

(1) Number of pages 30
(2) Date of repair 3-5-42
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 308-A

Press
Mis.

Dated 25 4

1884 .

Not to be folded or roughly handled

17
25TH APRIL 1884, No. 308-A, PENSION.

PENSION DEPARTMENT.

LETTER—to

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

MY LORD,

We have the honor to transmit a memorial from one Kurupeth Kelu Menon, appealing against the orders of this Government in which we have declined to grant him the pension to which, under ordinary circumstances, his service would have given him a claim. The facts of the memorialist's case were as follows:—

Two documents were produced by him in evidence in a civil suit, to which he was a party, on the file of the district munsif of Ernád, Malabar district. The munsif found them to be impudent forgeries and, on appeal to the district court, the District Judge held the same opinion. The memorialist had then recently retired from the public service, and, in submitting his application for a pension, the Collector of the district brought the facts above stated to the notice of this Government. It was accordingly resolved in G.O., 7th May 1879, No. 211, to suspend the grant of pension in the memorialist's case pending further orders, to be passed when the result of his criminal prosecution, which had been ordered by the civil court, was known. When, however, a warrant was issued for his arrest, he evaded it and was not found for about three-and-a-half years, when he surrendered himself to the police, certain persons whose evidence would have been material against him having died in the interval. The finding of the criminal court was that although from the probabilities of the case there might be reason to regard the documents as forgeries, yet the proof that they were so was not sufficiently clear for criminal purposes, and the memorialist was accordingly acquitted. The result of the trial was reported to this Government by the Collector of the district and, having regard to the circumstances under which it took place, to the memorialist's flight and self-concealment, and to the strongly-expressed opinions of the civil tribunals, it was resolved in G.O., 15th December 1882, No. 1235, to decline finally to grant the memorialist any pension. This order was communicated

25TH APRIL 1884, No. 308-A, PENSION.

to the Collector to whom the petitioner was referred, and it is against this order that he appeals. Under the circumstances stated, we have no recommendation to make in the memorialist's behalf.

We have the honor to be,
My Lord,
Your Lordship's most obedient, humble servants,

(Signed) M. E. GRANT DUFF.
(") FRED. ROBERTS.
(") H. E. SULLIVAN.
(") C. G. MASTER.

OOTACAMUND,
25th April 1884.

ANNEXURE.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

The humble memorial of KURUPETH KELU MENON, late fourth gumastah in the Wala-wanád taluk in the district of Malabar.

MOST RESPECTFULLY SHOWETH,—That your Lordship's humble memorialist most respectfully begs leave to appeal against the orders of the Government of Madras, Nos. 522, dated 14th June 1883, and 1006, dated 7th November 1883. Copies of the said orders and all the records appertaining to the case are herewith submitted for your Lordship's favorable consideration.

2. That the Government of Madras has, on the recommendation of the Collector of Malabar to allow him a pension of Rs. 5 in consideration of his long services, extending over a period of 36 years, sanctioned the same, pension being calculated from the 16th of October 1878.

3. That the pension kindly sanctioned by Government has not as yet been drawn by your memorialist, who regrets to submit that the pension has been withheld on no sufficiently cogent grounds.

4. That at the time when the said pension was passed by Government your Lordship's humble memorialist was on a pilgrimage to Benares and other sacred places, and that by the time of his return he was suspected of having been implicated in a criminal case before the Sessions Court, Calicut, which authority, agreeing with the assessors, acquitted him—a clear proof of his innocence in the matter—a proof which could in no way go against your memorialist. A printed copy of the judgment of the Court of Session is herewith submitted for your Lordship's kind perusal.

5. That subsequent to his return from his pilgrimage, he applied to the Collector to grant him the pension to which he has been pronounced entitled by Government; that the Special Assistant Collector, on being referred to in the matter of his application to the Collector for pension, made some unfavorable remarks about your memorialist, which were blindly credited by his official superior.

6. That the Government of Madras, relying on the Collector's letter, withheld the once sanctioned pension, and that the Collector has refused your memorialist copies of the above letters; that a copy of the order of the Collector refusing to grant them has been appended to this; and that your Lordship is fully aware that your humble memorialist cannot afford any explanation in the absence of any records impugning his conduct.

7. That the facts of his having been recommended by the Collector for pension and of the passing thereof go very clearly to show that your memorialist has been considered worthy of the same.

8. That your Lordship will observe that it will be hard upon your memorialist, who has had 37 years' service in the employ of Government, an old man, now hardly able to maintain himself and his large family by bodily exertions, to find himself debarred from enjoying the pension which he has earned by right lawful means.

9. That, in these circumstances, your Lordship's humble memorialist most humbly and respectfully solicits your Lordship to peruse the records connected with his case with the attention which it so richly deserves and to be pleased to allow him the pension to which his meritorious services of 36 years have entitled him, for which act of kindness and benevolence your memorialist shall, as in duty bound, ever pray.

21st December 1883.

കെ.കു. മെനോൻ

FORT SAINT GEORGE.

