

- (1) பக்கங்களின் எண்ணிக்கை 10
 (2) புதுக்கித் திருப்பிய நாள் 11/89
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் lma

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P. K. R. துறை

அரசாணை எண். மு. கோப்புத் தாள் எண். 2116.	அச்சகம் பலவகை
நாள் : 2. 8. 1890.	198.

மடிக்கலோ கண்டபடி கையாளவோ கூடாது

செய்து

N. 2617

21/16
Tayore Division Office

Tayore 20th June 1890

From the Hon. Secy. of the

Public Works Department, Bangalore

Executive Engineer, Tayore Division

The Superintending Engineer

Sir,

Referring to your letter of the 15th dated

2nd October 1889, I have the honor to

inform you that I have been in corres-

pondence with the District Munsiff

Rajabundya regarding Sergeant Coghlan

and am by no means convinced

that Sergeant Coghlan is receiving fair

treatment.

2. I therefore comply with Sergeant

Coghlan's request and ask that the case

may be referred for the orders of Government.

3. The history of the transaction is as

follows:

When serving in the Godavery District

Sergeant Coghlan had dealings with the plaintiff

who was a shop keeper. In December 1885

Sergeant

Sergeant Coghlan was transferred from
the Godavery and left without settling up
with the plaintiff whose bill according to
Sergeant Coghlan had not been correctly prepared.
In October 1887, Sergeant Coghlan received
a summons from the District Munsiff
Court Rajahmundry to defend a suit brought
against him by the plaintiff for Rs 49.10.0.
He did not attend to the summons and
in February 1888, the Deputy Magistrate before
forwarded to the Executive Engineer, Linnivelly
Division, an order from the Court of the
District Munsiff of Rajahmundry for the
attachment of a moiety of salary due to
Sergeant Coghlan.
On 2nd March this order being sent to Sergeant
Coghlan he informed the Executive Engineer
that he sent the whole amount claimed by
the plaintiff viz Rs 49.10.0 in advance of his
salary which only came to Rs 42.10.0.
The Deputy Magistrate was then informed that
the attachment had been made. As nothing
was heard from the Court regarding the
disposal

216
disposal of the money, the Executive Engineer
Linnivelly Division wrote to the District Munsiff
on 20.3.89 and asked for instructions regarding
it and on 21.8.89 the Munsiff requested
that the money might be paid into the Court
which was accordingly done.

On 2nd August 89, the District
Munsiff again addressed the Deputy Magistrate
and asked that a further sum of Rs 23.10.3
due in the same suit might be recovered
from Sergeant Coghlan who at this time
was serving under me in Dargore. The
money was paid into Court and Sergeant
Coghlan complained saying he had already
paid the plaintiff in full. I then asked
the District Munsiff to explain why the over-
seer had been called upon to pay a further
sum of Rs 23.10.3.

The Munsiff explained that in his
decree (which of course, the Overseer knew
nothing about) Sergeant Coghlan had been
directed to pay the Munsiff Rs 49.10.0
with interest at 6 per cent from the date
of

of the plaint 21st August 7 to the date of
the realization of the sum and also
to pay the costs of the suit Rs 13.12.0
with interest thereon at a rate aforesaid
from the date of the decree 21st December 1897
to the date of the realization of the said sum.
The Munsiff goes on to say that under the
above decree a Prohibitory ^{order} was issued for
the attachment of Rs 67.12 but as a matter
of fact no sum was mentioned the amount
to be attached being referred to as a moiety
of salary due to Sergeant Phelan. I thereupon
pointed out to the Munsiff that his Prohi-
bitory order did not specify the amount to
be attached. 2nd That more than a year
was allowed to elapse between the time
Rs 49.10.0 was recovered from the Overseer
and the time it was paid to the Plaintiff
and I argued that if the Prohibitory order
had given the amount to be attached and the
money had been paid to the Plaintiff at once
the Overseer would have been saved the costs
and interest he was now called upon

21/3
to bear. In his reply the Munsiff evaded
the points I had raised and I accordingly
sent ~~over~~ correspondence to the District
Judge who upholds the action of the Munsiff.
I think the questions raised by me
deserve some notice, as it seems perfectly
clear that the Overseer is being asked to
pay for a distinct omission in the orders
of the Court.

I have the honor to be

Sir

Yours most obedt Servt

A. R. Nunez

Executive Engineer

Taunse, D.

Kodakomul.

No 627 T.D. / 26 June 1898.

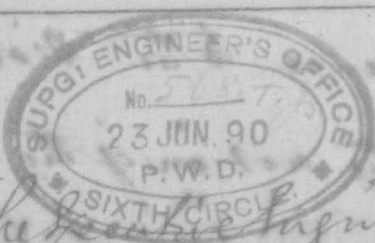
submitted to the Chief

Engineer P.W.D for orders. It appears
to be a hard case but nothing
but an expensive appeal would
upset the decree.

Admitted L. Col. R.R.

Supt. Engineer Circle

Representative of the
15377.5
9.10.89



From
The District Engineer
Dargah Dineen

To
The Superintendent Engineer

Dated 20th June 1890

Recd 21st June 1890

Encls: 1

Reporting that the case of
Oversea Sergeant Coghlan relative
to the attachment and payment of
certain amount due to a plaintiff in
the Rajahmundry District Munsiff
Court seems not to have been fairly
dealt with and requesting to refer
the same for the orders of Government.

Judicial Department.



2116
ex

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—

Endorsement of the Public Works Depart-
ment 23rd July 1890, N=2884c, on letter from
the Superintending Engineer, VI circle.

Order 19th July 1890 N=1199

The matter is not one in
which Government can interfere.

(True Extract)

OVRoddy

Major R.E.

Under Secretary, P.W.D.
for Chief Secretary

To
The Public Works Department,
with papers.

2
X78

2116

5

146 Cdo 7106
Govt. of 18 Madras.

To

Ud N Dept

Ad. 29-7-90
Enc 1

Proceedings, dated 19 July 1890
No. 1199

Subject.

mans no 2500 c 7 3-7-90

No. 2116 W of 2nd Aug. 1890

Communicated
Communicated
to the Superintendent
to the Suply. Engineer
Engineer VI Circle
VI circle with reference
with reference to
to his endorsement
his endorsement
No. 267 T. J. dated
No. 267 T. J. dated
26th June 1890.
26th June 1890

29.7.90 S 917

29/7/8-
29/7- 22-8-90
S. E. VI circle
S. E. VI circle
2/8/90

all 135. VII
29-3-90