter of
 suit No 11 of 1860 on the office
 of the Madras and the
 Court at Chingleput.

1861.