(1) Number of pages 20

(2) Date of repair 12.5.87

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

PUBLIC WORKS DEPARTMENT

G.O. No. ~~B.P. No.~~ 3435/A W

Press. ~~Mis.~~

Dated 27. 12. 1882 ~~198~~.

Not to be folded or roughly handled

Archives I--10,006 I -80.

27th December 1882, No. $\frac{3435}{VA}$ W., Public Works.

3435
1.

GOVERNMENT OF MADRÁS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

No. 196-A.

Read—the following letter from J. C. JOHNSTON, Esq., Executive Engineer, Madura Division, to the Superintending Engineer, Sixth Circle, dated Madura, 21st December 1882, No. 2259 :—

I have the honor to report that a suit has been instituted against me in Sub-Court of Madura (East) by a contractor, Moothoosamy Naick, for the recovery of Rs. 39-3-6 said by him to be due for work executed by him in repairing the Telegraph Office at Pámban in January 1880.

2. I am summoned to appear on the 11th day of January 1883, and request you will kindly obtain the sanction of Government to the employment of a Vakil in my defence.

3. My defence will be as follows:—

(*a*) Plaintiff failed to apply within the time specified by Mr. Grimes, viz., 15th March 1880 (*vide* notice * published in District Gazette dated 21st February 1880), for the settlement of his claims.

(*b*) That in the list of liabilities maintained in this office up to July 1880 no mention whatever is made as to there being any sum due to plaintiff.

4. Copies of correspondence as per margin are enclosed.

* Due to withdrawal of Public Works Department from this district.

One copy of Executive Engineer's memorandum, No. 195 of 29th April 1882, to the contractor.
One copy of Superintending Engineer's memorandum, No. 142 of 11th June 1882, to the Executive Engineer.
One copy of Executive Engineer's No. 1429 of 16th September 1882 to contractor.
One Translation of [illegible]

No. 531 M. D.

Endorsement on the above.

Copy forwarded to the Chief Engineer, Public Works Department, for information, and with a request that the orders of Government may be obtained for defending the suit at the public expense.

2. As the day fixed is 11th January 1883, early orders are solicited.

Trichinopoly,
23rd December 1882.

(Signed) H. R. MEAD, Lieut.-Col., R.E.,
Superintending Engineer, Sixth Circle.

No. 196-B.

Order—dated 27th December 1882, No. $\frac{3435}{A}$ W., Public Works.

The suit may be defended at the public expense in the first instance.

2. This sanction has been communicated by telegraph.

(True Extract.)

Captain, R.E.,
Ag. Under Secy. to Govt., P.W.D.

To the Superintending Engineer, Sixth Circle.
" Examiner, Public Works Accounts.

Exd. C. Howarth.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1882) Madras.
PUBLIC WORKS.

Dated December, 27th.

Recd.

G.O., 27th Dec. 1882, No. $\frac{3435}{A}$ W.

DECEMBER.
Nos. 196-A-196-B.

Suit.

The defence of a — instituted by a contractor against the Executive Engineer, Madura Division, sanctioned.

3435/3

To

The Subordinate Judge
Madura (East)

Muthusamy Naik son of
Muthu Nakker North Masi
Street Madura } Plaintiff

Mr. Johnston Executive Engineer
Madura } Defendant

Suit under Section 50 of Civil procedure Code.

(1) A contract for repairing the roof of the Telegraph Office at Pamben for Rupees 300 was given to the Plaintiff on the 10th December 1879 at Ramnad by the Sub Divisional Officer D.P.W.

(2) According to the Estimate the sum due to the Plaintiff is Rs. 300, of this deducting Rs. 15-12.6 on account of sundries and superintendence there remained Rs. 284-3.6. As the correct value of the Government materials taken by the Plaintiff for the work, has not then been ascertained, the Sub

Division Officer informed him that only Rs 200 would be paid to the plaintiff and accordingly paid him Rs 200.

3. The Division Overseer Visvanatha Iyer since valued those articles for Rs 45 and so Rs 39-3-6, is still due to the plaintiff by the Defendent.

4. The plaintiff on several occasions petitioned the defendent on the subject but the payment is delayed.

5. Finally he has sent us a notice to the defendent on the 6th September 1882; as required under Section 424 of Civil. P. Code.

Cause of Action 25th January 1880.

Therefore the sum due is Rs 39-3-6

Interest for 34 months and 15 days (from 25 January /80 to 8th December 1882) at 1 per cent per mensem. 13-10-6

Rs 52-14-4

Begging to order the payment of the above sum with cost and interest for the subsequent period. 2/35 4

8th December /82. (Sd/ C. Sundara Row
Vakil

(True English Translation of the plaint.)

(Sd) John C. Johnston.
Executive Engineer.
Madura Division.

(True copy)

W M Reid Lt Col RE
Superintending Engineer
6th Circle

P48797/82

No. 195.

3435

To

Muthuswamy Naik
Contractor for re-
-pairing the Pamben
Telegraph office.

