

- (1) பக்கங்களின் எண்ணிக்கை 12
(2) புதுக்கித் திருப்பிய நாள் 10th / 1991
(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 600

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P. W. D. துறை

அரசாணை எண். <u>2845</u> மு. கோப்புத் தாள் எண்.	அச்சகம் பலவகை
நாள் : <u>4- 11- 1893</u>	198 /

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

No. 105 S.E.S.

PRESIDENCY P. W. WORKSHOPS, 9845

Madras, 30th October 1893.

From

L. L. Wickham Esquire
GENERAL SUPERINTENDENT,
PUBLIC WORKS WORKSHOPS,

To

THE Superintending Engineer
5th Circle, Madras.

SIR,

Enclosures 1

I have the honor to bring to your notice that one Mr. Hodgson, late Engineer, D.P.W., came to me in July 1892, and either told me that he was sent by Colonel Pennycook R.E. or brought an introductory note from him for a job in this Workshop, as he was an old servant of the Department. I examined him in the use of Tools, & found him utterly useless. He then gave me to understand that he knew much about the Machinery working the punkahs at the General Hospital, and told me that he had put up the Machinery at first.

2. The machinery at the General Hospital was not working satisfactorily, i.e. her full power is not at present utilized in pulling the punkahs. I therefore told Mr. Hodgson that if he could offer any feasible suggestions for the improvement of the punkahs

punkah Works I would give him the carrying out of the work.

3. Mr. Hodgson sent 5 or 6 reports, and at the end of September 1892, see his letter dated 30th Sept 1892 enclosed marked A, to call at the General Hospital so that he may receive further instructions, if any, from me, and give any explanation that I may require, in connection with his reports.

4. The Machinery at the General Hospital generally work from 15th April to 15th October every year, and during the remaining portion of the year the benefit of punkahs is not allowed to the Patients. As several proposals for the re-arrangement of punkahs, Engine, Valve &c were made in the reports, it was not found possible to go through the reports until the punkahs ceased working, I therefore, informed Mr. Hodgson in the above terms in my Letter No. 307, dated 3rd October 1892 (see enclosure marked B), and asked him not to send any more reports, as he was continually coming to office and interrupting my work.

5. In reply to the above, he wrote to me on the 14th October 92 (enclosure marked C), requesting me to give the dates of his reports, to enable him to make up his bill. He again wrote (enclosure marked D), for the same information on the 14th idem. On the following day he came to my office and asked me to give the information regarding the dates of his

new & old
pencil
"He was not
a goodly one
understand"

his reports just at that ~~at that~~ time I was busy with my Accountant, and was not able to attend to him at once. I therefore, asked him to wait a few minutes, and he became violent.

6. On the 18th October 1892, I wrote to him enclosure marked E, that owing to his violent conduct in the public office, I do not entertain the idea of utilizing his services and sent him a postal Order for Rupees 4-14-8. He refused this order.

7. On the 15th June 1893, i.e. some 8 months afterwards he again wrote to me (enclosure marked F) to say that his charge for his reports is Rupees 1500, and that he would furnish particulars for his charge. On the 20th of the same month, he wrote to me again (enclosure marked G), demanding the payment of the sum of Rupees 1500 in two or three days' time. In reply to these two letters, I simply referred (enclosure marked H) him to my Lt. 335, of 10th October 1892 (enclosure E).

8. On this Mr. Hodgson has filed a Civil Suit against me for the recovery of the sum of Rupees 1500, being the charges for preparing the reports above

2845
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above adverted to. The case is to be heard on the
7th Proximo. A copy of the Summons served
upon me is enclosed enclosure I)

I enclose also, copies of the reports sent
enclosures J to O) to me by Mr. Hodgson, and
the proposals contained therein, would not, I submit,
improve the present condition of the Machinery.

I request, under the above circumstances,
that you will kindly obtain the sanction of
Government, under Code Vol. I Chapter IV. para 21,
to defend the suit at the expense of Government.

The question as to whether it is a
Government suit or not, has not yet been decided.
If it is a Government suit, the suit is thrown
out as the Plaintiff has failed to give sufficient
notice.

