

(1) Number of pages 26(2) Date of repair 13-5-42

(3) Initials of the Referencer \_\_\_\_\_

## MADRAS RECORD OFFICE.

Government of Madras.

*Pension* DEPARTMENT.

G.O. No.

161Press  
Mis.

Dated

21-21896Not to be folded or roughly handled

1a

---

21st FEBRUARY 1884, No. 161, PENSION.

---

GOVERNMENT OF MADRAS.

PENSION DEPARTMENT.

READ—the following paper :—

From L. KRISTNIENGAR, late District Court Sheristadar of Trichinopoly,  
dated 24th January 1884.

ABSTRACT.—Prays to direct the District Judge of Trichinopoly to prepare and transmit to Government, through the Accountant-General, a register of application recommending for him a half-pay pension.

ORDER—dated 21st February 1884, No. 161, Pension.

The District Judge will take the necessary steps for the submission to Government of the petitioner's claim to pension, and, with that view, will cause him to appear before the medical officer of the district.

2. The petitioner is referred to the District Judge, who has received orders in his case.

(True Extract.)

E. S. LAFFAN,  
*Ag. Under Secy. to Govt.*

To the District Judge, Trichinopoly.  
" Accountant-General.  
" Petitioner, by endorsement.

Exd. J. W. Fischer.

Proceedings of the District Court of  
Trichinopoly under date the 25<sup>th</sup> July 1881.

I much regret that Krish-  
= mungar the Sheristadar of this  
Court retires without pension.  
He has served 27 years in grades  
entitling him to pension, but, al-  
= though he suffers much from  
dyspepsia, which at times in-  
= pacitates him from doing his  
work, it would appear that the  
Medical officer would not and  
indeed I think he could not  
certify that Krishmungar is com-  
= pletely and permanently disquali-  
= fied for further service. At the  
same time Krishmungar feels  
that it is unsatisfactory to him-  
= self, and to the Judge, to be con-  
= stantly taking leave on Medical  
Certificate: and it is so. Krish-  
= mungar has been altogether un-  
= fortunate: a great number of  
years ago a then Judge was of  
opinion that his conduct as Sheristadar several  
years before had not been satisfactory.  
after that he completely regain-  
= ed the confidence of succeeding  
Judges, more than one of whom  
recorded opinions distinctly in  
favour of his being again made  
a

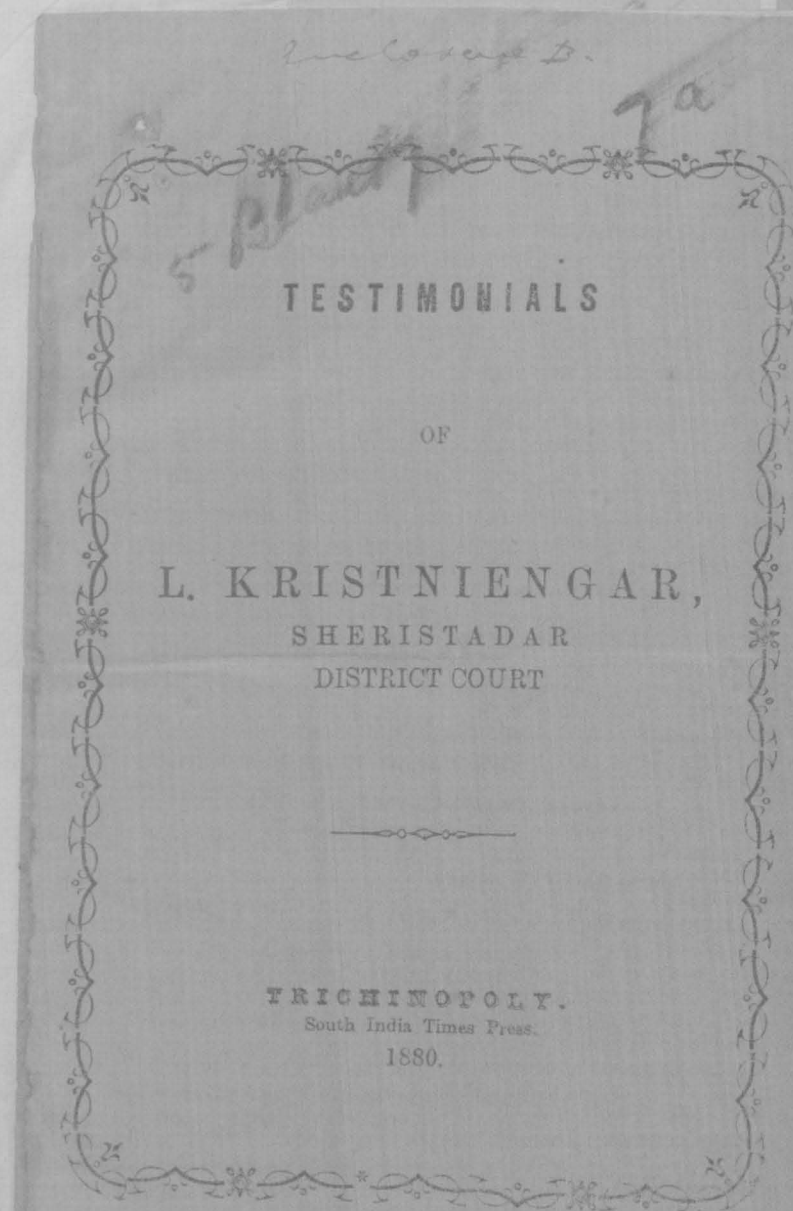
a District Munsiff. The High Court looking at his age and other circumstances finally (a year or so ago) negatived all hope of his being so employed, and it is not, of course, for me to suggest I do not incline to think - that they could have done otherwise. But I wish to record my own opinion that as Sheristadar his work was most efficient, and his conduct all that could be wished.

