

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.**Government of Madras.***Public works* **DEPARTMENT.**

G.O. No. 864

Press
Mis.

557-58

Dated 28 . 3

1871 .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
23rd March 1871.*

No. 557. Read the following letter from the Superintending Engineer; 3rd Division, to the Secretary to Government, Public Works Department, dated Bellary, 18th March 1871, No. 2,637:—

I HAVE the honour to request the sanction of Government for the defence of the suit* referred to in the enclosed

Plaintiff.	Defendants.	Claim.
*Arif Saib.	1. * * * 2. Mr. F. Watkins, Supervisor in charge Penna- condah Range. 3. * * *	Rs. 87-14-0.

correspondence being, in the first instance, conducted at public expense.

2. As the case has been posted for hearing on the 1st April 1871, and as there is not much time to spare, I have authorized Mr. Supervisor Watkins

to defend the suit on behalf of Government in anticipation of the sanction herein asked for.

3. Mr. Watkins has not forwarded a memorandum of the defence he intends making, but from the papers he transmits the principal points appear:—

I.—That the Overseer exceeded his authority in having unnecessary work executed by the plaintiff, who was not a contractor recognized by the Range Officer.

II.—That plaintiff has no written authority to produce, and his (plaintiff's) admission in paragraph 4 of his urzee, dated 31st August 1870, that Overseer promised to pay for the work done himself, evidences that the work was unauthorized so far as the Range Officer was concerned.

4. Government should not at all, in my opinion, have been made a party to the suit, and should the Court's decision be adverse to Government, the amount decreed will have to be deducted from C. Valoidum Moodelliar's (late Overseer) pay, etc., amounting to Rupees 164-2-1, which is in deposit in the Pennacondah Range.

5. Early orders are requested.

No. 558. ORDER THEREON, 23rd March 1871, No. 864.

ESTABLISHMENT, No. 48.

UNDER the circumstances brought to notice in these papers the Government authorize the defence, in the first instance at the public expense, of the suit instituted in the District Moonsiff's Court at Purghee against the Supervisor in charge of the Pennacondah Range by Petty Contractor Arif Saib for the recovery of Rupees 87-14-0 alleged to be due for work performed to the Yerrabomanahully tank.

2. In the event of the defence being unsuccessful, the question as to whether the amount to be paid to the contractor should, as recommended by the Superintending Engineer in paragraph 4, be deducted from the arrears of the salary of the late Overseer Valoidum Moodelly, now held in deposit, will be considered on the judgment and decree of the Court being submitted.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 3rd Division, with five Enclosures.
" Controller of Public Works Accounts.

Exd. S. T. Augustin.

No. 2637

Superintending Engineer's Office.

3rd Division.

Bellary 18 March 1871

From,

The Superintending Engineer

3rd Division.

To,

The Secretary to Government

Public Works Department

Fort Saint George

closures. 2.

Sir,

I have the honor to request the sanction of Government for the defence of the suit referred to in the enclosed correspondence, being in the first instance, conducted at public expense.

2. As the case has been posted for hearing on the 1 April 1871, and as there is not much time to spare, I have authorized Mr. Superintendent Watkins to defend the suit on behalf of Government.

Claims.

Rs 24: 16: 0.

Defendants

1. Mr. S. Watkins

Superintendent

Pennacunda Range

Plaintiff

* Sir J. Clerk

Government, in anticipation of
the Junction herein asked for.

3. Mr. Watkins has not forward-
ed a Memorandum of the defense
he intends making, but from
the papers he transmits, the princi-
pal points appear:—

I. That the Overseer exceeded his
authority in having unnecessary
work executed by the plaintiff
who was not a contractor
recognized by the Range
Officer.

II. That Plaintiff has no written
authority to proceed and his
Plaintiff's admission in para.
4 of his answer dated 21 August
1890 that Overseer promised
to pay for the work ^{done} ~~performed~~ ^{performed}
that the work was unauthorized,
so far as the Range Officer was
concerned.

III. Government should not at all

in my opinion, have been made
a party to the suit, and should
the Court's decision be adverse
to Government, the amount decreed
will have to be deducted from
C. Valodun Mood ^{vs} / late Over-
seer / pay & amounting to Ru-
pees 164. 2:1, which is in deposit
in the Punacondah Range
5. Early orders are requested.

I have the honor to be
Sir
Your most obedt servant.

William Lindsay
Executive Engineer
in charge

Public Works Department

No 864
Proceedings of the Madras Government
Under date the 23rd March
Read the following

From The Superintd Engr^s } H. E. No 2637 D/18th March
3rd Div } 1871

Under the circum-
stances brought to notice
in these papers the
Government authorize
the defence, in the first
instance at the public
expense of the suit
instituted in the
District Munsiff's Court
at Purghee against the
supervisor in charge of
the Pennacoudah Range
by Petty Contractor
Arif Saib for the recovery
of Rs 87-14- alleged to be
due

N.

1871
From,
The Superintending Engineer
3rd Division.

The Secretary to Government.
Public Works Department.
Fort Saint George.

No 2637

Dated 23rd March 1871
Received 23rd March 1871

10 22 March 1871
The Secretary to Government.
Public Works Department.
Fort Saint George.
No 864
1871

due for work performed
to the Gerrabomanahully
Tank.

In the event of the
defence being unsuccessful,
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the amount to be paid
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Al

To

The Sup Engr. 3^d Div
" Controller
M. S. D. S.

72

CP/252
6
Govt of 1871 Madras.

PUBLIC WORKS.

1. The Superintending Engr
3^d Division

Dated

Recd.

G. O. 23 March No. 864

Nos. 537-538

Suit. The defence of the suit
instituted in the St. Morais
Court at Pongee against the
Mr. Supervisor Mahkuis of
the Gunacondah Range by
a letter contractor for the
payment of Rs. 87-14-0 due
on account of work performed
to the Gunacondah Range
Tank, authorized with
reference.