Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 1647 Ry.

DATED 29th October

[Despatch Abstract.]

Petition of Mrs G. Jeremiah and others.— Orders on petition of — Complaining of the noise and inconvenience they are put to by the Egmore Workshops of the South Indian Railway and requesting to purchase their property.

[P. W. Ry. 500—8-5-00.]

Indexed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No 1 R of 6th January 1881

To

HIS GRACE THE DUKE OF
BUCKINGHAM AND CHANDOS,
G. C. S. I., C. I. E.,
GOVERNOR OF MADRAS,
FORT ST. GEORGE.

The humble Petition of the House-owners on the South of the Male Asylum Road, Egmore, Madras.

RESPECTFULLY AND HUMBLY SHEWETH,

1. That Your Grace's Petitioners have thankfully to acknowledge the kind manner in which Your Grace dealt with their petitions, dated the 4th January 1878 and the 3rd February 1879, copies of which with the G.O.'s thereon they venture to submit to Your Grace for easy reference.

2. That the terms of G.O., dated 3rd March 1879, led Your Grace's Petitioners to hope that the nuisance complained of by them would be removed, by the Workshops of the South Indian Railway being shifted from their present position to a distance from Madras.

3. That Your Grace's Petitioners have, with regret, to submit that the nuisance complained of by them still exists, and is a source of much annoyance and discomfort.

4. That the smoke of the Engines in the compound of the South Indian Railway Station is so offensive to Your Grace's Petitioners, that owing to this discomfort, they have to keep the front portions of their houses completely shut, both during the day and at night.

5. That the location of the South Indian Railway Workshops and Engine Sheds in their present place is further a source of considerable disturbance; the shrill sound, the whistling that continues off and on during the day and night and at a very early hour of morn, and the sounds occasioned when the Engines take in water and let out steam, being almost deafening and interfering with the proper slumbers and rest of Your Grace's Petitioners and of their families. That the nuisance complained of is especially felt when there is sickness in any of the houses alluded to above.

6. That for the reasons mentioned above, Your Grace's Petitioners find it very uncomfortable to live in houses which are their own property and, yet they are constrained to do so, knowing that, owing to the nuisance complained of it will be impossible for them to secure tenants for their houses, and that they can ill afford to take other houses, while their own houses are not rented.

7. That further the property of Your Grace's Petitioners has suffered very great depreciation in value, owing to the West side of the Male Asylum Road being closed to the public, and that this closing, has taken place to accommodate the South Indian Railway Company.

8. That Your Grace's Petitioners are confident that, taking all these facts into consideration, and looking at the great sources of annoyance and discomfort to which Your Grace's Petitioners are subject, Your Grace will see the justice, of directing that the South Indian Railway Company shall take over the houses of Your Grace's Petitioners, at such reasonable rates as may be fixed on them.

9. That if the nuisance is not to be of a permanent nature, but is to last for a short time only, it is humbly hoped that Your Grace will yet see the justice of directing, that the Railway Company should during such period, rent the houses of Your Grace's Petitioners for the residence of their officials, as Your Grace's Petitioners find it impossible to obtain tenants for the same, if they quit them themselves.

10. That Your Grace's Petitioners would crave it as a special favor, that Your Grace will be pleased to dispose of this Petition before Your Grace resigns the reins of your office as Governor of Madras, as Your Grace is so well acquainted with the facts of the case humbly submitted for Your Grace's re-consideration, and, also, as Your Grace has hitherto, as the G.O.'s already passed on the subject shew, been favorably disposed towards Your Grace's Petitioners.

11. That Your Grace's Petitioners lastly firmly hope to be excused for thus soliciting a re-consideration of their case as they feel certain that Your Grace will at once see that they are entitled to the redress they seek.

For which act of justice, as in duty bound, Your Grace's Petitioners,
Shall Ever Pray.

Signed / G. Jeremiah
P. Hill
E. Allan

MALE ASYLUM ROAD,
EGMORE,
MADRAS, DECEMBER 1880.

Pto Encs 3
7715/90
9831/90.

dtd 6/11/90

To

His Excellency.
Lord Connemara.
P.C., G.C.S.I.,
Governor of Madras.
Fort St. George.

The humble Petition of the
House-owners on the South
of the Male Asylum Road,
Egmore, Madras.
Respectfully and humbly Sheweth,

I. That your
Excellency's Petitioners beg
respectfully to submit for
your Excellency's perusal
a copy of a petition present-
-ed to His Grace the Duke
of Buckingham and
Chandos, a late Governor
of Madras, Fort St. George.

II. That although
a portion of the Work-shops
was removed to Negapatam

still the great sources of annoyances and discomfort to which your Excellency's Petitioners are subject have by no means been effaced; since the daily running of trains have increased considerably, and with the increase of traffic, the whistling and the sounds occasioned when the Company's Engines take in water and discharge steam, have also increased to an intolerable degree. Added to these the Railway Authorities are now (close to their Engine rooms) Erecting a large shed for the repairs of their rolling stock, which will prove an extra source of discomfort.

III. That your Excellency's Petitioners are confident that taking the above facts into consideration, with those mentioned in the petition, submitted to His Grace the Duke of Buckingham and Chandos Your Excellency will consider your Petitioner's case and have the nuisance complained of removed, or direct that the Authorities of the South Indian Railway shall take over the houses of your Petitioners at such reasonable rates as may be fixed on them.

For which act of justice, as in duty bound your Excellency's Petitioners shall ever pray.

G. Jeremiah
& Others

Male Asylum Road, Egmore
Madras, 7th August 1890.

Plo Encl 4
7715/90
9831/90

Petition from J. Jeremiah and another

Dated 7th August 1890.