He intends now to practise as a Vakil in this Court: his acquaintance with legal practice ought here to stand him in good stead and I wish him success.

His resignation, tendered in his letter of the 25<sup>th</sup> Instant, is accepted, and will take effect on and from this day inclusive.

/ True Extract /

F. Braust.  
District Judge



No. 1

KRISTNIENGAR is a most useful, active and intelligent servant, he understands Civil and Criminal business well—and has always given me the greatest satisfaction. He possesses a Diploma.

12th March 1858.

(Signed) T. I. P. HARRIS,  
*Civil and Session Judge.*

No. 2

The 3rd class Munsiffship of Manamadura having become vacant, and L. Kristniengar, Head writer, of the Trichinopoly court being a candidate for the appointment, I have much pleasure in bearing testimony to his ability and assiduity. He holds a Diploma as a passed candidate, is smart, active, and intelligent, possesses a very good knowledge of English and of the Regulations circular orders, and rules of court, and would I doubt not perform the duties of Munsiff with much credit to himself and to the satisfaction of his superiors.

26th November 1858.

(Signed) R. G. CLARKE,  
*Acting Civil and Session Judge.*

No. 3

Extract from the list of Public servants, submitted by the Acting Civil Judge of Trichinopoly to the late Sadar Court as eligible for the Office of Deputy Collector.

L. KRISTNIENGAR. An Excellent Public servant Educated in the American Mission School Poodocottah, has obtained a Munsiff's Diploma, a very good knowledge of

English, Tamil, and Telugu, and also colloquial knowledge of Hindustani and Canarese, temper good and patient, of steady regular habits, sharp, active, and persevering and anxious to discharge his duties uprightly and conscientiously.

8th December 1859.

(Signed) R. G. CLARKE,  
Acting Civil and Session Judge.

No. 4

Copy of a letter from Mr. R. G. Clarke, to Mr. R. R. Cotton, Civil Judge of Madura.

MY DEAR COTTON.

I see by the Gazette received yesterday that you are to lose Muthusami Chetty. The Shevaganga Munsifship will become vacant and my object in writing these few lines is to bring favorably to your notice my Sheristadar Kristniengar, who is very anxious to be Muthusamy's successor.

Kristniengar is a very sharp clever man, he is a passed candidate of 1856, is thoroughly acquainted with the regulations, circular orders, and practice of court, and I believe you would find him to be a really valuable man to supply Muthusamy's place. I have now known Kristniengar more than two years and can speak to his having uprightly, conscientiously and ably performed all his duties.

He will forward for your inspection his various testimonials and Memo. of Service.

