32

(1) பக்கங்களின் எண்ணிக்கை 28

(2) புதுக்கித் திருப்பிய நாள் 12|91

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P. W. துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	2450 (W)	அச்சகம் பலவகை
நாள் :	23-9.1893	~~199~~.

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

ஆவண. கா. 1—18,006—6-9-90.

1891.

P. W. DEPARTMENT.

2450/1

Current No. 2809

From Manamal Shankaran
late Contractor
Calicut Vayitri
Calicut Road

ENCLOS.—

No. —

Dated 11th March 1891

Received 12 – do —

SUBJECT.

Praying that about 4000 Rs due to him ~~for~~ on a/c works: clearing jungle, making upper & lower side drains, repairing bridges & filling up pits &c on the Calicut Vayitri Road between the 18th & 24th mile may be ordered to be paid to him.

DISPOSAL.

No. 1463C dated 14 March 1891

Referred to the S.E. IV circle for report
(Sd) J. Pennycuick
Col. R.E.
Secy to Govt. P.W.D

(Sd) O.V.B
13.3.91

To the S.E. IV. to be recd

16/3/

2450/2

To.

The Chief Engineer
Department of Public Works.
Madras.

The humble petition of Manamal Shan Karan, late Contractor for Calicut to Vayitri Road.

Respectfully Sheweth,

That letter No. 38-E dated 29th January 1891 × Copy recd submitted by the petitioner from P. R. Allen Esqr. officer in charge of Wynaad Sub Division is not in the least redressing, to petitioner's grievances represented to the Asstt. Engineer on the 31st October, 17th and 30th November 1890 respectively.

2. That nearly four thousand Rupees is due to petitioner for works done by him under orders of Mr. Lazarus Supervisor (which petitioner can produce if required) as well as according to estimates sanctioned by Overseer Mr. Rebello - namely Clearing jungle, making upper and lower side drains, repairing bridges; filling up pits &c on the Calicut Vayitri Road between the 18th and 24th Mile.

3. That owing to a misunderstanding between Overseer Mr. Rebello and Petitioner (which your honor will be convinced of by refering to Correspondence copies of which petitioner can produce) petitioner has been refused payment by the Engineers at the Overseer's suggestion and the Overseer eventually brought a false charge of theft of gravel against

him

him before the Taluk 2nd Class Magistrate of Calicut from which petitioner was finally discharged in the month of September 1890.

4. That daunted with the indifference of the Engineers appealed to, petitioner on the 20th February last forwarded a memmorial to the Superintending Engineer, Coimbatore whose silence in the matter is the Cause of this petition to your honor.

5. That after repeated applications to the Engineers in Charge no redress was granted except the letter No. referred to above.

6. That Overseer Mr. Rebello's incorrect statements in his Correspondence and the great grudge he bears towards petitioner is the Cause of all the delay and refusal of payment will be amply proved to your honor by documents which petitioner Can produce at any time.

7. That moreover Mr. Lazarus the Supervisor and Sub Divisional Officer Mr. Kelly were the officers who gave me the work and who measured the same and were satisfied as will be evident from the diary of Mr. Lazarus and other Correspondents.

8. That it is a matter of great surprise that all Such reliable information should be disregarded nd Confidence to be placed only on the report of Mr. Rebello an open and declared antagonist of petitioner

9 That petitioner had often applied to Messrs Allward and Joyce Engineers to send for Supervisor

× For wa
to the E
Const B
in N.C
R

C
dost
Engl
5-2-91.

Supervisor Mr. Lazarus with regard to the settlement of my Claims but nothing has been done in that direction.

10. That petitioner begs to state that all the papers Connected with the business from beggining to end if send for and gone through by your honor, will satisfy your honor more than enough that my statements are true and my Claims reasonable and just.

11. That the Calicut Taluk Second Class Magistrate's enquiry regarding the nature of the theft of gravel with which petitioner was charged by Mr Rebello fully satisfied him that it was a false one the Magistrate accordingly discharged petitioner though a good deal of money was waisted and services of learned European Counsels employed for the prosecution at great inconvenience and absence from work of several Government Employes.

