M.R.O. 1—43,400—23-11-60.

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.	Press Mis.
Dated	

Not to be folded or roughly handled

Proceedings of the High Court of Judicature at Madras 14th May 1869.

Read Petition dated 23rd April 1869 from S. M. Narasimhulu Naidoo late District Moonsiff of Shevagunga, praying for a reconsideration of the orders of the High Court passed in his case on the 29th January 1869.

In their proceedings of 29th January 1869 the High Court directed that S. M. Narasimhulu Naidoo do be called upon to shew on such petition as the Government might think proper to allow him why considered that the orders already passed in his case dismissing him from appearing and Costs should not be reconsidered & the case Dismissed with Costs & that he should be called upon to shew cause on such petition as the Government might think proper to allow him why considered that the orders already passed in his case dismissing him from appearing and Costs should not be reconsidered & the case Dismissed with Costs & that he may be entitled to a

petition

pension Equivalent to half his pay as District Munsif, or at least that he may be allowed to complete 25 years service, to entitle him to a pension Equivalent to one third of his pay for the last five years.

2. The High Court are prepared to view his last request favorably, and they accordingly direct that the order of the late Civil Judge suspending Arunachellen Naidoo on 12th August 1868 be modified and that he be considered to have held office as District Munsif of Shevagunga until the date on which his successor was appointed viz 24th June 1868. The object of this order is to entitle Arunachellen Naidoo to draw pay during the period between 12th August & 24th December 1868.

/True Extract/
/signed/ H. Bregeau
Ag Registrar
H.C. Sadr

/True copy/
J. D Gordon
Civil Judge.

No 229
1870

No 65

Madura Civil Court
20th August 1870

From,

J. D. Goldingham Esquire
Civil Judge of
Madura.

To,

The Secondary General
to the Government of
Madras.

Sir,

In continuation of my
Letter No 209 dated 10th August 1870 sub-
-mitting an application for Superan-
-nuation Pension to Parasivanadoo
Pandoo late District Moonsiff of
Shevagungah, I have the honor to
state that with reference to Section
578 and 582 C. P. C. of the Uncovenanted
Servants Code it became the application
comes under the head of "Native Judge"
and having been appointed as Moonsiff
before the 29th October 1866 he is entit-
-led under the old Rules to a Pension
of 1/2 of his average Salary after a
Service of 23 years which Service he
has duly completed. I would therefore
Request

request that Rupees 376—8—0 may be substituted for Rupees 51—1—2 as the proposed amount of Pension inserted in column № 17 of the Register as one-third.

I have the honor to be
Sir
Your Most Obedient Servant

J. D. Sinclair
Civil Judge.

Accountant General's Office
Rec'd 23 3 1870
Ans'd —

Records sent in original
may be returned when
no longer required.

Colonial Secretary's Office
Sydney 29th January 1869

Sydney Registrar
Appellate Side

1 Copy of letter from the Civil Judge of Illawarra
dated 12 August 1868 No 208

2 Do Do the Civil Judge of Illawarra dated
23rd September 1868 No 242

3 Copy of the Supreme Court Proceedings thereon dated
29 January 1869 No 160

4 Records which accompanied the Civil Judge's letter
dated 23rd Sept 1868 No 242
(are Original)

To
The Under Secretary for
Government

Registered 1870
Appellate Side
Sydney
Registrar

Sir

The Records which you were pleased to forward to this Office on the 29th January 1869 have been duly received

I have the honor to be
Sir
Your obedient Servant
Registrar

Sydney 2nd February 1870

Registrar
Appellate Side

Sir

I have the honor to inform you that the Records which you were pleased to forward to this Office on the 29th January 1869 have been duly received

I have the honor to be
Sir
Your obedient Servant
Registrar

Sydney 2nd February 1870

Pensions 1870 Register

No.

HIGH COURT OF JUDICATURE,

MADRAS.

OFFICIAL MEMORANDUM.

Dated 16th December

Received 16 " " } 1870.

The Dy. Registrar of the High Court

Has the honor to forward to the Under Secretary to Government, with reference to his Memorandum, dated 14th December 1870, the undermentioned papers relating to the application of Narasimmah Naidu, Retired Havildar of Sheringapatam, for the required extract from the records

Explanation with reference to the Memo of the Accountant General (Leaving and date) August 1870.