If you can forward Kristniengar's views, I feel sure that he will give you satisfaction and you will greatly oblige.

Your's very Sincerely,  
(Signed) R. G. CLARKE,

19th March 1860.

No. 5

Reply of Mr. R. R. Cotton

Madura, March 21st 1860.

MY DEAR CLARKE.

Thanks for your note enclosed by your Sheristadar in his application for Shevaganga. I have already offered the appointment to one Andrew Strinevassa, a converted Brahmin, late Translator in the Foujdaree Court, and now Acting Munsiff, if not confirmed in Sholangar, North Arcot. I must get his reply before I can decide the matter. As you may imagine, I have had plenty of applications, among them, one from Appavier Head writer, in the Principal Sudar Amins Court. My own Sheristadar and T. Muthusamy are also in the field, but, as you give your Sheristadar such a character for *honesty*, you may rely that I will not overlook him when I take the matter into consideration.

\* \* \* \* \*

Please let Kristniengar know that I have received his application which shall be considered with others, and, if I don't appoint now, I will keep him in mind.

Your's very Sincerely,  
(Signed) R. R. COTTON,

## No. 6

L. KRISTNIENGAR SHERISTADAR. I have the greatest pleasure in testifying to the value of this Government Servant. In him are united good abilities and untiring zeal in the discharge of duty. His knowledge of the English language is excellent, and he possesses a thorough acquaintance with the Regulations and Circular orders as well as the Rules and practice of court, and I trust he may soon obtain promotion to the position of a District Munsiff or Deputy Collector for the important duties of which he is well fitted both in respect to ability and character.

16th April 1860.

(Signed) R. G. CLARKE,  
*Acting Civil and Session Judge.*

## No. 7

Extract from a letter addressed by the Civil Judge of Trichinopoly to the Sadar Court dated 24th Oct 1860.

If the Judges consider him (Mr. Rebeiro) disqualified for the appointment (2nd class Munsiffship) owing to his not being a passed candidate, I would strongly recommend L. Kristniengar, the Sheristadar of my Court, he is a passed candidate and well fitted for the post in every way. I have the greatest confidence in him, and he possesses talents and abilities of the highest order.

(Signed) T. I. P. HARRIS,  
*Civil Judge.*

## No. 8

Trichinopoly 27th February 1866.

KRISTNIENGAR,

Before I leave Trichinopoly for good, it gives me the greatest pleasure to certify that ever since I have known you, a period of nearly 13 years, you have given the highest satisfaction both as Sheristadar and as District Munsiff—I have little doubt that you have passed at the last Special Test Examination and you will then as a matter of course be confirmed in your present post.

I shall be very glad to hear that you are promoted ere long to a first class Munsiffship, and, if talents and integrity and assiduity deserve reward, you are most fairly entitled to a selection for a 1st class Munsiffship.

I shall be always glad to hear of your welfare and success.

Your's faithfully,

(Signed) T. I. P. HARRIS.

## No. 9

Tranquebar, 5th April 1866.

KRISTNIENGAR,

Before the receipt of your letter I had seen your name among the successful candidates for the Special Test Examination and had rejoiced over your good fortune. Of course you will now be confirmed in your appointment of Coanad Munsiff. Accept my best thanks for your welcome letter announcing the fact. May you go on and prosper and very speedily obtain promotion.

I am sorry to tell you that some days before I learnt that you had passed the required examination; my reply

to the High Court's requisition touching officers qualified for promotion to 1st Class Munsiff had been despatched, and I am unable, therefore, on this occasion to be of service to you but you will not be forgotten should another opportunity occur.

Work hard, and prove to your country men that your only wish is to do true and impartial justice to them. I never yet knew an instance in which a consistent persevering course of strictly upright behaviour failed to be appreciated and to meet its just reward.

Offering you my hearty congratulations on the happy result of your late examination and with every kind and good wish for your future prosperity and well being.

I am

Your friend and well wisher,

(Signed) R. G. CLARKE,

No. 10

Coimbatore, 18th October 1870.

\* KRISTNIENGAR.