Transferred to the Chief Secretary to Government for disposal.

(By Order.)

Private Secretary.

Government House,
11th August 1890.

No. 33.

PW. Coll. 774.
1882
9881/90

(18) DEPARTMENT.

No 3449. C dy 19th Augt 90

Referred to the

Consulting Engineer for Railways

for report.

Major R.E.

Under Secy: to Govt: P.W.D. Railways

From

THE PRIVATE SECRETARY

TO THE RIGHT HON. THE GOVERNOR,

To

THE CHIEF SECRETARY TO GOVERNMENT,

DEPARTMENT.

Dated 11th August 1890.

Recd. 12 AUG 90

ENCLOSURE. 1/2

G.O. 1R dy 6-1-81
" 403R dy 1-5-78
" 252R dy 3-3-79

Subject.

Transfers a petition from G. Jeremiah and another, complaining of the discomfort they are put to by being the near the South Indian Railway Station, Egmore, and praying that the Railway Authorities may be directed to take over their houses at reasonable rates.

No. 1436

South Indian Railway,

AGENT'S OFFICE,

TRICHINOPOLY, 11th October 1890.

From

The AGENT,

SOUTH INDIAN RAILWAY,

To The Cons. Engineer for Railways

Madras.

Sir,

Your letter No 883 of the 21st August last.

In returning herewith the petition of Messrs Jeremiah and allan I have to State that beside the running shed (which cannot be dispensed with) the only Workshop which has been erected at the Egmore Station is an open shed under which it is intended to execute light repairs to rolling Stock.

The work which has to be dealt with in these sheds cannot be executed without some amount of noise ensuing; but, I am of opinion, the petitioners in presenting their case have exaggerated the inconvenience they allege they have had to bear.

No addition is at present needed at the Egmore Station to the number of dwelling houses required for railway Employés

I am, Sir

Your most obedt Servant

Walter J. Hooper

Gen Supt

REGISTER
No. 6097
FILE
No.

Form No. 2.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RAILWAYS,

Madras, 16th October 1890.

Letter from the Agent, South Indian Railway, No 1436, dated 11th October 1890.

No. 683

SUBMITTED _____ to _____ Government, with reference to Proceedings of Government No 3449C, dated 19th August 1890 (herewith returned).

2. The petitioners may suffer some inconvenience from the proximity of their houses to the railway premises, but the hardships complained of appear somewhat exaggerated.

3. The new shed to which exception is taken, is required for the repairs to the Stone wagons and cannot be

dis-

dispensed with but the principal part of the noise is caused by the erection of the new Villefranche Guttaval stock and the forges close to the engine shed. The new stock is nearly finished but might have been erected elsewhere without incurring any very great cost. The small repairs to connected with Engines and Stone waggons must be carried out at Egue are but the Cegut will be called upon to reduce the noise to a minimum and to carry out repairs there to the least extent possible.

Yours Lt: col. Re
offg Com: Engr for Rys.

P.W.C. No. 9831

Form No. 3.

From

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS.

No. 683.

Dated 16th } October 1890.
Received 16 }

No. OF ENCLOSURES. 4.

Subject.

Submitting to Government letter from the Agent, South Indian Railway, No 1436, dated 11th October 1890, reporting on the petition of G. Jeremiah & another, dated 7th August 1890.

B. No. 1647 R dy 29.10.90.

No. 1647 R dy 29th Oct 1890

Copy forwarded to Mr G. Jeremiah & Mrs. E. Allan for information with reference to their petition dated 7 August 1890.

JJS. R

The Petrs will be informed that the nature of the complaint mentioned by them is one which, if true, would be a breach of the Railway Companies Act, but that the Consulting Engineer has no power to enforce the observance of the provisions of that Act. His duties are confined to the inspection of railways before they are opened for traffic, and to the sanctioning of such alterations in the working of railways as may be necessary for the safety of the public.

Go. 252 R dy 3.3.79
" 403 R dy 1.5.78
- 1 R dy 6.1.80

JJS

23/10/90

Mr. G. Jeremiah &
Mrs. E. Allan
Mahalingam Road
Egmore

Rly. 17.X.90
Letter Go. 24th
R 27/10

37/4

Go 31/10

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

3rd March 1879, No. 252 R.

Railway.

Read the following paper :—

No. 20. From Mr. G. JEREMIAH, Madras, to the Acting Chief Secretary to Government, dated Egmore, 3rd February 1879.

I HAVE the honor to forward a petition to the address of His Grace the Governor signed by myself and other house-owners on the south side of the Male Asylum Road, Egmore, and will thank you, in due course, to lay the same before His Grace.

Petition from certain House-owners on the South of the Male Asylum Road, Egmore, Madras, to His Grace the Governor of Madras, dated 3rd February 1879.

RESPECTFULLY AND HUMBLY SHÔWETH,—That your Grace's petitioners, thankfully acknowledging the consideration kindly given by your Grace to their petition dated the 4th January 1878, venture once more to trouble your Grace on the subject of that petition in the hope that your Grace, on the additional grounds now urged, will be pleased to grant the relief sought by your petitioners at the hands of a just Government.

2. That the Order of your Grace's Government, dated 1st May 1878, No. 403, led your Grace's petitioners to believe that the Locomotive Workshops of the South Indian Railway Company would soon be removed to a distance from Madras and that the Government would not authorise any further encroachment upon the Male Asylum Road. In fact, your Grace's petitioners had cherished the hope that the grievance complained of by them as the owners of houses would be speedily removed.

