

B. 1640 W. 911 = March 1881

1-0
States that petitioner entered into
an agreement with the Range Officer
on the 8th July/78 to execute road
work of the trunk road of Vizagapatnam
etc within the 31st December/78 & to
pay a penalty in default of the
execution; that while there was
some work yet to be completed
an order was issued on the 15th
December/78 to stop the work Con:
trary to the said agreement and
petitioner then applied to the Officer
for payment of Rs. 765-8-3
due to him; but in vain; that
he then filed a suit in the District
Munsiff's Court of Rayachoti for
the recovery of the amount who passed
judgments only for a portion of the
amount, although the officer is
held responsible for any loss sus:
tained by the stoppage of the
work as petitioner would be liable
to penalty if he failed to execute
the work within the prescribed time.

Prays for orders for
payment of his money with costs.

stoppage of works under the orders of Government

Petition from Mudoonoor Moostaza of Luni in
Gooaneri district to the Government of Madras.

- ✓
of Resincoat

1. I have this

Recd
1299/81

1. DEL
MADRAS.
MAR: 11.

EL APANQUE
MAR 15

Madras.

4 He is not responsible for such loss & has consequently filed a suit in N 203 of 79 in the District Munsiff Court at Rayavaram -

5 The Divisional Officer has presented an answer on the 6 September 79 in the Rayavaram District Munsiff Court, stating that the petitioner has not done any work in November & December 78, & with a view that the penalty of Rs 125 will be collected from him for not completing the work by the 31 December 78, as stated in the agreement, has filed a suit without sufficient grounds. No. 1299/81

6 The witnesses of both the petitioner & the Divisional Officer being the subordinates of the latter they have given some evidence (without entirely agreeing) that certain amount of money is due to the petitioner, considering the claim is correct. The District Munsiff of Rayavaram - has thereupon given a decision that some portion of the amount is to be given, though it is right that the loss sustained by stoppage of work under orders of Govt should be fully given, when the petitioner is bound to pay the penalty by not completing the work within the time mentioned in the agreement.

7 The petitioner humbly prays the Government of Madras to enquire into the matter & favor him ^{with} the amount of loss he sustained together with expenses as he is now unable to appeal or request to review the case (for want of money) against the decision of the Court.

Subk.
6-4-80

N. 3360

Superscript Office 1st

Madras.

Chopank 1st March 1880

From

The Superintending Engineer

To

The Chief Engineer

To W.D.

Encl.

1 Petition

+ Pet. Dept
No. called

for 3/3

Recd: 7/3

With reference to your order of March 25th 1880 on the enclosed petition from Contractor Mooda-moor Moorthirajoo claiming payment for losses sustained in carrying out work on the Northern Spunk road, I have the honor to report that the Contractor appears not to be entitled to any further payment.

2 (During the official year 1878-79 Sub Engineer Mr. Selou entered into a contract for the completion of the special repairs of the 55 56 & 57 miles of the Spunk road and the work was to be completed by the 31st December 1878, under a penalty of Rs 125. The work under this contract was stopped by the Govt order,

b h w

restocking expenditure on the 28th Decr/78
and the work done was measured and
paid for, in January.

3. The Contractor filed a suit against
Sub Registrar (Mr. Selon in the District
Munsiff's Court of Rayameram in July
1879, for the recovery of Rs 766-4-3 viz.

1 Advance made to work people
which cannot be recovered by the
stoppage of the work. } Rs 150

2 Difference between the rate of
1-1-3 allowed to the Contractor as
per his agreement, for sectioning
rolling &c and the rate of 2-6
said to be allowed to other Contractors } 244-1-

3 Value of work done in Novr.
and December 1878 not fully
paid for. } 389-8--

Debit payment made 17-4-9
Balance 766-4-3

4. The District Munsiff decreed
on the 17th February 1880 that Sub Reg.
Mr. Selon should pay the Contractor Rs 177-11-3
for work done in November and Decr
as proved by measurements on record.
The Munsiff dismissed the rest of the
claim on the ground that the Contractor's

allegation that he incurred loss, was not
true and that the claim for a higher
rate on account of rolling &c was inadmis-
sible

I have the honour to be

Sr

Yours most obedt Servant
Chas. Brenderkist

Superintending Registrar
Office

S.W.C. No 1299

From

The Supt Engineer
1st circle

To

The Chief Engineer
P.W.D.
Madras.

Dated 1st March/87.

Ref. 3rd

Incl. 2.

No. 3360.

Modanoor Moorthera
in Vijayapattinam Dist.

Reporting that — is
not entitled to any further
payment for work done
on the Northern trunk
road.

No. 6408.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 11th March/87.

Read the following:—

Petition from M. Murthiyagan — of 11th March 1887.
From the Supt. Engr 1st Circle No 3360 of 1st March 1887.

Petitioner's case having
been disposed of by a
Court of Law at his own
request, the Govt. ~~cannot~~
~~nothing further in the matter.~~

By decline to reopen the
question — J

Att 7/3

7/3/87

The Petitioner ✓

S.S. 1st Circle ✓

Desd
11/3/87