I got your application the other day and should indeed be glad to get you as a District Munsiff in this District. I cannot, however, offer you the Erode Court as the Oodumalaipetta Munsiff has begged to be transferred there, and the Collegal Munsiff to be moved down from that place. If however you are willing to go to Collegal, I will recommend you with pleasure to the High Court. Let me know by return of post. Collegal is not a very nice place, being so out of the way, but it might be worth your while to take that court in order to get a

footing again as District Munsiff. Think over it, and let me know at once.

Your's faithfully,

(Signed) F. M. KINDERSLEY,

No. 11

L. KRISTNIENGAR was Sheristadar when I assumed charge of the Civil Court of Trichinopoly in 1867, and he has continued to hold that appointment ever since. Before leaving the Trichinopoly District for Ganjam, I am glad to be able to place on record the high opinion which I entertain of L. KRISTNIENGAR's character and abilities. The latter are of a very high order and I look up L. KRISTNIENGAR as a most able and efficient public servant. On no occasion during the many years he has served under me have I ever had reason to doubt his honesty or integrity, and I have invariably found him to be most regular and attentive to his duties.

20th February 1872.

(Signed) R. DAVIDSON.

No. 12

L. KRISTNIENGAR has made himself extremely useful. I am happy to add mine to the previous favorable opinions on record. He would make an excellent District Munsiff.

25th August 1877.

(Signed) H. J. STOKES,

Acting District Judge.

I am very sorry that circumstances which occurred long before I joined this District should always have stood in his way. KRISTNIENGAR is quite fit for promotion. He has been Sheristadar of the court in the whole four and half years during which I have presided, and my opinion is that he has done his work extremely well. With the long experience he has had he must have the duties of a Munsiff at his fingers ends. I shall be very glad to hear that he is made a Munsiff though his appointment would be a great loss to the District Court.

(Signed) E. F. WEBSTER.

1st April 1878.

*True Copy*

*Shintan*

Enclosure C-



Sheridan.

I will grant you sick leave  
on the strength of the certificate  
you have sent, on the under-  
standing that you will as soon  
as you can without distress  
and real inconvenience  
see Dr. Thomas. I wish  
this with reference to  
the probability of your having  
to appear before the  
Medical Board.

11.2  
I have no objection whatever  
to your appearing before  
a Board as I understood  
from Dr. Thomas that he  
would have given you a  
medical certificate  
on a former occasion.

I am  
Yr. faithfully

Wednesday  
2.2.81.

J. Brandt.



Such. Whenever you can  
Come & see me.

I hardly think it  
would be right to say  
that you are unfit  
until I had tried  
to know how.

Yours faithfully

M. D. G. J. Thomas  
Kistnaggar  
Kistnaggar

Enclosure E

152

Kistnaggar.

I don't recollect the exact  
day on which your leave  
expires, but before it expires  
you must obtain from Dr.  
Thomas, a certificate  
~~either~~ that you are fit to  
return to duty, or a  
certificate granting you  
extension of leave, for  
such time as he considers  
necessary, or on

179  
Certificate of unfitness for  
any further service -

I have of course no objection  
to his granting the latter -  
indeed it would be his duty  
to grant it - if he is satis-  
fied that you are incapaci-  
tated for further service  
in consequence of ill health.

I am yours faithfully

25.2.81. *W. Brandt*  
District Judge

Enclosure F

M. R. R. Krishna Rao.

I must leave the matter  
almost if not entirely in  
Dr. Thomas' hands - but  
I agree with him that it  
is undesirable that you  
shd again have short  
leave just before the vacation  
commences -

Yours faithfully

26. 2. 21. J. Brand

460  
3 219

TO  
HIS EXCELLENCY  
THE GOVERNOR IN COUNCIL  
MADRAS.

*The humble Petition of L. Kristniengar late  
District Court Sheristadar of Trichinopoly.*

RESPECTFULLY SHOWETH,

That Your Excellency's humble Petitioner was in Government Service for 28 years, 2 months and 6 days, from 19th May 1853 to 24th July 1881, of which 27 years, 1 month and 6 days count for pension, the remaining 1 year and 1 month being the period he was absent on sick leave, &c. The enclosure A, his Service Register, and the enclosure B, printed copies of the Testimonials of character and qualification granted him by the several Judges he served under, will show the various appointments he held and the manner in which he discharged his duties. Notwithstanding such long and approved service, Petitioner was so unfortunate as to be obliged to resign his service without pension.

