M.R.O. 1—77,006—8-6-57.

(1) Number of pages 12.

(2) Date of repair 15-3-58

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 181 Press Mis.

368-69

Dated 19.1 1867.

Not to be folded or roughly handled

X

Proceedings of the Madras Government, Public Works Department, 19th January 1867.

No. 368. Read the following Endorsement of the Superintending Engineer, 4th Division, dated Madras, 9th January 1867, No. 3,969:—

From the Executive Engineer, 4th Range, Madras District, to the Superintending Engineer, 4th Division, dated Chingleput, 7th January 1867, No. 225.

Enclosures 5.

1. With reference to the enclosed, I have the honor to request you to instruct me as to what steps I should take in the matter.

2. The facts of the case are these.

3. On the 29th March 1866, Talook Overseer, Streenivasooloo Naidoo, to whose superintendence the Karsengal Tank repair work estimate, Rupees 699, was entrusted, ordered the plaintiff, one Rajahgopal Moodelly of Madrantecum, to carry out the work.—*Vide* accompaniment No. 1.

4. On the 10th April 1866, I ascertained that no steps had been taken for carrying out the work, and that up to the 8th of that month it had not been commenced. I therefore cancelled it, *vide* accompaniment No. 2, and on the 12th April, Talook Overseer, Streenevasooloo Naidoo wrote to Rajahgopal Moodelly, ordering him not to proceed with the work.—*Vide* accompaniment No. 3.

5. In June of the current official year, I carried out the work by Wudders under my own superintendence to its completion; and during one of my inspections Rajahgopal Moodelly appeared on the work and claimed payment for some work he had done after the date on which he had received orders not to proceed with it, viz., in May of the current year. I found, on actual measurements, that he had done about 50 Rupees' worth of earth-work, and as that was a considerable sum for him to lose, and the work was satisfactorily done, I agreed to pay him for it on my return to head quarters; but before he presented himself at my Office I had gone to Trivettore to meet the North Arcot Range Officers, as requested by you, and while there I lost in the Cheyar my note book, in which the measurements of Rajahgopal's work were entered.

6. On receiving the accompaniment No. 4, I ordered my Maistry to measure Rajahgopal's work over again, he did so, and I paid Rajahgopal according to those measurements Rupees 42-1-6, for which I obtained a receipt in full.

7. I heard of no further claims until I received the enclosed summons, and as no Agreement was entered into with him it appears to me that his claim for Rupees 149-12-9, as shown at the foot of the summons, is quite inadmissible.

Enclosures 5.

Submitted to Government with a request that permission may be granted to defend the Suit at Caroongooly on the 21st instant.

(Signed) A. J. M. BOILEAU, Colonel, R. E.,
Superintending Engineer, 4th Division.

No. 369. ORDER THEREON, 19th January 1867, No. 181.

CIVIL WORKS, No. 79.

1. Under the circumstances explained in these papers the Government authorize the Suit which has been

Carried out the work by Wudders under my own Superintendence

Proceedings of the Madras Government, Public Works Department,
19th January 1867.

brought against Mr. Leggatt, the Executive Engineer in charge of No. 4 Range in the Madras District, being defended, in the first instance, at the public expense.

2. A copy of the answer which Mr. Leggatt proposes to file in reply to the plaint should have accompanied the Superintending Engineer's endorsement, and Colonel Boileau's attention will be directed to the omission.

Mr. Leggatt should be called upon to explain why no Agreement was taken from the Contractor.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 4th Division, with five Enclosures
—Cost—Interpleader.

Exd. S. T. Augustin.

No 225.

No 4 Range Office.
Chingleput 3
7th January 1867.

From
W. B. Leggatt Esqr.
Executive Engineer 4th Range
Madras District

To,
Colonel N. J. R. Boileau R. E.
Superintending Engineer
4th Division

Sir,

With reference to the enclosed I have the honor to request you to instruct me as to what steps I should take in the matter.