3. That, however, your Grace's petitioners now, after the lapse of eight months, still find, with feelings of much disappointment and great regret, that the Locomotive Workshops and Engine sheds of the South Indian Railway Company continue to occupy the same position and that there is not the least sign of their being removed at any early date. That, in the mean while, the residents of the houses alluded to have suffered the greatest inconvenience and annoyance from the smoke proceeding from the engines while they are being got ready in the sheds.

4. That your Grace's petitioners are, therefore, subjected to a nuisance which your Grace's petitioners feel they have a right to seek the intervention of Government to have removed or remedied. That, so long as the Locomotive Workshops and Engine sheds of the South Indian Railway Company remain where they now are, the value of the houses of your petitioners must continue to suffer considerable deterioration, it being almost a matter of impossibility to get tenants to take the houses owing to the disagreeable smoke and incessant noise.

5. That, in addition to the smoke nuisance, which in itself is sufficient to ruin the interests of your Grace's petitioners as landed proprietors in the locality in question, your Grace's petitioners have noticed that, by a resolution of the Municipal Commissioners adopted at a meeting held by them on the 18th December last, the portion of the Male Asylum Road skirting the Civil Orphan Asylums is to be closed at the request of the Consulting Engineer for Railways. That your Grace's petitioners would humbly submit that the closing of this portion of the road cannot but operate most detrimentally on the value of their property, traffic and communication on the road being seriously affected by the resolution of the Municipality.

6. That your Grace's petitioners, confidently relying on the terms of the G.O., dated 1st May 1878, No. 403, being adhered to in their integrity, are loth to believe that the Government will give their sanction to any measure involving a further encroachment on the Male Asylum Road, but, should the Government find themselves called upon to allow the resolution of the Municipality, your Grace's petitioners would respectfully and humbly ask your Grace to say whether their case, taking into account the assurance they had received from Government, is not one deserving of special consideration.

7. That your Grace's petitioners feel that under Sections 227 to 230 of the Municipal Act, V of 1878, as per margin, they have a remedy against the Municipal Commissioners for the deterioration thus caused in the value of their houses; but as the land has been taken up for the purposes of the South Indian Railway Company, and as the houses of your Grace's petitioners have already seriously suffered in value through the Railway Company, your Grace's petitioners are impressed with the belief that the entire responsibility of the deterioration in value rests with the Railway Company, and that relief should be sought from them.

Power to make and improve streets and close them, &c.

227. The Commissioners may, with the sanction of the Governor in Council, lay out and make new streets, and may construct bridges and tunnels, and may turn, divert or close any public street, and may widen, lengthen, enlarge or otherwise improve any such street, making reasonable compensation to the owners and occupiers of any land, houses or buildings which are required for or affected by any such purposes.

Power to take land adjoining new streets for building purposes.

228. In laying out or forming a street, or in turning, diverting, widening, lengthening, enlarging or otherwise improving a street, the Commissioners may, in addition to the land necessary for such street and the footways thereof, purchase also the land necessary for the buildings to form or otherwise improve the said street, and may sell or lease such land on such terms and subject to such conditions as to the class and description of buildings to be erected thereon as they think fit.

Power to sell or lease vacant ground for building purposes, or to erect buildings on such ground.

229. The Commissioners may sell or lease any vacant ground, either by the side of a street or elsewhere, vested in them by this Act, for the purpose of being built upon, on such terms and subject to such conditions as to the class and description of buildings to be erected thereon as they think fit; or they may themselves erect buildings on any such land, and may lease the same on such terms as they think fit.

Compensation for damage to adjoining land or buildings.

230. If any land be taken under the provisions of this Act, the Commissioners shall make compensation to the owner or occupier of any adjoining land or building for any direct or immediate damage done thereto by the taking of such land.

8. That, under the foregoing circumstances, your Grace's petitioners, making bold to rely on your Grace's sense of justice and right, are confident that your Grace will be pleased favorably to reconsider the request made by your Grace's petitioners in their former petition, viz., that the South Indian Railway Company be called upon by the Government to take up the whole of the block of buildings from west to east on the south side of the Male Asylum Road, giving each of your Grace's petitioners a reasonable price for his or her property or valuing the property at the same rate as that at which the buildings on the north side of the same road had been taken up.

9. That, should it not be feasible for the Railway Company to take up the houses, your petitioners leave it entirely to your Grace, having due regard to the loss your Grace's petitioners have sustained and continue to sustain by the grievances complained of, to grant your Grace's petitioners some compensation commensurate with the justice of their case.

For which act of justice, as in duty bound, your Grace's humble petitioners shall ever pray.

(Signed) G. JEREMIAH.
(„) C. P. HILL.
(„) E. ALLAN.
(„) V. CHRISTIAN PILLAY.

No. 20-A. *Note by the Acting Consulting Engineer for Railways.*

WITH reference to the petition, dated 3rd February 1879, from certain owners of houses on the Male Asylum Road, Egmore, referred to this office for report, the undersigned has the honor to offer the following observations.

2. The petitioners appear to have misunderstood the Order of Government, dated 1st May 1878, No. 403 R., no infringement of which is contemplated. It has been decided to build the Workshops at some distance from Madras, and, as soon as these buildings are ready, the repairs which are now executed in the engine shed at Egmore, and which are a cause of annoyance to the petitioners, will be discontinued, but it was never intended to remove the engine shed from its present site. I am of opinion that, when the machines now used for repairs are transferred to the Workshops, all reasonable ground of annoyance will cease. Plans and estimates for the Workshops at the new site have, however, not yet been submitted, so that some time must still elapse before these buildings can be erected.

3. In regard to paragraph 5, it is distinctly laid down in G.O., 27th July 1876, No. 1,907, that the Government do not intend to recede from the engagement entered into "to throw that portion of the Male Asylum road which separates its old compound from the new play-ground into its grounds." The same Order states that no encroachment would be necessary on so much of the Male Asylum road as skirts the new station premises, which should be kept at its full width for convenience of access

to the houses of the petitioners, and this is the portion of road referred to in G.O., 1st May 1878, No. 403 R.