2. That the circumstances, under which Petitioner was obliged to resign without pension, are briefly these. During the latter part of his service commencing from October 1877, Petitioner became subject to dyspepsia, and from that time he was obliged to take leave frequently on medical certificate up to the end of 1880. In February 1881, as he became very ill owing to the same disease, he determined to retire on an invalid pension, and with that view he applied for one month's leave under a certificate granted by a Civil Hospital Assistant. The District Judge, Mr. Brandt, in granting leave wrote to Petitioner as follows.

“SHERISTADAR,

“I will grant you sick leave on the strength of the certificate you have sent, on the understanding that you will, as soon as you can, without distress and real inconvenience, see Dr. Thomas. I wish this with reference to the probability of your having to appear before the Medical Board. I have no objection whatever to your appearing before a Board as I understood from Dr. Thomas that he would have given you a medical certificate on a former occasion. ✓

“2—2—81.”

(Signed) “F. BRANDT.”

3. That, before the end of the one month's leave, Petitioner requested Dr. Thomas to place him before a Medical Committee to examine him as to his physical fitness for further service, but he suggested, after consultation with Mr. Brandt, that Petitioner should take six months' leave, as will appear from the following letters.

2  
*Dr. Thomas, Letter to Petitioner.*

20TH FEBRUARY 1881.

"Sir

"I have spoken about your case to Mr. Brandt and he concurs with me in thinking that a long leave, say for (6) six months, is preferable to a short one, and I shall be prepared to recommend such whenever you can come and see me. I hardly think it would be right to say that you are permanently unfit until I had tried six months' leave.

(Signed) "J. B. THOMAS."

*Mr. Brandt's letters to Petitioner.*

"KRISHNIENGAR,

"I don't recollect the exact day on which your leave expires, but before it expires, you must obtain from Dr. Thomas a certificate that you are fit to return to duty, or a certificate granting you extension of leave for such time as he considers necessary, or a certificate of unfitness for any further service. I have of course no objection to his granting the latter—indeed it would be his duty to grant it, if he is satisfied that you are incapacitated for further service in consequence of ill health."

"25—2—81."

(Signed) "F. BRANDT."

"M. R. Ry. KRISHNIENGAR,

"I must leave the matter almost, if not entirely, in Dr. Thomas' hands—but I agree with him that it is undesirable that you should again have short leave just before the vacation commences.

"26—2—81."

(Signed) "F. BRANDT."

4. That Petitioner accordingly obtained five months' leave from 1st March 1881, and before the end of the leave, he again asked Dr. Thomas to place him before a Medical Committee. He then raised various difficulties to convening a Medical Committee and at last said that he could not certify to Petitioner's permanent incapacity for further service, and as for recommending for a further extension of leave, he would consider and inform Petitioner. Petitioner was then suffering very severely from dyspeptic pain, was hardly able to take one meal a day and was very weak and unable to attend to his duties. Mr. Brandt felt it inconvenient and Petitioner himself considered it unsatisfactory that he should be constantly applying for leave. Under such circumstances, Petitioner was driven to resign his post of Sheristadar without pension and become a Vakil in view to earn something for his maintenance. The Judge, Mr. Brandt, recorded the following proceedings in accepting Petitioner's resignation. It will not only support Petitioner's statement but also will show that he was forced, by circumstances over which he had no control, to resign his Government Service within the end of the five months' leave he had last taken.

3  
"Proceedings of the District Court of Trichinopoly under date the "25th July 1881."

"I much regret that Krishniengar, the Sheristadar of this Court, retires without pension. He has served 27 years in grades entitling him to pension, but, although he suffers much from dyspepsia, which at times incapacitates him from doing his work, it would appear that the Medical Officer would not—and indeed I think he could not—certify that Krishniengar is completely and permanently disqualified for further service. At the same time, Krishniengar feels that it is unsatisfactory to himself and to the Judge to be constantly taking leave on medical certificate: and it is so. Krishniengar has been altogether unfortunate: a great number of years ago, a then Judge was of opinion that his conduct as Sheristadar several years before had not been satisfactory. After that he completely regained the confidence of succeeding Judges, more than one of whom recorded opinions distinctly in favour of his being again made a District Munsiff. The High Court looking at his age and other circumstances finally (a year or so ago) negatived all hope of his being so employed, and it is not, of course, for me to suggest—I do not incline to think—that they could have done otherwise. But I wish to record my own opinion that as Sheristadar his work was most efficient, and his conduct all that could be wished.