2. The facts of the case are these.

3. On the 29th March 1866 Taluq Overseer Streeni-vasooloo Naidoo, to whose superintendence the Karsengal Tank repair work Estimate No. 699 was entrusted, ordered the Plaintiff one Rajagopal Moodely of Madrantacam to carry out the work vide accompaniment No. 1.

enclosures (5) five.

4 On the 10th April 1866 I ascertained that no steps had been taken for carrying out the work and that up to the 8th of that month it had not been commenced. I therefore cancelled it vide accompaniment No. 2. And on the 12th April Taluq Overseer Streenivasooloo Naidu wrote to Rajagopal Mudaly ordering him not to proceed with the work vide accompaniment No. 3.

5. In June of the current official year I Carried out the work by Widders under my own Superintendence

superintendence to its completion; and during one of my inspections Rajagopal Mudali appeared on the work and claimed payment for some work he had done after the date on which he had received orders not to proceed with it viz^z in May of the current year. I found on actual measurements that he had done about 50 Rs. worth of Earthwork and as that was a considerable sum for him to lose and the work was satisfactorily done I agreed to pay him for it on my return to Head quarters; but before he presented himself at my office I had gone to Trivellore to meet the North Arcot range Officers' as requested by you, and while there I lost in the Cheyar my note book in which the Measurements of Rajagopals work were entered.

6. On receiving the accompaniment No. 4 I ordered my Mistry to measure Rajagopals work over again he did so and I paid Rajagopal according to those measurements Rs. 42. 9. 6 for which I obtained a receipt in full.

7. I heard of no further Claims until I received the enclosed Summons and as no agreement was entered into with him it appears to me that his Claim for Rs. 149. 12. 9 as shewn at the foot of the Summons is quite inadmissable ——

I have the honor to be
Sir
Your Most obt Servant

A. B. Lenegan
Executive Engineer to Range

No. 3969.

Submitted to Government with a request that permission may be granted to defend the suit at Caroongooly on the 21st Instant. —

Supt. Engr. Office 4th Dn.
Madras 9 January 1867

Col. R.E.
Supt. Engr. 4th Dn.

To,
Colonel C. A. Orr R.E.
Secretary to Government
Public Works Depte
Fort Saint George

From The Executive Engineer
4th Range
To The Supt Engineer
4th Dn.

Dated 7 January 1867.

Re

No. 225.

Encl 5.

Requests to be instructed as to what steps to be taken regarding the enclosed summons from the District Moonsiff of Caroongoor

for transmission to Government

Cant Works Public Works Dept. 9
X

No 181

Proceedings of the Madras Government
Under date the 19th January 1867.
Read the following

From the Superintending Engineer
of the 4th Div.

Dated Cuddapah the 9th January 1867
No 3969

Under the circumstances explained in these papers the Government authorize the Suit which has been brought against Mr Leggatt the Executive Engineer in charge of No 4 Range in the Madras District being defended, in the first instance, at the public expense —

A copy of the answer which Mr Leggatt proposes to file in reply to the Plaint should have accompanied the Superintending Engineer's

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Pub. Wks. Dept.
Rec. of Govt. for January
From
The Superintending Engr
4th Division

To
The Secretary
to Government P.W.D.

Dated 9th January 1867
Rec'd 10th January 1867
Encl. 5 No 3969

Submitting a letter from the Executive Engineer 4 Range and requesting that permission may be granted to defend the Suit at Cuddapah on the 21st Instant.

No 368

Encl. 12th January 1867 Rd. 18th

No 181 - 19th January 1867

Engineers endorsement, and Colonel Baileys attention will be directed to the omission —

Mr. Leggatt should be called upon to explain why no agreement was taken from the Contractor —

To The Supply 2 4 Dec
with five Enclosures
— Controller of P.W.D.

16

Dept. 19 Jany 67

Pub. Works 1867 Department

Pro: of Govt for January

No. 181

Pro: of the Madras Govt.

Dt. 19th January 1867

Suit brought against Mr. Leggatt. — Authority granted for the defence of — Executive Engr. 2nd Range, Madras District, at the public expense.

No 368-369

c. 12th Jany 1867 Dy. 18th