4. The Directors of the Asylum have always stipulated that a play-ground equal in area to the old one, and including that portion of the road which skirts the southern side of the buildings, should be made over to that Institution in exchange for the land given up. The necessary ground for this purpose was purchased by Government and has been enclosed by a boundary wall. All that remains is to obtain possession of the road and include it within the new boundaries. The approval of the Municipality to the acquirement of the road having now been obtained, the transaction is being completed.

5. I understand that the assurance referred to by the petitioners as contained in the Order of Government, dated 1st May 1878, No. 403 R, applies only to a proposal which had been under consideration for narrowing the road where it skirts the station-yard, and the petitioners appear to be under a misapprehension in supposing that the Government had relinquished their intention of closing as a thoroughfare the Male Asylum road.

6. In regard to the question raised in paragraph 7, the means of access to the houses of the petitioners have on different occasions* been carefully considered, and, from the concurrence of the Municipality in the closing of the portion of the Male Asylum road included in the new play-ground, it may be inferred that that body is of opinion that the interests of the petitioners will not be prejudiced thereby. The matter was also considered on the ground by His Excellency the then Governor in 1872, when this decision was arrived at.

*Proceedings, 25th October 1872, No. 2,518.
Do. 15th April 1874, No. 984-A.

(Signed) C. J. SMITH, Major, R.E.,
Ag. Consulting Engineer for Railways.

No. 21. ORDER THEREON, 3rd March 1879, No. 252 R.

THE petitioners will be informed that they are under a misapprehension in supposing that in G.O., dated 1st May 1878, No. 403 R, the Government intended to withdraw from their engagement to make over to the Male Asylum authorities that portion of the road which is included within the new play-ground. Further His Grace the Governor in Council sees no reason to modify the views expressed in paragraph 3 of G.O., dated 15th April 1874, No. 984-A.

2. The Consulting Engineer for Railways will expedite the submission of plans and estimates for the new Workshops to be located at a distance from the Egmore station, by which, when the machines at present used in the Engine shed shall have been removed, the present cause of annoyance will, in the opinion of Government, be removed.

(True Extract.)

(Signed) C. J. SMITH, Major, R.E.,
Ag. Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Petitioners, by Endorsement.
„ Consulting Engineer for Railways.

Exd. J. W. Fischer.
Spare Copies

RAILWAY.

Govt. of {1879} Madras.

PUBLIC WORKS.

To

THE PETITIONERS,

&c., &c., &c.

Dated March 3rd.

Issued

Recd. *Encl.*

G. O., 3rd March 1879, No. 252 R.

MARCH.

Nos. 20-21.

Petitions from certain owners of houses on the Male Asylum Road, Egmore.—Orders on —.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

1st May 1878, No. 403 R.

Railway.

Read the following paper:—

No. 8. Endorsement of the Consulting Engineer for Railways, dated Madras, 8th March 1878, No. 109.

Petition from Mr. G. JEREMIAH and others, to His Grace the Governor, dated 4th January 1878.

THE houses* of the petitioners are situated to the south of the engine shed of the South Indian Railway at Egmore; consequently when the wind is from the north or north-east, the smoke from engines lighting up in the shed causes some inconvenience, but this can be the case only for a few months in the year. It is not likely to be so bad in future, as the Company have now obtained a stock of wood for lighting purposes, whereas coal has been hitherto used. At present the nuisance is aggravated by a small stationary engine at work in the shed; but when the smithy is built, a proper stack will be provided for carrying off the smoke.

* Marked 1 to 4 in plan No. 1,382.

2. The whistling of engines has been to a great extent stopped, the Locomotive Department having issued strict orders on this point. Whistling cannot be entirely avoided.

3. The inconvenience said to arise from the engine shed being roofed with zinc cannot be great, and would hardly constitute a grievance at law. It is irremediable.

4. The Railway Company have not yet acquired any portion of the Male Asylum road; and all that it is proposed to make over to them is a strip measuring 173′ × 6′, in order to provide room for one line of rails to the south of the engine shed. This will not encroach on the roadway to any appreciable extent. It is true that the Male Asylum road will cease to be a thoroughfare when the Asylum playground is completed, and there will be no direct access to the houses of the petitioners from the west. Easy communication will, however, exist either by Poonamallee and Rundall's roads, or by Pantheon and Kennett's roads. The land to be acquired by the railway is shown on plan No. 1,382.

5. The petitioners state that the buildings, if purchased, could be utilized by the Company; and this may possibly be the case. A reference to the Agent on this point seems necessary. Quarters for twelve Drivers have been built, but the houses referred to might perhaps be occupied by the Traffic Department, or by Workshop Foremen. If taken up by the Company, it might be possible to close the Asylum road from the point where Kennett's road enters it, access to the Asylum being provided by a road through the compound of house No. 3, a small strip of which could be given up for this purpose.

(Signed) J. H. M. SHAW-STEWART, Colonel, R.E.,
Consulting Engineer for Railways.

No. 9. ORDER THEREON, 1st May 1878, No. 403 R.

THE petitioners will be informed that it has been decided to remove the Locomotive Workshops of the South Indian Railway Company to a distance from Madras; and that the Government have no intention of authorising any encroachment upon the width of the Male Asylum Road.

(True Extract.)

(Signed) C. J. SMITH, Major, R.E.,
Offg. Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Petitioners.
" Consulting Engineer for Railways.

Exd. E. C. Shunker.
Spare Copies

18-8-90

RAILWAY.

