

(1) Number of pages 10(2) Date of repair 12-5-42

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 662	Press
141-42	Mis.
Dated 6-3-	1871.

Not to be folded or roughly handled

1 T

*Proceedings of the Madras Government, Public Works Department,
6th March 1871.*

No. 141. Read the following despatch from the Right Honourable the Secretary of State for India, (Public Works).—

Passing orders on the petition of T Ponniah }
Moodelly, late a Talook Overseer in the } (Here enter No 2 of 31st January 1871.)
Tanjore District.

No. 142. ORDER THEREON, 6th March 1871, No. 662.

ESTABLISHMENT, No. 15.

RESOLVED that T. Ponniah Moodelly be informed in continuation of G O, No. 2,559, dated 27th October 1870, that in a despatch, dated 31st January 1871, No. 2, the Secretary of State has intimated that he is not disposed to interfere in the matter of Ponniah Moodelly's dismissal.

(True Extract.)

Colonel, R.E.,

Secretary to Government.

tences were quashed on both occasions, the evidence being declared to be quite insufficient to warrant his conviction Mr. Hayne, the Assistant Engineer, the prosecutor in the second case, is said to have made the accusation without sufficient grounds, and the Judge added, "it is difficult to see how the charge against the prisoner could have been then entertained when the prosecutor had, in effect, acknowledged his ignorance of the facts on which the whole case turned"

3 It appears from the Judge's Order that the witnesses for the prosecution were unworthy of credit; and the Judge expressly exonerates the petitioner from the charge of embezzlement. As this was the charge against him, it is not apparent upon what grounds the Judge, in a subsequent clause of the same sentence of the same order, could have considered it a part of his duty to pronounce an extra-judicial opinion that the petitioner "may be and very probably is really guilty of the charge against him" As, however, the Supermtending Engineer expresses such decided distrust of the petitioner that it is evident he could no longer have confidence in him, as a trustworthy subordinate, and as Captain Oakes further reported that the petitioner's conduct in his Department has been unsatisfactory, I am not disposed to interfere in behalf of a man whose dismissal you have seen reason to confirm. But I cannot regard with approbation the manner in which the proceedings regarding him have been conducted.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

203

2 T

India Office,
London, 31st January 1871.

Public Works,
No. 2

To His Excellency The Right Honourable The Governor
in Council, Fort St. George.

MY LORD,

Para 1 I have had under my consideration in Council the petition of T. Ponniah Moodelly, late a Talook Overseer in the Tanjore District, against his dismissal from the service, transmitted with your Excellency's Despatch dated 14th November (No. 28) 1870.

2 The petitioner was, it seems, twice accused of criminal misconduct, tried before a Deputy Magistrate, convicted, and sentenced to fine and penal servitude. But, on appeal to the Sessions Court, the sentences were quashed on both occasions, the evidence being declared to be quite insufficient to warrant his conviction. Mr. Hayne, the Assistant Engineer, the prosecutor in the second case, is said to have made the accusation without sufficient grounds, and the Judge added, "it is difficult to see how the charge against the prisoner could have been then entertained when the prosecutor had, in effect, acknowledged his ignorance of the facts on which the whole case turned."

3 It appears from the Judge's Order that the witnesses for the prosecution were unworthy of credit; and the Judge expressly exonerates the petitioner from the charge of embezzlement. As this was the charge against him, it is not apparent upon what grounds the Judge, in a subsequent clause of the same sentence of the same order, could have considered it a part of his duty to pronounce an extra-judicial opinion that the petitioner "may be and very probably is really guilty of the charge against him." As, however, the Superintending Engineer expresses such decided distrust of the petitioner that it is evident he could no longer have confidence in him, as a trustworthy subordinate, and as Captain Oakes further reported that the petitioner's conduct in his Department has been unsatisfactory, I am not disposed to interfere in behalf of a man whose dismissal you have seen reason to confirm. But I cannot regard with approbation the manner in which the proceedings regarding him have been conducted.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

W. H. C.
R. A.
J. H.

W. H. C.

Public Works Department
No. 668
Proceedings of the Madras Government
Under date the 6 March/71
Read the following

From The Right Honorable Secy. H. E. No. 2 of 31st January 1871/
of State for India

Resolved that
S. Panniah Moodelly
be informed in conti-
-nuation of H. E. No. 2569
dated 27 October 1870
that in a Despatch
dated 31st January 1871
No. 2, the Secretary of
State has intimated
that he is not disposed
to interfere in the matter
of Panniah Moodelly's
dismissal.

S. Panniah Moodelly

PS

Recd 7/3/71

AM

No 27 "Octr 1790 n^o 389-390
to England at 28 J^y 11th Inst 1790.

P.D. 5

Govt. of 1871 Madras.

PUBLIC WORKS.

15th Panniah Mandelly

Devt

Recd

Encl

G.O. March, No 662.

Nos. 111-142

Panniah Mandelly. Resolved
that T. Panniah Mandelly,
late a Palay Overseer in the
Panyore Dt, he informed
that the Secy of Works for India
has intimated that he is not
disposed to interfere in the
matter of his Municipality.