Dated 29th }
Despatched 29 } April/82

Enclo. ..

Muthuswami Naik is informed with reference to his petitions of the 5th December 1881 & 20th Instant that in the list of liabilities due to Contractors in the Madura District upto July 1880 maintained in this office no mention is made as to any thing being due to him for any work done to the Telegraph office at Pamben and there are no records in the office to substantiate

the

the claim put forward.—

Signed J. C. Johnston
Ex. Engineer—
Madura Division

(True Copy)

Lieut. Col. R.E.
Supdg Engineer 6th Circle

Pr 897/82

Supdg Engrs Office 6th Circle
76
Station Shermadevi
dated 11th June 1882
Despatched
Received
Enclosures. 4.

Memo No. 142. In D.

To
The Executive Engineer
Madura Division

Reference. His letters Nos. 985 & 336 dated 13th March 1882 and 15th May 1882 respectively regarding certain sums said to be due to Muthuswami Naik for repairing the Telegraph Office at Pamben.

As there are no vouchers in support of Contractor's claim and as he did not make it within the time specified by Mr Grimes, viz 15th March 1880 (Vide Notice published in the District Gazette of Madura, dated 21st February 1880) the undersigned approves of the Executive

Executive Engineer's reply to the Contractor - The Documents are herewith returned -

Signed J. Beatty Col R.E.
Supdg Engineer 6th Circle

(True Copy) Lt Col R.E.
Supdg Engineer 6th Cir

No. 1429. 16th September 1882

To,

Muthusami Naik.
late Contractor for
repairing the Pamban
Telegraph office -

With reference to his petition dated 5th Inst, Muthusami Naik is informed that there are no vouchers in this office to support his claims + that he has failed to apply for the same within the time specified by Mr Griggs viz 15th March 1880 (vide notice published in the District Gazette dated 21st February/80.

The petitioner's attention is drawn to this office memo No 195 dated 29th April/82 in which it is clearly stated that in the list of liabilities due to contractors in the Madura District up to July 1880 maintained in this Office, no mention is made as to any thing being due to the petitioner for work done to the Telegraph Office at Pambau and that there are no records to substantiate the claim –

(Sd) J. C. Johnston
Exec. Engineer
Madura Dn.

True Copy

W. A. Brown Lieut. Col. R.E.
Supg. Engineer 6. Circle

3435 W
a

Executive Engineer's Office
No. 2259 Madura 21st December 1882

34
8

From

The Executive Engineer
Madura Division

To

The Superintending Engineer
Sixth Circle
Trichinopoly

Sir,

I have the honor to report that a Suit has been instituted against me in Sub Court of Madura (East) by a Contractor Moothoosamy Naick for the recovery of Rs. 39-3-6 said by him to be due for work executed by him in Repairing the Telegraph Office at Pamben in January 1880.

2 I am Summoned to appear on the 11th day of January 1883, and request you will kindly obtain the Sanction of Government to the employment of a Vakil in my defence.

3. My defence will be as follows.

(a) Plaintiff failed to apply within the time

time specified by Mr. Grimes, viz. 15th March 1880 (vide notice published in District Gazette dated 21st February 1880) for the settlement of his claims -

+ due to [illegible]

(b) That in the list of liabilities maintained in this office up to July 1880, no mention whatever is made as to there being any sum due to Plaintiff.

[illegible]

4. Copies of correspondence as per margin are enclosed.

I have the honor to be
Sir
Your most obedient servant
(Signed) I. C. Johnston
Executive Engineer Madura Dn.

No. 531 M. D. Enclos: 10.

Copy forwarded to the Chief Engineer P.W.D. for information and with a request that the orders of Government may be obtained for defending the suit at the public expense.

As

As the day fixed is 11th January 1883, early orders are solicited

Lieut Col R.E.
Supg Engineer 6th Circle

Supg Engineer's Office 6th Circle
Trichinopoly, 23d December /82.

PWC No 8997

: genl estab

No 3435 W, 27th Decr/82
P.W.

The suit may be defended at the public expense in the first instance

This sanction has been communicated by Telegraph

5/1/83

Telegram sent 27-12.
Post copy sent 28-12.

Despd 11/1/83
37/3

S.E. 6 Circle Sy

Examined No. a 11
21

From

The Supg Engineer
6 Circle

To

The Chief Engineer
P.W.D.

No 4

No 531 W.D.

Dated 23d December/82

Recd 27 — do

Suit against the Ex Engr Madura Dn by Moothoo-Samy Naick Contractor for repairing the telegraph Office at Paumban -

Forwards the papers connected with the — request for permission to defend the suit at the public expense.

3435
10

22-5-07
18-2-08

8997

Govt. of [1882] Madras

PUBLIC WORKS.

Dated

Recd. Encl.

G.O. 27 Dec 1882, No. 3435/A.W.

Nos. 196 A 196 B

Suit

The defence of a — instit
by a Contractor again
the Ex. Engr. Madura
&c., Sanctioned

37/4

Do 8/1

Entd in Receipt Regr