Govt. of {1878} Madras.

PUBLIC WORKS.

To

THE PETITIONER,

&c., &c., &c.

Dated May 1st.

Issued

Recd. *Encl.*

G. O., 1st May 1878, No. 403 R.

MAY.

Nos. 8-9.

Locomotive Workshops; South Indian Railway.—The petitioners, Mr. Jeremiah and others of Egmore, informed that the — will be removed to another locality and that there will be no encroachment of the Egmore road.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

6th January 1881, No. 1 R.

Railway.

Read the following paper:—

No. 1. Petition from Messrs. G. JEREMIAH, C. P. HILL, and E. ALLAN, dated 8th December 1880, No. 2,240.

No. 2. ORDER THEREON, 6th January 1881, No. 1 R.

THE petitioners will be informed that Government adhere to the intention expressed in their Order dated 3rd March 1879. The removal of the workshops to a distance from Egmore will be carried out as soon as possible.

2. The Agent of the Company will be requested to expedite the submission of the necessary plans and estimates. It is to be regretted that there should have been so much delay in this matter.

(True Extract.)

Colonel, R.E.,
Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Petitioners.
" Consulting Engineer for Railways.

Exd. S. T. Austin.
Spare Copies

RAILWAY.

Govt. of {1881} Madras.

PUBLIC WORKS.

To

THE PETITIONERS,

&c., &c., &c.

Dated January, 6th.

Issued

Encl. *Encl.*

G. O., 6th January 1881, *No.* 1 R.

JANUARY.

Nos. 1-2.

Petition from certain house owners on the south of the Male Asylum Road, Egmore. —Passing orders on —.

I

(Copy)

To

HIS GRACE THE DUKE OF BUCKINGHAM

AND CHANDOS, G. C. S. I.,

GOVERNOR OF MADRAS,

FORT SAINT GEORGE.

The humble petition of the House-owners on the South of the Male Asylum Road, Egmore, Madras.

RESPECTFULLY AND HUMBLY SHEWETH,

That your Grace's petitioners have, for several years, owned landed property which they purchased at a high price on the Male Asylum Road, until lately one of the broadest roads in Madras. The road was also a great thoroughfare which gave to the property situated on it a superior value. Added to this, the locality was, up to the time of the erection of a Railway Station in its vicinity, considered to be one of the healthiest spots in Madras.

That your Grace's petitioners observe with regret that the buildings on the northern portion of the road have now been converted by the South Indian Railway Company into Engine sheds, Workshops and a Station House; and your Grace's petitioners would submit that the conversion of the buildings as above stated has proved very detrimental to the interests of your Grace's petitioners, as the residents in the houses owned by your Grace's petitioners on the road in question have, since the erection of the Engine sheds, Workshops, and Station, suffered a good deal of inconvenience and annoyance and have also had their health considerably affected.

That the roofing of the sheds being composed of zinc, the residents of the houses in the neighbourhood find the heat proceeding from it to be very insufferable. That the smoke proceeding from the Engines, while they are being got ready in the sheds, is a source of considerable annoyance and discomfort to the residents of the houses owned by your Grace's petitioners and especially to petitioners Nos. 1 and 2. The residents of houses in the locality have a further nuisance to complain of. The whistling proceeding from the trains going from and coming to the station as well as from the trains being shunted in the station compound is to be heard at all hours of the day and night, and is far from being an agreeable sound to the ears of the residents in the neighbourhood, who, particularly when they are sick and need a little quiet to aid them in their recovery, find that they are greatly disturbed by the nuisance complained of.

That the South Indian Railway Company having already taken up a portion of the Male Asylum Road, the value of property on that road has fallen, and your Grace's petitioners would also ask your Grace's consideration to the fact that the value of property in the locality has suffered additional deterioration by the closing of Jordan's road to the public.

That your Grace's petitioners having learnt that a further large portion of the Male Asylum Road, about 30 feet, is shortly to be taken up by the South Indian Railway Company, would humbly venture to submit that if this is permitted to be done the breadth of the road in question will be reduced to that of one of the narrow streets in Black Town.

That your Grace's petitioners have further learnt that the Government having pledged themselves to the Directors of the Civil Orphan Asylums to make over to them a portion of the said road in lieu of the piece of the Asylum ground taken up by the South Indian Railway Company, intend shortly to fulfil their promise. If this is done, it can have only one effect on the property owned by your Grace's petitioners and that is to reduce its value to almost nothing.

In No. 2240 ff/80

P.W. 749/80
61

D

(Copy)

Government of Madras
Public Works Department

1st May 1878. No. 403 R.
Railway

Read the following Paper:-
No. 8. Endorsement of the Consulting Engineer for Railways, dated Madras 8th March 1878 No. 109.

Petition from Mr. G. Jeremiah and others, to His Grace the Governor, dated 4th January 1878.

The houses* of the petitioners are situated to the South of the Engine shed of the South Indian Railway at Egmore; consequently when the wind is from the North or North-east, the smoke from engines lighting up in the shed causes some inconvenience, but this can be the case only for a few months in the year. It is not likely to be so bad in future, as the Company have now obtained a Stock of wood for lighting purposes, whereas coal has been hitherto used. At present the nuisance is aggravated by a small stationary engine at work in the shed; but when the smithy is built, a proper Stack will be provided for carrying off the smoke.

2. The whistling of engines has been to a great extent stopped, Locomotive Department having issued strict orders on this point. Whistling cannot be entirely avoided.

3. The inconvenience said to arise from the engine shed being roofed with grass cannot be great, and would hardly constitute a grievance at law. It is irremediable.

