

16-8-07

From home

No. 3916 Wap. 13th Dec 1888

E.
C. A. W.
15/12

B
11/12
328 4 x 11
11.12 x 11.88

12 13 12.88
15/12
17/12

Wap

with aires

159
12.517

For orders whether
the defence of
the suit at the
public expense
may be sanctioned.

J.B.

7.11.88

Mr Peters in May/86
received an order from a Court
not to make payments to
Chinnappa; he did however
make payments to the
partners in the contract, one
of them being Chinnappa;
his reasons for doing so, being
that the contractor's works
were kept out of their way.
Under the circumstances I think
the defence of the suit may be
sanctioned by Govt, although
Mr Peters should apparently
have withheld all payments
to the contractors.

W.S.

7.11.88

159
158.CUDDALORE 27th November 1888.

FROM,

THE EXECUTIVE ENGINEER,

CUDDALORE BRIDGE WORKS.

TO

THE SUPERINTENDING ENGINEER,

5TH CIRCLE.

Reference.

SIR,

I have the honor to forward a copy of a plaint filed against me in the District Munsiff's Court South Arcot. by one Krishna Sengon and to request sanction to defend the same at Government Expense. The transactions to which the suit refers, occurred while I was in charge of the Cammery Regulators Tanjore.

The plaintiff sent me notice of his intention to bring a
Suit

Note to order

1957/11/11

Mr Peters without
refuse a notice
distinctly disobeyed
an order from the Civil
Court and as he did
this I do not consider
that the case can be
defended by Govt as a
Govt case.

In this case it is I
who must be order
that the case be defended
by the officer and
that after it has been
decided by Govt to
pay order regarding
costs &c. and this
I consider should be done
in this case.

Mr Peters might be
allowed the services of
the Govt pleader

Y.M.

Suit on the 16th May/87. I sent the notice to the Executive Engineer Tanjore, as the works had been handed over to him and heard nothing more about it till I received notice of this suit being filed and the plaintiff appears to have taken no notice of the letter of the Executive Engineer Tanjore, informing him that any communication on the subject should be made to himself.

The circumstances of the case were as follows:—

In July/86, I received an order from the District Munsiff's court Trichinopoly to withhold payment of certain money due to one Chinnappa on contract work.

This Chinnappa was a working partner with one Adam Sahib who supplied the funds.

I informed the Court of this and that no money was really due to Chinnappa alone and finally received an order to stop $\frac{1}{2}$ the sum due viz Rs 335/-. However in the meanwhile I had paid the whole amount to the partners for payment to their coolies who had been left for some time out of their wages and were clamouring for payment nearly the whole amount being due to them, which I took care that they were paid and if I had withheld half the sum, they might never have been paid at all. I was, it must be understood, in some degree responsible to the coolies that they were properly paid by the petty contractors on the work, otherwise I should not have been able to keep the workmen together.

I enclose copy of plaint and an answer proposed to be put in, prepared by the Govt. Pleader. I have the honor to be

Sir
Your most obedient servant,

C. P. P. S.
Executive Engineer

Ms. 4063.

Forwarded to the
Chief Engineer P.W.
Dept^{ts} for orders,
to permit Mr.
Peters to defend
the case against
him at the pub-
lic expense.

W. B. Buntin Care

Superint^d Eng^g
5th Grade
4th December 1888.

D. P. W. 10487

From

No.

Dated

Received

188

ENCLOSURES.

FOR ORDERS.

In these cases it is I believe, usual to order that the case be defended by the officer, and that after it has been decided, for government to give orders regarding costs &c, and thus I consider should be done in this case.

$$\frac{B}{10/12}$$

13. 12. 55

Government pleases.

MM

7/12/00

W

MM

FOR ORDERS.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 13th Dec 1888

READ the following

From the Superior I Circle No 406324.12.88

The defence of the
suit is sanctioned, but
the question whether Mr
Peters should be held
personally liable will
be settled when the suit
is decided.

2. Mr Peters will
be allowed the services
of the Govt. Pleader.

W. W.
11.12.88

M. M.
12/12/88

S. S. I circle ✓
with 2 enclos.

13/12

en

Mr. W. S. K. 88
10/12/88
B
14/12