

(1) Number of pages _____

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MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	2180	Press
B.P. No.		Mis.
Dated	28-7-	875-195-

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
28th July 1875.*

No. 781. Read the following letter from Lieutenant-Colonel J. F. FISCHER, R.E., District Engineer of Madura, to Lieutenant-Colonel J. MULLINS, R.E., Officiating Secretary to Government, Public Works Department, dated Madura, 14th July, 1875, No. 1,413 :—

I HAVE the honor to report that Sub-Engineer M. Mooneapah Pillay has, in his letter No. 194, of the 17th ultimo, informed me that he had received from the District Moonsif's Court at Madura a summons, requiring his attendance at the court on the 14th August next, to defend a suit filed against him by a ryot named Audyambalagar, in the Meylore Taluq, in connection with a dispute regarding the diversion to a new tank of the supplying channel of Athoo Commoy in that taluq.

2. As Mooneapah Pillay had not furnished me with the full particulars in connection with the dispute in question, or explained his action in the matter, I called upon the present Madura Range Officer, Mr. Executive Engineer L. W. Paynter, to submit a full report regarding the same.

3. It will be observed from the accompanying copy of Mr. Paynter's report, No. 256, of the 12th instant, that he has personally inspected the locality, and has afforded full particulars showing clearly how the cause of action arose in the present instance.

4. Under the circumstances explained in Mr. Paynter's report, I agree with that officer in considering that the Tahsildar and the Taluq Overseer should be held personally responsible for any damages that may be adjudged against the defendant, inasmuch as the suit has originated by the conjoint action of the two members above mentioned.

5. I may mention that a copy of this letter, with Mr. Paynter's report, have this day been forwarded to the Collector, to enable him to take such action as he may consider expedient in the matter.

6. In conclusion, I beg that the early orders of Government may be obtained on the subject under reference.

No. 782. ORDER THEREON, 28th July 1875, No. 2,190.

ESTABLISHMENT, No. 65.

It appears that an application was made to the Collector for permission to construct a tank by a ryot named Audyambalagar in the Meylur Taluq; and the Tahsildar, having consulted the Taluq Overseer, reported that there was no objection to the construction of the work. Subsequently the District Engineer on visiting the place objected to the work being carried out, and it was accordingly stopped. The ryot now, apparently, has filed a suit against the Range Officer, claiming compensation for loss sustained.

Proceedings of the Madras Government, Public Works Department,
28th July 1875.

2. Had the Collector in the first instance applied to the District Engineer for his opinion, instead of acting on the opinion of a subordinate, the work would never have been commenced. The District Engineer should now communicate with the Collector with a view to the withdrawal of the suit, and report further on the subject.

(True Extract.)

Major, R.E.,

Offg. Joint Secretary to Government.

No. 256. Madras Range Office.
Madras 12 July 1875.
From,

The Executive Engineer
Madras Range

The District Engineer
Madras.

Enclosures.
1. original memo from the Dist Engr.
to the Madras Range office No. 1074
of 22 June.

1. Docket slip of the endorsement
from the Dist Engr. to the Madras
Range office dated 27 June.

1. Original docket from the Asst
Collector Madras to the District
Engr. No. 90 of the 17 April 76.

1. Original docket to the Asst Engr.
Madras from the Dist Engr. No. 73
of the 10 April 75.

1. Original letter from the Madras
Range office to the Dist Engineer
No. 1492 of the 30 March 76.

1. Original letter from the Madras
Range office to the Dist
Engineer No. 1426 of the 28 Feb 76.

with Dist Engr's letter and
thereon respectfully to the Asst
Collector & to the Madras Range
office Nos. 5758 and 5759.

1. Copy of the Asst Collector's
letter to the Madras Range office
No. 264 of the 27 Dec 75.

with one enclosure.

1. Sketch Plan of Athooconny
& Tank.

I have the honor to reply
to your Memo No. 1122 dated 22nd
June 1875 calling for a report
with reference to the dispute regard-
ing the erection of a new bund
across the supplying channel
of the Athoo Conny in the
Meylar Taluk.

It appears that the
Sahsildar of Meylar wrote a
yadast to the Overseer dated
25 October 1870 requesting
him to furnish an opinion
upon the advisability or
otherwise of granting permission
to a certain petitioner to erect
the new bund in question.

