

- (1) பக்கங்களின் எண்ணிக்கை 8
 (2) புதுக்கித் திருப்பிய நாள் 1/90
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் loya

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P.W.D. துறை

32

அரசாணை எண். மு. கோப்புத் தாள் எண்.	38	அச்சகம் பலவகை
நாள் : 6-1-1891		198

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

4 Sheets

ஆவண. கா-1-18,006-15-6-87.

Q.B.

Copy of letter from the Executive Engineer,
Madras Division, to the Suptg. Engr,
M. F. C. No. 573 of 6th Decr 90.

38

Enc. 9.

1 bill

1 Proposed Defences

1 Graph. Map. of
claim of plaintiff.

1 Copy of Plaintiff.

1 Officer's Report -

Madras Engr's

Report 219

16.11.88

1 Copy of Plaintiff's

1 Copy of Decree.

1 No. of judgment

1 Mr. French's

letter of his claims.

9

Your endorsement No. 766 of 8.11.90.

I have the honor to forward the
progment in the Seller's favor
case and the other documents
relating to the case:-

1. The claim for Rs 3.8.9 for under
burnt bricks was admitted by the
Munsiff on the evidence of some orders
given by Assistant Engineer Mr.
Copala Aiyar about which nothing
was known before the hearing of
the case.

2. The final bill allows for 114 cft. of
string course at 4 as 3 p. per cubic ft.
and 203 1/2 cft. of coping at 10/6 p. total
Rs 163. 13. 3. The contractor claimed
for a total of 327 cft. at Rs 1.2.0 or an
extra payment of Rs 163.8.0. The
Munsiff has inspected the work and
satisfied himself, in what way I
do not know that the Contractor's
measurement viz 327 cft. is correct ^{as} against
317 1/2 cft. measured by the Officer.
He also found that there was no
sufficient reason for allowing

different rates for the string course, and coping and decided that the contractor should be paid 10 as 6 p. per cft for the whole.

The contractor has been awarded the difference Rs 50.12.0 when it is considered that the deep heavy string course of the bridge cost only 8 as per cft. I think there can be no doubt that the rate originally offered is fair enough and it is besides absurd to allow the same rate for a string course on which there was scarcely any chiselling and only the thickness of the stone was fixed, as far coping all the stone of which had to be dressed to size and the top dressed level. Similar coping for the Annapuradi culvert in the other approach cost only Rs 6 annas which was perhaps too low, but affords an indication that on the whole the sum offered the contractor was decidedly liberal.

3. The Munsiff has allowed Rs 12 for chiselling the angles of the abutments - the claim had been rejected because such work

is not usually charged for separately. In any case the award is double the value of the work - 38

4. No 4.8.0 has been awarded for plastering over concrete - the claim had been refused on the ground that there was only some rough plastering done, and that properly it was included in the rate for the concrete.

5. The amount Rs 20 for baling promised to the contractor as a concession is hinted by the Munsiff as an admitted defect.

6. In the result he awards Rs 70.12.0 for work done and Rs 54.15.6 part of plaintiff's costs against the latter item is allowed Rs 11.10.0 part of Government costs. There is thus to be paid to plaintiff Rs 117.1.6.

7. I request early instructions whether an appeal should be made. I have no doubt we could get the award reduced, but doubt whether that would be worth the trouble of the appeal -

Ms. 865 m d/10 December 1890 2
D-11-

Copy submitted to the Chief Engineer for Irrigation together with the

enclosures for early orders with references
to C.O. no. 2920 N of 4th Nov. 190, & 2911 N
of 16 Oct 189 -

2. As regards the claims alluded to in paras 2 to 5 of the foregoing letter it would appear that the District Messrsiff has given no consideration to the facts adduced by the Defendant or to the practice of the Department.

3. It is absurd that the Sheriff has awarded Rs 40.12.0 for work done, in addition to Rs 285.0.5, the amount tendered to the Plaintiff by this Department, and Rs 54.15.6. part of plaintiff's costs, or deducting the defendant's costs ordered to be paid by the Plaintiff Rs 11-10-0, the net additional amount awarded to the latter comes to Rs 114.1.0.

4. The undersigned however doubts,
as stated by the beautiful hymn,
whether it is worth while to make
an appeal on the Manuscript's
behalf. Early orders on this point
are requested.

5. The Court has awarded the defendants
\$11.20 on No 221-12-8,
disallowed from the amount of the
suit, but the latter demands \$26.40

at 5 p. cent on the sum claimed
by the plaintiff Rs 536 - If this
demand for the higher fee is approved,
the amount to be paid amounts to Rs 30.8-0.

Vakalat fee Rs. 25. 00
 Vakalat stamp - 0. 8. 0
 Stamp paper
 for proponent - 3. 8. 0 as per margin, which it is requested
 do for decree 0. 4. 0 may be sanctioned -
30. 8. 0

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Admth spec.
Suppl. hymen. refut.

Encls: 9^x

1 Bill.

1 Proposed defence

1 Com: State of claims
of Plaintiff

1 copy of plaint

Louisee Nimanatha
Lysis vglb No 219
16-11-80.

1 Copy of Issue

1 Copy of Decree with translation

1 do - judgment

1 Mr. French's letter
of his claims -

So he kindly returned

P.W.C No 72251/

From

The Supt. Engineer

VI circle,

16.10.89 - 2911 W

16.10.90 - 4203 C.

14.11.90 - 2920 W

To

The Chief Engineer
for Irrig.

No 865 m

Dated. 10th
Dec^r - 11th 3 December 1890.

Recd 19/12/90.

See 9-12.

Sellur Culvert Case:-

submits for orders
judgment & other docu-
ments relating to

No. 38 Wapb - 1 - 91

No 32 Enl. Encl: 9

Transferred to the Chief
Engineer, P.W. Dept, for disposal

Chp. Encl:
17.12.90

M. S. S. S.

to Chief Engineer for Irrig.

CHIEF ENGINEER
FOR IRRIGATION.

13 DEC 90

No. 7640

No. 38 Wapb - 1 - 91

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

38

Read the following

From the S.E. VI Circle - H.E. No. 865 m. d. of 10 Dec: 90
Endt. by the Chief Engineer } H.E. No. 32 Enl. of 17 Dec: 90
for Irrigation - }

The Govt. does
not consider it desirable
to appeal against the
decision of the District
Munsif.

See
27 Dec

2. Payment of the costs,
Rs 30-8- is sanctioned.

M. S. S. S.
20.12.90

S. S. S.

The S.E. VI Circle (S.E.)
with 12 Enclous.
Sent P.W. Dept. Encl.

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The Union the force

(4)

No. 38 Wap 6th Jan'y 1891.

20.41.40
25.1.91