4. The Railway Company have not yet acquired any portion of the Male Asylum road; and all that it is proposed to make over to them is a strip measuring 173 x 6, in order to provide room for one line of rails to the South of the engine shed. This will not encroach on the roadway to any appreciable extent. It is true that the

*Marked 16 in plan No. 1,382.

In P.W. 749/80

Male Asylum road will cease to be a thorough-fare when the Asylum play ground is com-pleted, and there will be no direct access to the houses of the petitioners from the west. Easy communication will, however, exist either by Poonamallee and Rundall's roads, or by Pantheon and Hennett's roads. The land to be acquired by the Railway is shown on plan No. 1382.

5. The petitioners state that the buildings, if purchased, could be utilized by the Company, and this may possibly be the case. A ref-erence to the Agent on this point seems necessary. Quarters for twelve Drivers or have been built, but the houses referred to might perhaps be occupied by the Traffic Department, or by Workshop Store-men. If taken up by the Company, it might be possible to close the Asylum Road from the point where Hennett's road enters it, except to the Asylum being provided by a road through the compound of house No. 3, a small strip of which could be given up for this purpose.

(Signed) J. H. M. Shaw-Stewart,
Colonel, R. E.
Consulting Engineer for Railways.

Public Works Department, 1st May 1878 No. 403R.

No. 9. Order thereon, 1st May 1878 No. 403 R.

The petitioners will be informed that it has been decided to remove the Locomo-tive Workshops of the Southern Indian Railway Company to a distance from Madras; and that the Government have no intention of authorising any encroach-ment upon the width of the Male Asylum Road.

(True Extract)

(Signed) C. J. Smith, Major, R. E.
Offg. Joint Secy. to Govt. P.W.D.
Railway Branch

To the Petitioners
Consulting Engineer for Railway

P.W. 7918/80
5

III (Copy)

To

HIS GRACE THE DUKE OF BUCKINGHAM
AND CHANDOS, G. C. S. I., C. I. E.,
GOVERNOR OF MADRAS,
FORT SAINT GEORGE.

The humble Petition of the House-owners on the South of the Male Asylum Road, Egmore, Madras.

RESPECTFULLY AND HUMBLY SHEWETH,

1. That your Grace's Petitioners, thankfully acknowledging the consideration kindly given by your Grace to their petition, dated the 4th January 1878, venture once more to trouble your Grace on the subject of that petition, in the hope that your Grace, on the additional grounds now urged, will be pleased to grant the relief sought by your Petitioners at the hands of a just Government.

2. That the order of your Grace's Government, dated 1st May 1878, No. 403, led your Grace's Petitioners to believe that the Locomotive Workshops of the South Indian Railway Company would soon be removed to a distance from Madras, and that the Government would not authorise any further encroachment upon the Male Asylum Road. In fact, your Grace's Petitioners had cherished the hope that the grievance complained of by them as the owners of houses would be speedily removed.

3. That, however, your Grace's Petitioners, now, after the lapse of eight months, still find, with feelings of much disappointment and great regret, that the Locomotive Workshops and Engine sheds of the South Indian Railway Company continue to occupy the same position and that there is not the least sign of their being removed at any early date. That, in the meanwhile, the residents of the houses alluded to have suffered the greatest inconvenience and annoyance from the smoke proceeding from the engines while they are being got ready in the sheds.

4. That your Grace's Petitioners are therefore subjected to a nuisance, which your Grace's Petitioners feel, they have a right to seek the intervention of Government to have removed or remedied. That so long as the Locomotive Workshops and Engine sheds of the South Indian Railway Company remain where they now are, the value of the houses of your Petitioners must continue to suffer considerable deterioration, it being almost a matter of impossibility to get tenants to take the houses owing to the disagreeable smoke and incessant noise.

5. That, in addition to the smoke nuisance which in itself is sufficient to ruin the interests of your Grace's Petitioners as landed proprietors in the locality in question, your Grace's Petitioners have noticed, that, by a resolution of the Municipal Commissioners, adopted at a meeting held by them on the 18th December last, the portion of the Male Asylum Road skirting the Civil Orphan Asylums is to be closed at the request of the Consulting Engineer for Railways. That your Grace's Petitioners would humbly submit that the closing of this portion of the road cannot but operate most detrimentally on the value of their property, traffic and communication on the road being seriously affected by the resolution of the Municipality.

6. That your Grace's Petitioners, confidently relying on the terms of the G. O., dated 1st May 1878, No. 403, being adhered to in their integrity, are loth to believe that the Government will give their sanction to any measure involving a

Jne N° 2240 f/80

further encroachment on the Male Asylum Road, but, should the Government find themselves called upon to allow the resolution of the Municipality, your Grace's Petitioners would respectfully and humbly ask your Grace to say whether their case, taking into account the assurance they had received from Government is not one deserving of special consideration.

7. That your Petitioners feel that under Sections 227 to 230 of the Municipal Act V. of 1878, as per margin, they have a remedy against the Municipal Commissioners for the deterioration thus caused in the value of their houses, but as the land has been taken up for the purposes of the South Indian Railway Company, and as the houses of your Grace's Petitioners have already seriously suffered in value through the Railway Company, your Grace's Petitioners are impressed with the belief that the entire responsibility of the deterioration in value rests with the Railway Company and that relief should be sought from them.

227. The Commissioners may, with the sanction of the Governor in Council, lay out and make new streets, and may construct bridges and tunnels, and may turn, divert or close any public street, and may widen, lengthen, enlarge or otherwise improve any such street, making reasonable compensation to the owners and occupiers of any land, houses or buildings which are required for or affected by any such purposes.

Power to make and improve streets and close them, &c.