This yadast seems to have
been entered in the Overseer's

7. Somebody of course is to blame in the matter and I am of opinion but am open to correction that the Tahsildar and the Overseer are the responsible parties; the Tahsildar for referring an important professional question of this kind to an Overseer and the Overseer for referring it to a Maistry. It may or may not have been an error of judgement on the part of the Maistry, reporting in favour of the proposal to construct a new tank, but he can hardly be blamed as it was improper calling upon him for a report of that character. The Overseer seems to me to be as much to blame as any one, he should on receipt or rather discovery of the Tahsildar's requisition either have forwarded it to his immediate Superior officer for orders, or should have informed the Tahsildar that he was not competent to give an opinion and recommended the subject to be forwarded to higher authority for disposal.

8. The papers detailed in the margin forwarded with your Memo under reply are returned as requested.

I have &c
/signed/ L. W. Prynne. C.E.
Executive Engineer
Madura Range

/Enc copy/
Anti Teacher L. W. Prynne. C.E.
District Engineer Madura

District Engineer's office
Madras 14th July 1875

No 1413

Send

Rev. Coll. of St. Francis
District Engineer of
Madras

Colonel G. W. Walker M.C.
Secretary to Government
P. W. D.
Madras.

Sir,

I have the honor to report that
Sub Engineer M. Moonesappa Pillay has in
his letter No. 194 of the 17th ultimo informed
me that he had received from the District
Munsiff's Court at Madras a summons
requiring his attendance at the Court on the
1st August next to defend a suit filed against
him by a ryot named Andjambalager
in the Mylesthal Taluk in connection with a
dispute regarding the division of a row
bank of the supplying channel of
Allee coming in that Taluk.
The Sub Engineer M. Moonesappa Pillay had not
furnished me with the full particulars in
connection with the dispute in question or
explained his action in the matter.

Enclosure 3

1. Copy of report
from the Sub Eng.
Munsiff (Rang) to
the District Eng.
26 of the 15th July
1. Summary of same

Enclosure in a letter
from the District Eng.
now forwarded to the
Secretary to Government
and to the District Eng.
Madras

G. W. Walker M.C.
14th July 1875

Copy of a report
from the District Eng.
to the Secretary to Government

Madras

M. W. Walker M.C.
14th July 1875

3.

4.

5.

6.

I have the honor to be
 Your Most Obedt Servt

Unterricht (alt. 1877)
Richard Wagner

Public Works Dept.
 No. 2190.
 Proceedings of the Madras Government
 Under date the 28th July: 1895
 Read the following

From
 The Dist. Engg. } (H.C. No. 1413 of 14th July/95)
 Madurai

It appears that
 an application was made
 to the collector for
 permission to construct
 a tank by a ryot named
 Andyanbalagar in the
 Mayilur Taluk, and
 the Tahsildar having
 consulted the Taluk
 Overseer reported that
 there was no objection
 to the construction of
 the

✓ M. 217

P. W. 1895
 From No. 4626
 The District Engineer
 Madurai
 To
 The Secretary
 Public Works
 Madras
 Dated 14th 3 day 1905
 And 17 3 day 1905
 Enclosed 1/17
 of 12/10/05
 of Government in answer
 to letter with a view to
 against the Engineer's
 report dated 11th 12/10/05
 subject of the Government
 of Madras with the
 letter concerning
 the construction of
 a tank by a ryot named
 Andyanbalagar in the
 Mayilur Taluk, and
 the Tahsildar having
 consulted the Taluk
 Overseer reported that
 there was no objection
 to the construction of
 the

the work. Subsequently
by the District Engineer
on visiting the place
objected to the work
being carried out and
it was accordingly
stopped. The ryot now
apparently has filed
a suit against the Range
Officer claiming com-
pensation for loss sus-
tained.

Had the collector
in the first instance
applied to the District
Engineer for his opinion,
instead of acting on the
opinion of a subordinate,
the work would never
have been commenced.

The

The District Engineer
should now communicate
with the collector with
a view to the withdraw-
al of the suit and
report further on the
subject.

by 23/7

DE Mudra ✓ 6
Chgo. Secy ✓ 5
Rev. Secy ✓ 21

49-
4.

500 No 10
13-8-75

7-attch

Copy of 1875 Madras
PUBLIC WORKS.

To

The Secy. to Govt.
Madras

Dated

Issued

Recd.

Encl.

G. O. 28 July 1875, No. 2190

Nos. 781-782

Letter against Sub-Ins.
Mooneappa Pillay.

Madras Dt. - The Secy.

directed to communicate
with the Collector with a
view to the withdrawal of
the - & to report further
on the subject.