Under all the above circumstances Petitioner begs your honor will kindly consider his case and grant him full redress.

For which favor Petitioner Shall ever Pray.

11th March 1891
Calicut

M. Shankaran

SUPDG. ENGR'S OFFICE
16 MAR 91
FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE
No.
21 MAR 91
P.W.D.
WEST COAST DIVISION

238 W.C.
FOURTH CIRCLE

P. W. Dept.
To be returned with reply.

No. 1463C of 14th March 1891

Referred to the Supdg Engineer IV circle for report.

Col. R.E.
Secy. to Govt. P.W.D.

I.W.B.
17.3.91

Exe. Engr's office W. C. D.
Calicut 8th May 1891

No. 1496

2450/4

From

A. Joyce Esq.
Executive Engineer
West Coast D.

To

The Superintending Engineer
4th Circle, Coimbatore,

Enclosures 19
Supdg. Engr's
228/W.C. 7/8-4-91
with enclosures,
18/19

Sir,

In returning your Endorsement No. 806, dated 25th ultimo, with its enclosures, I have the honor to state that the documents now produced by the Petitioner, M. Shangaran, do not throw any further light on the matter as already reported in this office Nos. 760 and 1013, dated 21st and 24th March 1891 respectively. The petitioner's account have been gone over very carefully and nothing further is due to him than what is mentioned therein vide Mr. Allen's report No. 38E dated 29th January 1891, sent with this office No. 1013 dated 24th March 1891.

2450/5

I have the honor to be
Sir,
Your Most Obedt Servt
Sd A. Joyce
Executive Engineer

No 250/E.W.

Copy communicated to the Chief Engineer P.W. Department with reference to his endorsement No 1463/C dated 14th March 1891 herewith returned. The only amount due to the Petitioner is Rupees 16-2-1.

Enclos: 2
1. Chief Engrs endt No 1463 C d/14/3/91
1 Asstt Engr Mr Allen's letter No 38 E. d/29th Jany/91

Rudrala Brahmay

Lt Col R.E.
Superintending Engineer
4th Circle

Coimbatore
12th May 1891.

2450/5

2450/5

Coimbatore
29th August 1891

From.
M. Shangam
Late Calicut Vythri road Contractor

To, The Chief Engineer, P.W.D.
Madras.

Respected Sir,

I beg to inform your honor that the Superintending Engineer of Coimbatore, informed me by a memo No 130/Mg dated 28th March 1891, to produce all my documents, he shall settle my rights in connection with P.W.D, Accordingly I sent all of them, to prove whether my argument is a fact.

I beg to say the Superintending Engineer of Coimbatore returned all my documents, informing by a memo No 373/2m dated 24th August 91, that your honor informed him by a memo No 2599 C of 22nd May 91, that my claims cannot be admitted. It is really a sad case that my claims are overlooked, as I have sufficient evidence to prove as to the fact of the matter concerned. So I request your honor to re-consider my case and settle my claims finally, and to favour me with a reply. I

Cannot leave the matter, as simple
one, unless it has been settled as it ought
to be. waiting for a reply

2450/6

I beg to remain
Respected Sir
your obdt. Servt.
M. Shangaren

2450
7

No. 2599c d/22-5-91
1463c d/14-3-91

No 3912C d/7.9.91.

The petitioner is referred to the Chief Engr. Eastt. No. 2599/c d/22nd May 1891. The case cannot be reconsidered.

47

0.2/9. d 7-9-91

The Petitioner

6543.17 [illegible]

P.W. C. No. 5280 ✓

Memo No. 1462 C/ 14-3-91

No 2099 [illegible] 91

From
The Supg. Engineer,
IV Circle.

Dated 12th
Despd. 14th } May 1891

No. 250/E.W.

Enclos: 2.

M. Shangaran late Contractor Calicut Vayitri Road.

Reporting the result on enquiry on the claims of —

The Chief Engr having inquired into the petitioner's complaint, declines to interfere in the decision of the Supdg Engineer on his claims

OWB
15.5.91

D
246

The Petitioner
" S.E. IV Circle
with one enclosure

12240 B

2450/8

NO. 401 S

D. P. W.

Executive Engineer's Office, Godavari Western Division,

Dated / September 1893

From
A. Joyce Esquire,
Executive Engineer
Godavari Western Division.