228. In laying out or forming a street, or in turning, diverting, widening, lengthening, enlarging or otherwise improving a street, the Commissioners may, in addition to the land necessary for such street and the footways thereof, purchase also the land necessary for the buildings to form or otherwise improve the said street, and may sell or lease such land on such terms and subject to such conditions as to the class and description of buildings to be erected thereon, as they think fit.

Power to take land adjoining new streets for building purposes.

229. The Commissioners may sell or lease any vacant ground, either by the side of a street or elsewhere, vested in them by this Act, for the purpose of being built upon, on such terms and subject to such conditions as to the class and description of buildings to be erected thereon as they think fit; or they may themselves erect buildings on any such land, and may lease the same on such terms as they think fit.

Power to sell or lease vacant ground for building purposes, or to erect buildings on such ground.

230. If any land be taken under the provisions of this Act, the Commissioners shall make compensation to the owner or occupier of any adjoining land or building for any direct or immediate damage done thereto by the taking of such land.

Compensation for damage to adjoining land or buildings.

8. That, under the foregoing circumstances, your Grace's Petitioners, making bold to rely on your Grace's sense of justice and right, are confident that your Grace will be pleased favorably to reconsider the request made by your Grace's Petitioners in their former petition, viz, that the South Indian Railway Company be called upon by the Government to take up the whole of the block of buildings from west to east on the south side of the Male Asylum Road giving each of your Grace's Petitioners a reasonable price for his or her property or valuing the property at the same rate as that at which the buildings on the north side of the same road had been taken up.

9. That, should it not be feasible for the Railway Company to take up the houses, your Petitioners leave it entirely to your Grace, having due regard to the loss your Grace's Petitioners have sustained and continue to sustain by the grievances complained of, to grant your Grace's Petitioners some compensation commensurate with the justice of their case.

For which act of justice, as in duty bound, your Grace's humble Petitioners,

SHALL EVER PRAY.

Egmore
3rd July, 1879.

(Signed) G. Devanneah & Sons.

P.W. 7918/80
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III

(Copy)

P. W. Dept.
3 March 1879

Read the following:- Petition from Mr. G. Jeremiah and others dated Egmore 3rd Feby. 1879. No. 252 R.

Endorsement

The Petitioners are informed that they are under a misapprehension in supposing that in G.O. dated 1st May 1878 No. 403 R. the Government intended to withdraw from their engagement to make over to the Male Asylum authorities that portion of the road which is included within the new play-ground. Further His Grace the Governor in Council sees no reason to modify the views expressed in para 3 of G.O. dated 15th April 1874 No. 984 A.

2. The Consulting Engineer for Railways will expedite the Submission of plans and estimates for the new workshops to be located at a distance from the Egmore Station. By which when the Machines at present used in the Egmore Shed shall have been removed, the present cause of annoyance will in the opinion of Government, be removed.

(By Order)

(Signed) C. J. Smith,
Major R. E.
Ag. Joint Secretary to Govt.
P. W. D. Railway Branch

To the Petitioners

In No. 2240 P/80

P.W. 791880
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I

(Copy)

Order 15th April 1874 No 984 A.

3. His Excellency the Governor in Council is of opinion that it will be unnecessary to supply the place of the present Asylum Road by the new one marked in the Survey or to take up the land between it and the Police Commissioner's Compound. The saving on these two items will amount to Rupees 45,000. His Excellency the Governor in Council is also not prepared to lay out a sum of Rupees 70,000 in widening the Poonamalle Road at the place numbered 5 in the Plan, when sufficient space may be obtained with little or no cost by a slight diversion of the line of Railway to the opposite side, which would involve the surrender of only a small portion of the Penitentiary enclosure. The proposed tramway from the Salt Golaurs to the Carnatic Goods' Station should not come in at this spot, but may be more conveniently taken through Vepery and turned in a southerly direction along the new road running past the Doveton College Compound and the Church Mission premises, or by Rundall's Road.

A slight modification of the line of Railway near the Goods shed also appears necessary. In the Survey the line is shown as being carried along the Centre of Jordan's Road and continued up to the Male Asylum Road, which is for the most part included within the station boundary. The inconvenience of closing up this road may be obviated by taking up the portion of land at the South-west corner of Saint Andrew's Church compound on which an out-house is now standing, and diverting the line of Railway in this direction, at the same

In No. 2240 ff 80 time

time curtailing the station boundaries to such an extent as will leave the Male Asylum Road untouched. The inclusion of this road, while adding little to the area of the station site, would depreciate the value of house property in the vicinity, and might give rise to claims to compensation which would prove costly to settle.

(True Extract)

(Signed) G. W. Walker
Colonel, R. E.
Secretary to Government

P.W. 7918/80
2

R. D.
8 DEC 80

R. Davidson Esqre C. S. I.
Chief Secretary to Government
Fort Saint George

Sir,

I beg to forward a Petition from myself and other House owners, (together with Copies of former Petitions and Orders passed thereon) to the address of His Grace the Governor, and shall thank you to be so good, as to lay the same before His Grace, as early as practicable.

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

G. Jeremiah

Egmore
Madras
8th December 1880

P.W.C. No. 7918

7

2240
8/12/80
9 pm
5 Encl.

To

HIS GRACE THE DUKE OF
BUCKINGHAM AND CHANDOS,
G. C. S. I., C. I. E.,
GOVERNOR OF MADRAS,
FORT ST. GEORGE.

The humble Petition of the House-owners on the South of the Male Asylum Road, Egmore, Madras.

RESPECTFULLY AND HUMBLY SHEWETH,

1. That Your Grace's Petitioners have thankfully to acknowledge the kind manner in which Your Grace dealt with their petitions, dated the 4th January 1878 and the 3rd February 1879, copies of which with the G.O.'s thereon they venture to submit to Your Grace for easy reference.