1 & 2 Details of leave enjoyed other than Privilege and preparatory intervals September 1863 to August 1871.	Forwarding the original letters received from the Civil Judge of Cuddalore, and Salem submitted to upon with any letter No. 209 of the 10th August 1870 to which appeal that the said officers are unable to furnish with any further information than they have already furnished and therefore cannot possibly help by the enquiries relative to leaves.
3 & 4. Explanation of the causes of delay in submission of applications dated 10th August 1870.	On receipt of the application for Pension it was forwarded necessary to make reference to the Civil Judges of Cuddalore & Salem regarding the applicant's former and intervening Civil appeals which were delayed for some days owing to the Government of their Courts, the usual register of applications for Pensions was submitted. Hence the delay was not on the part of this Court.
Insertion in the 3rd Side of the register of the correct periods with effect from 1st September 1863 to 31st March 1866 and Salary of Rupees 100 from 31st March 1866 to 31st November 1866 and Salary Rupees	Other necessary alterations have been made.

No 39 Representation whether the appellant draws his pay from 1st August to 23rd November 1869 as he appears from the pay abstracts now to have drawn his pay for the absence occasioned by consequences of suspension.

No 40 Explanation why the genuine Medical certificate was not produced by the appellant immediately after the receipt of the proceedings of the High Court dated 14th May 1869.

That appellant's memorial addressed to the Judges of the High Court dated 24th May 1869 praying to refund the Gross Income Tax deducted from his pay was not produced by appellant immediately after the receipt of the proceedings of the High Court dated 14th May 1869 for the reason that appellant was not in the Presidency.

Madura Civil & Sessions Court 5th December 1870

J. D. Sarkies
Civil Judge

Received 20:12:70 J.D.G.

Pension Report Department.

Fort Saint George,
Accountant General's Office,
The 19th Dec 1870.

To
The Civil and Sessions Judge of Madura

The Undersigned has the honor to return the papers connected with the

Pension.....
Gratuity.....
~~Compassionate Allowance~~..
} case noted in the Margin, received with letter ~~Memo~~

dated 10 Dec/70 No. 209/1870 for want of Nos. 3-23-32-39 and 40

It is particularly requested that an EARLY reply may be sent, and that this Memo. be re-transmitted.

F. Arbuthnot
Asst Genl
~~Examiner of Claims~~.

1. Details, with dates, of local posts. } Vide paras. 134-134-135 and 141, of chapter III of the
2. ,, ,, of pay. } Civil Auditor's Manual.
3. ,, of leaves enjoyed other than Privilege or preparatory, ~~during the whole period of Service~~, vide Government Notification, published at page 540, 2nd Volume of the Gazette for 1863.
4. Full name in item 1 of the Register of application.
5. Certificate of age attested by Head of Department.
6. ,, that alleged services from to are proved from the records.
7. ,, of past character, vide page 99, 2nd Volume of the Official Gazette for 1862.
8. Explanation of apparent breaks.
9. ,, ,, degradation.
10. Insertion of desired place of payment.
11. Printed form of application for under the new Rules published at page 641, of the 2nd Volume of the Gazette for 1860.
12. Printed form of application for gratuity under the old Rules, which can be had from the Superintendent of Stationery.
13. One Register (printed) of all applications for gratuity should be sent to this Department, as required under the recent Orders of Government, instead of the separate manuscript Registers for each individual, herewith returned.
14. Insertion in item 15 of the Register of all descriptive marks agreeably to Notification published at page 302, of 2nd Volume of the Gazette for 1860.
15. Insertion in the Leave Statement, of the period of absence with loss of full and half pay, respectively, during the period of
16. Insertion (in red ink) in the detailed Statement of service, of the period during which the applicant without employ by
17. Insertion in of the Register, of the proposed amount of Gratuity
18. Information as to whether the applicant received any gratuity for past service in consequence of the abolition of his Office on the
If so, a Copy of the order sanctioning such gratuity must be furnished.
19. For deletion of Remarks at foot of the Register, if the applicant did not receive any gratuity
For the deletion of grounds of retirement, &c., other than those required under N. B. at foot of the Register.
Discharge Certificate from the Superintendent of Police shewing the period of the applicant's employment in the new Police, and why his services were dispensed with.

between Sept/43 and Dec/1851

22. Testimonials of character or Certificates given to applicant by the Head of an Office, or, in the absence of such Certificates, an affidavit signed before a Magistrate, in support of the applicant's service from to which cannot be proved from the Official records.