To
The Superintending Engin
1st Circl

Enclosures,

Sir,

I have the honor to infor
you that Yesterday I receive
a summons from the Sub Jud
of South Malabar dated Augu
17th 1893 informing me the
one Manali Sankaran wa
suing me in forma pauper
as the first defendant in a
suit. This I beg to inform
you is a Government suit
regarding work done when
Col. A. J. Fraser R.E. wa
Executive Engineer of the We
Coast Division.

By Chapter IV article
Govt. of India Code I am
directed under all circums
-ces to reply by attorney or Va
or in person. I have accord
telegraphed to the present

Division to put himself in communication with the Govt Pleader Calicut to take up the case. I am also writing myself to the Government Pleader Calicut to take up the case and also asking the Collector to place his services at my disposal. In the commencement as it were of the case I had his services but that was only to contest his right to sue in formâ pauperis. But by Chapter II para 407 of the Madras Code I am forbidden to defend any suit in my official capacity without the consent of Government. If therefore that consent is again wanted will you please kindly apply to Government for it.

I have the honour to be
Sir
Your Most Obt. St.

Executive Engineer

№ 401 S

From

The Executive Engineer

Godavari Western Dn

To

The Superintending Engineer

First Circle

Dated 1st }
desp'd 1st } September 1893

Enclo.

Ow S. 1 / 8112 9/9/93

B

Subject.

Informing that he was sued by a Contractor at West Coast and asking to apply to Govt for permission to defend the ~~same~~ suit at Govt expense

---

NO.

D. P. W.

From

The Executive Engineer
Godavari Western Division.

To

The

Dated
Despatched
Received

189

SUBJECT.

No. 1460 G. D.

2450 / 19

FROM

G. D. Wybrow Esq

SUPERINTENDING ENGINEER

FIRST CIRCLE.

TO

THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT.

Enclosures. 1
1 Letter No. 401 S / 1-9-93

DOWLAISHWERAM, 11th September 1893.

SIR,

I have the honor to bring to your notice that Mr. A. Joyce Executive Engineer Godavari Western Division has reported in the enclosed letter No. 401 S. dated the 1st Instant that he received a summons from the Sub Judge of South Malabar, dated the 17th August 1893, stating that one Manoli Sankaren had instituted a suit against Mr. Joyce, as 1st defendant, & that this is a Government suit, regarding work done when Col. A. J. Fraser R.E. was Executive Engineer of the West Coast Division. Mr. Joyce has requested me to obtain the sanction of Government for his defending the suit, but I have informed him that as the suit is a Government one, & as he is not now in charge of the West Coast Division, the present Ex. Engineer of that Division shd have been made the 1st defendant in place of Mr Joyce, & that it is the present Ex. Engineer's duty of that Dn to defend the suit, under para 416 of the Madras P.W. Code, but Mr Joyce writes to say that the Sub-judge refused to have his name in the plaint altered.

2. Under the above circumstances I request that you will be so good as to obtain the sanction ~~the sanction~~ of Government, if necessary, to Mr Joyce defending the suit at Government expense.

3. The case is fixed for the 26th Inst.

4. Mr Joyce has not sent me copy of the plaint, or the draft answer which he proposes to file. He could not prepare the draft answer because he has none of the records connected with the case here. It is supposed that the omission to send the first document is due to his not having received a copy of the plaint with his summons.

I have the honor to be,
Sir
Your most obedient Svt

Supdg Engr 1st Circle

CH
11/9

[illegible] RRENT No. 8112

S. E. I.
6 500-13-2-93

FROM G. D. Wylrow Esq.
SUPERINTENDING ENGINEER
FIRST CIRCLE.

TO
THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT

DATED 11th
DESPATCHED 11th } September 1893.
RECE~~IVED~~
Regd: 23.9.93

NO. 1460 G. D.

ENCLOSURES

SUBJECT.

Suit brought against Mr. A. Joyce Executive Engineer by Manoli Sankeran in the Sub-Judge's court of South Malabar — Requesting to obtain sanction of Government to the — being defended by Mr. A. Joyce at the state expense —

Hm

For orders.