2. That the terms of G.O., dated 3rd March 1879, led Your Grace's Petitioners to hope that the nuisance complained of by them would be removed, by the Workshops of the South Indian Railway being shifted from their present position to a distance from Madras.

3. That Your Grace's Petitioners have, with regret, to submit that the nuisance complained of by them still exists, and is a source of much annoyance and discomfort.

4. That the smoke of the Engines in the compound of the South Indian Railway Station is so offensive to Your Grace's Petitioners, that owing to this discomfort, they have to keep the front portions of their houses completely shut, both during the day and at night.

5. That the location of the South Indian Railway Workshops and Engine Sheds in their present place is further a source of considerable disturbance ; the shrill sound, the whistling that continues off and on during the day and night and at a very early hour of morn, and the sounds occasioned when the Engines take in water and let out steam, being almost deafening and interfering with the proper slumbers and rest of Your Grace's Petitioners and of their families. That the nuisance complained of is especially felt when there is sickness in any of the houses alluded to above.

6. That for the reasons mentioned above, Your Grace's Petitioners find it very uncomfortable to live in houses which are their own property and, yet they are constrained to do so, knowing that, owing to the nuisance complained of it will be impossible for them to secure tenants for their houses, and that they can ill afford to take other houses, while their own houses are not rented.

7. That further the property of Your Grace's Petitioners has suffered very great depreciation in value, owing to the West side of the Male Asylum Road being closed to the public, and that this closing, has taken place to accommodate the South Indian Railway Company.

8. That Your Grace's Petitioners are confident that, taking all these facts into consideration, and looking at the great sources of annoyance and discomfort to which Your Grace's Petitioners are subject, Your Grace will see the justice, of directing that the South Indian Railway Company shall take over the houses of Your Grace's Petitioners, at such reasonable rates as may be fixed on them.

9. That if the nuisance is not to be of a permanent nature, but is to last for a short time only, it is humbly hoped that Your Grace will yet see the justice of directing, that the Railway Company should during such period, rent the houses of Your Grace's Petitioners for the residence of their officials, as Your Grace's Petitioners find it impossible to obtain tenants for the same, if they quit them themselves.

10. That Your Grace's Petitioners would crave it as a special favor, that Your Grace will be pleased to dispose of this Petition before Your Grace resigns the reins of your office as Governor of Madras, as Your Grace is so well acquainted with the facts of the case humbly submitted for Your Grace's re-consideration, and, also, as Your Grace has hitherto, as the G.O.'s already passed on the subject shew, been favorably disposed towards Your Grace's Petitioners.

11. That Your Grace's Petitioners lastly firmly hope to be excused for thus soliciting a re-consideration of their case as they feel certain that Your Grace will at once see that they are entitled to the redress they seek.

For which act of justice, as in duty bound, Your Grace's Petitioners,
Shall Ever Pray.

G. Jeremiah.
C. P. Hill.
E. Allan.

Male Asylum Road,
Egmore,
Madras, 8th December 1880.

P. W. 7918/80

State, that under the
terms of G. O of 3rd
March 1879, led them
to hope, that the nuisance
complained of by them
would be removed, by the
Workshops of the South
Indian Railway being
shifted from their pre-
sent position to a dis-
-tance from Madras;
but that the nuisance
still exists & is a source
of much annoyance and
discomfort; that further
their property has suffer-
-ed very great depreci-
-ation in value, owing to
the West side of
the Chale Asylum Road
being closed to the public
to accommodate the
South Indian Rail-
-way Company.

Pray, therefore,
that Govt may direct
the said Company to
take over the houses
of

of the petitioners at reason-
able rates; or to rent off
them, if the nuisance
be not of a permanent
nature, as petrs find
it impossible to obtain
tenants for the same,
if they themselves quit
those houses.

fo. 403 R. 1-5-78.
252 R. 3-3-79.

P.W.

Petition Department.

P. W. C. No. 7918

GOVERNMENT OF MADRAS.

PETITION No. 2240 OF 1880.

From Messrs G. Jeremiah C. P. Hill and E. Allan

Occupation House owners on the South of the Male Asylum Road

Village

Taluk Egmore

District Madras.

Dated 8th December 1880

Received 8th " "

Rec'd 15 " "

5 Enclosures.

SUBJECT.

About acquisition of their houses by the Railway Company

Petition No. 2240 of 1880.
from owners of houses adjoining the S. I. terminus in Egmore.

For orders.

With reference to para 2 of G.O. dated 3-3-79 No. 252 R, the undersigned has honour to explain that estimates for the new workshops have been prepared, and are now awaiting approval of the S. I. Board, before being submitted for sanction.

17-12-80

Papers Petitioners not entitled to the relief solicited in G.O. 3 March 1879

BPC

Recer 22/12 R 27/12
Cir. 17-12-80 R 24/12/80

His Grace the Gov.

Special

1R

No 1 R.

A/2

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 6th January 1881

Read the following :—

Petition from Messrs G. Jeremiah & P. Hill and C. Allan } (M & Ro 2240 d/8th Decr/80)

Not to hand

The Petitioners will be informed that Government adhere to the intention expressed in their order dated 3rd March 1879. The removal of the workshops to a distance from Egmore will be carried out as soon as possible.

2. The agent of the Company will be requested to expedite the submission of the necessary plans and estimates. It is to be regretted that there should have been so much delay

Rec 22.12 R. 22/12
Cir 17.12.80 d 21/12/80

delay in this matter.

Hon b. Middleton

22-12-80. Lls

To Sec Reference
Com Inquiry for Rpt

Desired
17-1-81

Ca 22.12. R. 27/12
Ma 11.1.81