"He intends now to practise as a Vakil in this Court: his acquaintance with legal practice ought here to stand him in good stead, and I wish him success.

"His resignation tendered in his letter of the 23rd Instant is accepted, and will take effect on and from this day inclusive.

"(True extract)

(Signed) "F. BRANDT,"

"District Judge."

5. That, as stated before, Petitioner had, on the date of his resignation, served for 28 years, 2 months and 6 days, of which, 27 years, 1 month and 6 days counted for pension. Under the Civil Pension Rules, he would have been entitled to an invalid pension of Rs. 63-5-3 per month on the average salary drawn by him during the previous five years, if he had produced a medical certificate of unfitness for further service. But Dr. Thomas, who had once said that he could have given such a certificate as mentioned in Mr. Brandt's letter printed in para 2 of this Petition, did not properly consider Petitioner's case subsequently and refused to grant a certificate of unfitness when Petitioner was entitled to it by protracted illness. There was also difficulty in getting further extension of leave. Petitioner's health was then in such a shattered and miserable state that he was utterly unable to take further steps to get himself examined by a Medical Committee and secure the pension to which he was entitled by a long and faithful service. Thus forced by misfortune on every side, Petitioner was obliged to resign the service without pension. He regrets to state that his dyspeptic complaint has not left him yet, and that it has prevented him from attending regularly even to the duties of a Vakil and earning something for his maintenance.

6. That Petitioner is not now on the establishment of Trichinopoly District Court as a public servant and therefore he has presumed to lay his unfortunate case directly before Your Excellency in Council for favorable consideration and orders.

7. That in conclusion Petitioner most respectfully begs that, in consideration of the foregoing circumstances of his hard case and of his long and faithful service of 28 years and odd as certified by several eminent Judges in the testimonials of character and qualification (vide enclosure B), Your Excellency in Council will be graciously pleased to direct a Medical Committee to examine Petitioner as to his physical incapacity for further service, or if necessary to direct the present District Judge of Trichinopoly to take the necessary steps in Petitioner's case and submit his application for pension to Your Excellency in Council through the Accountant General in due course and to sanction the grant of such pension as may be due to him under the Civil Pension Code.

For which act of kindness, Petitioner shall, as in duty bound,

EVER PRAY.

Triflicana }  
Chadras. }  
24<sup>th</sup> January 1884 }

Thiruvananthapuram  
late Mr. S. S. S. S. S.  
Trichinopoly

late Saurashtra. St. Court.  
Trichinopoly

For order.  
Petitioner has served over 27 years for pension but has suffered much from ill-health, necessitating constant sick leave since October 1877. Being however unable to obtain from the St. Surgeon a certificate of permanent incapacity, he was as he was driven to resign his post in July 1881 in the hope of practising as a doctor, which however his health has not permitted him to do. His reason for resigning was that his constant taking leave was inconvenient to Mr. Barrow the St. Judge, (an opinion Mr. Barrow also expresses in his proceedings accepting the resignation) & he himself felt it to be unsatisfactory. He now asks for pension & suggested that the St. Judge will take the necessary steps for the submission to Govt. of the petitioner's claim to pension, & with that view will cause him to appear before the medical officer of the district. 2. The pet. is referred to the St. Judge who has received orders in his case.

Pension (1884) DEPARTMENT.

No 40

From L. Kristningar  
late Dist. Court. Sheristah  
of Trichinopoly  
No.

Dated 24<sup>th</sup> } Jan'y/84  
Received 25<sup>th</sup> }  
Enclosures 7. Enclosures.

SUBJECT.

Mr. Pray to direct the District Judge of Trichinopoly to prepare & transmit to Govt., thro the Accountant Genl., a register of application recommending for him for a 1/2 pay pension for to direct the Med. Officer to examine him.

With order

To the District Judge, Trichinopoly  
Department of  
Pensions &...

24/10/84  
R. 16/2