There is no explanation of the circumstances under which the Sub Judge is alleged to have refused to allow the present Ex: Engineer of the Division to defend the suit.

JH
15.9

OWS
15.9.93

Wire for the papers, plaint & correspondence. We must know what the suit is about. The Sub Judge would not have refused to allow the Ex. Engr. to appear unless the claim had been personal against Mr Joyce

KLS
15 Sep.

OSK 9
Hm 15/9

JW/W/

No. 863 D of 16-9-93

2450
12

Telegram.

From Chief Engineer

To
Ex Engineer
West Coast Division
Calicut

Send at once papers including plaint in suit Manoli Sankaren versus Joyce - Court of Sub Judge, South Malabar.

JH
16/9

EW

RS

Telegram

No. 863 D dy 16-9-9

Tel desp.d 16/9/

2450
135

P. W. Department.

Read the following :—

From the Suptg. Engr., IV Circle, No. $\frac{350}{C.W.}$ dated 10th Septr 1893.

FOR ORDERS.

Submitted to the Hon'ble Member with reference to rescript on Mr. Waybrow's letter No. 1460 G.D. dated 11th September 1893.

It would appear from Mr. Bell's letter No. $\frac{95}{C}$ dated 4th Septr. 93 that the Govt. Pleader opposed the proposal to substitute the words "D.P.W. Ex: Engineer, West Coast Division" for "Mr. Joyce D.P.W. Ex. Engineer". The reason for this course on the

Defence of the suit should be sanctioned & postponement applied for, in Mr Joyce's name. Explanation should be called for why the petition to substitute the name of the Ex. Engr. was opposed.

Wes
21 Sep

the part of the Govt. Pleader is not apparent, and requires explanation.

JH
20.9

W

Suit against
Mr A. Joyce

RS [illegible] 1292
[illegible] 20.7.

P. W. CURRENT No. 7855

No. 1463 C d/ 14-3-91
" 2599 C d/ 22-5-91
" 3962 C d/ 7-9-91
863 Dd/ 16-9-93

From

The Supg. Engineer,
IV Circle.

Dated 10th }
Despd. 13th } September 1893
Recd. 14th }

OWS
16.9.93

No. 350
E.W.

Enclos: 8.11

M. Shangaren – late Contractor
Calicut Vayitre Road –

– Requesting to obtain sanction of Govt. to defend the suit against – at the expense of the State.

O.H.S. 292
HM 20.7.

No. 350
E.W.

Supg. Engineer's office, 4th Circle,
10th September 1893.

2450
18

Letter No. 95/C, dated 4th September 1893 from the Executive Engineer, West Coast Division, submitting a report on Shangaran's case.

Enclos: 8/11

Vide No. 3962 C
7-9-91

Forwarded to the Chief Engineer, P.W. Department, with reference to the correspondence ending with his Memorandum No. 2599 C, dated 22nd May 1891 and with a request that he will be good enough to obtain the sanction of Government under para 21 Chapter II of the Public Works Code to defend the suit at the expense of the state.

Lt. Col. R.E.,
Supg. Engineer, 4th Circle.

825

PUBLIC WORKS DEPARTMENT.

No. 2450 W dated 23 September 1893.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

2450/16

READ the following

From the Supdg: Engineer I Circle No. 1460 G dated 11.9.93.

" — Do — IV Circle No. 350 GO dated 10.9.93.

The defence of the suit in Mr Joyce's name is sanctioned. Postponement should be applied for to admit of the records being collected and the suit properly defended. The Supdg: Engineer IV Circle will ascertain and report why the petition to substitute for Mr Joyce's name that of the Executive Engineer for the time being was approved by the Government Pleader.

JH
21.9

24.9.93

No 2450 W dt 23rd September 1893.

Orders issued 2400 W dt 18-2-94

To
The Supd Engr 1st Circle with 11 enclos.
Supd Engr 2nd Circle
Examiner P.W. Accts

D 24/9

DESPATCHED
25 SEP. 93

J.C. 25.11

D 28/9.