PENSION (1884) DEPARTMENT.

LETTER to the Right Honorable
the Secretary of State for
India.

Dated 25th April,

No. 308-A of 1884.

Forwarding memorial from K. Kelu Menon, late
gumastah, Walawanád taluk, Malabar district,
appealing against the orders of this Government
declining, for certain reasons, to grant the pension
which he would, under ordinary circumstances, be
entitled to.

25TH APRIL 1884, No. 308-B, PENSION.

PENSION DEPARTMENT.

LETTER—from

THE SECRETARY TO THE GOVERNMENT

OF FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

DEPARTMENT OF FINANCE AND COMMERCE.

SIR,

I am directed by the Right Honorable the Governor in Council to submit, for
transmission to the Right Honorable the Secretary of State, the accompanying

*Dated 25th April 1884, No. 308-A.

despatch * civil cover to a memorial
from K. Kelu Menon, late gumastah,

Walawanád taluk, Malabar district, appealing against the order of this Government
declining to grant him any retiring allowance.

I have the honor to be,

Sir,

Your most obedient servant,

Handwritten signature

OOTACAMUND,
25th April 1884.

Secretary to Government.

Exd. J. Wright.

*copy wrapped sent by Mrs. Loffan
+ got signed by the Govt. office. The right copy signed by Mr. Stokes was
sent to India. 12/5*

1884.

PENSION DEPARTMENT.

From the Government of
Fort St. George.

Issued

Recd.

Encl.

Letter, 25th April 1884, No. 308-B.

APRIL.

Memorial.

Requesting transmission to the Right Honorable the Secretary of State for India, the enclosed despatch forwarding — from K. Kelu Menon, late gumastah, Walawanád taluk, Malabar district.

N^o. 16 of 84

NOTE FOR THE SECRETARY.

Memorial Rules.

"The Memorials may be transmitted either in MS. or in print, but must, with all accompanying documents, be properly authenticated, by the signature of the memorialist on each sheet."

E. J. B.

PETITION from *Kurupetto Kulu*
Neuon

Dated *27th Decr* 1883.

Handwritten text in Devanagari script, likely the body of the petition.

TRANSFERRED to the Chief Secretary to Govern-
ment for disposal.

(By Order.)

A. Awdry.

Captain, R.E.,
Private Secretary.

GOVERNMENT HOUSE
Gandys Park
Ootacamund,
7th January 1884

Co. No. 1066 of 7-11-83.

Pension (1883) DEPARTMENT.

No. 16

From

THE PRIVATE SECRETARY

TO THE RIGHT HON. THE GOVERNOR,

To

THE CHIEF SECRETARY TO GOVERNMENT,

DEPARTMENT.

Endorsement No. 11

"VIII. Memorials may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet."

Dated

Recd. 12th

7th January 1884

For. Secy. (By order)

29th January 1884
12th Jan 29-1-84

S. J. P. P.

Ag. Under Secretary

ENCLOSURE.

No. 7

Subject.

Transfers a petition from Herapetto
Nehru Menon praying that
the enclosed petition may
be forwarded to the Secretary
of State for India

Memorial Rule VIII.

Sold
what is rule VIII. 19.1.84
With Endorsement

Pens^{rs} (1884) DEPARTMENT.

N^o 280

From

K. Kulu Menon

Occupation

Cati Li Gummali

Village

Walluvanad

Taluk

Malabar

District

Dated 16th March/84

Received 20 — — — —

Enclosures - 8.

SUBJECT.

Submits the enclosures
this Memorial duly
signed as required.

With order

For

Order. 25 April/84 308.

Order that the memorial
be forwarded and that
~~the~~ the memorialist
be informed of its
despatch.

W

(H. E.)

W

To

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His Excellency

The Governor in Council

Fort Saint George

Madras.

The humble petition of
Kunupath Kulu Menon late
1st Gunasta in the Walluvanad
Taluk, Malabar District
most respectfully shows that

1. That the petitioner begs
to acknowledge the receipt of
the endorsement dated 29th January
1884 No 11 together with its enclosures
on the 11th Inst. and

2. As directed in the above
order the petitioner begs to
submit herein enclosed all
the papers duly authenticated
by him.

3. That the petitioner further
begs to bring to the benign con-
sideration that the petitioner
was ordered to retire from
the Service not as back as 1878
and during his long service
in the department he was
drawing only a small
pay which was scarcely

scarcely sufficient to maintain
himself and his family and
was not able to save anything
to help him in his old age -

Therefore the petitioner
most humbly and respectfully
prays that an order may be
passed so as to enable him
to draw his pension as early
as possible. For which act
of kindness the petitioner
shall as in duty bound.

Ever pray

K. Kulu Menon

Walluvanad 3
16th March 1884

To,

HIS EXCELLENCY

THE GOVERNOR IN COUNCIL,

FORT ST. GEORGE,

Madras.

The humble petition of Kurupeth Kulu Menon, late
4th. Gumasta in the Walluvanad Taluk in the District
of Malabar.