I have the honor to be

Sir,

Your most obedient servant

L. L. Chikham

Genl Superintendent, P. & H. Workshops

No. 400 W.

Encls 15
Recd. 2. 11. 93

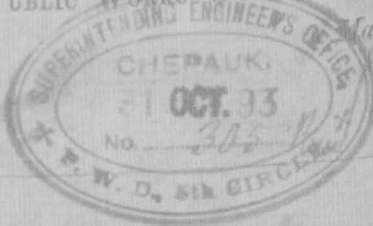
Submitted in original
to the Chief Engineer
for favor of award.
Our Wickham's action
in employing an
authorities to report
on works under
his own (Mr W's) charge
is, to say the least,
irregular & very
unusual & with
reference to his power,
in the event of the
decision being, that
the suit is not a
Government one, the
question will be, if
the Superintendent should
not be personally
responsible for the expense
of the case.
J. C. Wickham
1/11/93 SE 5 Circle

Presidency P. W. Workshops.

From

THE GENERAL SUPERINTENDENT,

PUBLIC WORKS WORKSHOPS,



To

No.

W.

Dated

Despatched

Received

189

No. of ENCLOSURES.

Subject.

P. W. DEPARTMENT.

Read the following:—

Letter from the General Supt. P. W. Workshops
No. 105 S. 5. 1/2 of 30 October/93.
Cmt. thereon by the Supty. Engr. V. Circle
No. 400 W of 1st November/93.

FOR ORDERS. as to whether
the General Supt. P. W.
Stores shall be author-
-ised to defend the
suit at Government
expense, in the first
instance.

2. A copy of the note
to para 407 of the late
Madras P. W. Code is
appended from which
it will be seen that
Mr Wickham is at
liberty to apply to
the Court for an adjourn-
-ment of the case to

admit of the orders
of Government being
obtained.

H. M.

FOR ORDERS.

The claim is of course
excessive in amount,

~~the~~

but the fact is

that the claim is certainly a

claim to some extent
unreasonable.

Mr. Wickham's action in
giving him a vague verbal
commission to report, in
a formal way on the
subject, was about as
irregular and injudicious
as could be, and he
could have no reasonable
ground for complaint if he
were left to defend the
suit at his own risk.

S.
W.

2-4.

Mr. Wickham has been injudicious
both the claim is a preposterous one.
The suit must be defended at Govt
Expense in the first instance & then
it is disposed of means less than
R. W. Wickham should have been
responsible. He is not

H. M. 2/11
2/11

2845
Copy of note to Para 407 of the
late Madras P. W. Code.

Under Section 424 of the Code
of Civil Procedure (Act No. XIV of
1882) no civil suit may be instituted
against any officer in respect of any
act done in his official capacity
until the expiration of two months
next after notice in writing has been
delivered to the officer or left at
his office, stating the cause of ac-
tion and the name and place of
abode of the intending plaintiff,
and under Section 420 of the same
Code, the Court in fixing the day
for the officer to answer the plaint,
will allow a reasonable time for the
necessary communication with the
Government, and for issue of in-
structions to the Government pleader
to

to appear when necessary - If these provisions of the law are not observed, the attention of the court should be drawn to the omission, and the officer's proceedings should be regulated with reference to the time allowed.

B/
From order
m/s. to Genl. Supt.
P.W. Workshops

No 2845 W.D. / 4 November 1893
PUBLIC WORKS DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Endorsement of the Suptg. }
Engineer while on letter from } N° 400 W.D. / 1. xi.
the Genl. Supt. P.W. Workshops }
N° 105 S. E. 5th d/30th October 1893 }

The claim is considered excessive in amount and the General Suptd P.W. Workshops is accordingly authorized to defend the suit at the public expense in the first instance. On the result being reported, further orders will be passed as to the incidence of the charges incurred.

DESPATCHED
4 NOV. 93

20
The Genl. Supt. P.W. Workshops
with 15 enclos.
" S. E. Office. 12/11/93
(4) 2,000-11-10-93.

with 11/11/93 S

No 2845. Wd/Li "November/93

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 $\frac{9.6}{94}$ }

J.C. 721

3/11/11