Most Respectfully Sheweth,

That your Excellency's humble Petitioner most respectfully begs to submit here-
with a memorial to the Secretary of State for India accompanied with other papers.

That Petitioner first humbly requests your Excellency to kindly go through
the records and pass a favorable order thereon.

That if Petitioner is not fortunate enough to enjoy the kind consideration of
Government, he requests your Excellency in Council to forward the enclosed mem-
orial and the papers to the Secretary of State with your Excellency's recommenda-
tion. For which act of kindness and justice Petitioner, shall as in duty bound.

Ever Pray.

21st December. 1883.

Handwritten signature in Malayalam script.

No 308 A.

^{Pension}
Revenue Dept.
To The Secretary of State for
India.

My Lord. /.

We have the honor to transmit a memorial from one Kurupath Kalar known as -
protesting against the orders
of this Govt in which we
have declined to grant him
the pension to which under
ordinary circumstances his
service would have given him
a claim. The facts of the
memorialist's case were as
follows: -

Two documents were pro-
duced by him in evidence
in a civil suit, to which he
was a party, on the file of
the district munsiff of
Ernad - Malabar District.
The munsiff found them to
be impudent forgeries and,
on appeal to the district court,
the district judge held the
same opinion. The memo-
rialist had then recently re-
tired from the public ser-
vice and in submitting his
application for a pension the
collector of the district brought

W. H.
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the facts above stated to
the notice of this Court. It
was accordingly resolved in
C.O. 7th May 1879. no 266 to
suspend the grant of pension
in the memorialist's case
pending further orders, to
be passed when the result
of his criminal prosecution,
which had been ordered
by the civil court, was
known. When, however, a
warrant was issued for his
arrest, he evaded it and
was not found for about
three and a half years,
when he surrendered him-
self to the police, certain
persons whose evidence would
have been material against
him having died in the
interval. The finding of the
criminal court was that
although from the proba-
bilities of the case there
might be reason to regard
the documents as forgeries,
yet the proof that they
were so was not sufficient
for criminal purposes,
and the memorialist was

accordingly acquitted. The
result of the trial was reported
to this Court by the Colr. of
the district and, having regard
to the circumstances under
which it took place, to
the memorialist's flight and
self-concealment, and to
the strongly expressed opinions
of the civil tribunals, it was
resolved in C.O. 15th Decr.
1882. no 1235 to decline
finally to grant the memo-
rialist any pension. This
~~was~~ ~~order~~ ~~was~~
order was communicated to
the Colr. to whom the pet.
was referred, and it is a-
gainst this order that he
appeals. Under the cir-
cumstances stated we have
no recommendation to make
in the memorialist's behalf

Cotnamund
25 April 1884

1884 12-5-84

Let (memorialist in answer)

250 p. 100

22-5-84
W. J. 22-5-84

PRESS.

72-1142/84

Pension DEPARTMENT.

G.O. DATED 25 April/84

No. 308 A.

First copy sent to Press.

Returned for signature.

Despatched in print. 12/5.

[Despatch Abstract.]

Memorial

Forwarding — from
 K. Kellu Menon, late
 Gymnastah, Walluvanad
 Talug, Malabar, ^{district} ap:
 appealing against the
 orders of this Govt. declin-
 ing, for certain reasons,
 to grant the pens, which
 he would under ordinary
 circumstances be entitled
 to.

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Pension DEPARTMENT.

No. 308/B.

To

The Secretary to the Government

of India,

DEPARTMENT of Finance
and Commerce

Sir,

I am directed by the
 Right Honorable the Governor in
 Council to submit for transmission
 to the Right Honorable the
 Secretary of State the accompanying
 despatches giving cover to a
 memorial from K. Kellu Menon,
 late Gymnastah, Walluvanad
 Talug, Malabar District, —
 appealing against the order of
 this Government declining to grant
 him any retiring allowance, on
 the ground that he had been
 guilty of forgery. —

2 The circumstances of this
 case are set out in G. O. 7th
 May 1879 N^o 211 and 15th Decr 82
 N^o 1235 Copies of which are
 forwarded herewith and I am
 only to add that they were
 fully considered when the mem-
 orialists case was disposed of
 and

dy 25/4/84 to 308 A.

Colacannund
 25 April/84

Wpd 12-5-84

15 copies

and that the Right Honorable
the Governor in Council has
no recommendation to make
on the Memorialists behalf.

W. C.

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DEPARTMENT.

No.

To

The Secretary to the
Government of

Department.

Dated

187 .

[1]

W. S. S. S.
25/4.

PRESS.

Pers: DEPARTMENT.

G.O. DATED 25 April 184

No. 308 B.

1842-12-7/4

72:1142484

First copy sent to Press. 25/4.

Returned for signature.

Despatched in print.

[Despatch Abstract.]

Memorial

Requesting to trans:
mission to the Right Hon:
the Secy: of State for India
the enclosed despatch
forwarding — from K.
Keludumun Cati ^{Taling}
Gumastuk, Walluvana ^{Taling}
Malabar district.