— 23. Explanation of the cause of delay in submission of application until 18th June 1870 when the applicant appears from the statement of service to have ceased to do duty on the

24. Explanation why the applicant was retained in Government service from to when the Medical Certificate was dated Vide Government Notifications, published at pages 801 and 878, 1st and 2nd Volumes, respectively, of the Official Gazette for 1862.

25. Explanation why the applicant was recommended to of the Registrar, for a gratuity of Rupees under the gratuities rules, whereas he is eligible to the grant of Rupees under the rules to

Vide Inspector General's Circular No. 1547, dated 31st August 1868, Indian Medical Department.

26. Medical Certificate in prescribed form showing the applicant's condition to entitle him to
a. Vide Government Notifications, published at pages 240 and 625, Volumes I. of Gazette for 1858 and 1861, respectively.
b. Agreeably to the Orders of Government, dated 14th June 1860, No. 834, as the applicant's service contains of the periods

amounts to

— c. Vide Government Notification, published at page 762, 1st Volume, and page 450, 2nd Volume of the Official Gazette for 1862 and 1866, respectively.

27. Explanation why Medical Certificate is dated after the applicant ceased to do duty, instead of on, or before, his retirement from Government service.

28. Translation of the true Copy of the order of

29. Translation of the orders of under which the applicant as the cause of shown in this Office report to Government.

30. Explanation as to whether the applicant applied for during his life, if so, when he applied, and where he died.

31. Explanation as to whether the applicant's name appeared for the advance due to the applicant up to the date of decease, together with date of application for

— 32. Insertion in the [illegible] 2nd sides of the register, of the correct periods shown [illegible] 1st Vol. 165 & 27 March 1868 same declaration of 1867 same from 1st March 1866 to 28 Nov 1868 same declaration of 1867 same from 1st March 1866 to 28 Nov 1868 same declaration of 1867

as pencilled, instead of [illegible] 1st March 1866 to 28 Nov 1868

33. Insertion in the Register of application as to whether the applicant for Compassionate allowance has been employed since the date of the abolition of Office in , and whether holds any employment at present.

34. English Translation of affidavit to be given, in the [illegible] to enable this Department to report the matter to Government.

35. Signature of the applicant, to be affixed at foot of affidavit in

36. Countersigning of the Present Memo. from this Department dated to required thereto, as the exercise be dispensed of with in

37. Insertion as Column 3 of Form No. 7 in the 1st side of the Register, of the date, and No. of the Order of Government, under which the applicant was thrown out of employ by reduction of Establishment.

38. Verification of the applicant's service of years of age in Form No. 6 of Set 1st side, and as Item 6 of the 2nd side of the Register, as the entire service rendered by up to

are required to be shown in the case of Compassionate allowance.

— 39. Information as to whether the applicant's leave had been from 12 Dec 1865 to 29 March 1865 or the applicant's furnished by subscribers, not to have exceeded [illegible] for the above period in consequence of [illegible]

10 Explanations why the Petitioner should not be called upon to produce the Certificate of Medical Examination by Mr. Assistant Surgeon [illegible] after the receipt of the Proceedings of the High Court dated 9th May 1870 in No 355

and from 27 March 1866 to 29 March 1865 as the Register appears from the Rolls was removed from the list on account of Leave not expired

No 475. Salem Civil Court
16th June 1870.

From,
E. J. Elliott Edgar
Civil Judge of Salem.

To,
J. D. Goldsinghaum Edgar
Civil Judge of Madura.

Sir,

With reference to your letter dated 16th ultimo, I have the honor to inform you, that the Records of this Court do not afford the information called for in all respects pertaining to the Establishment of this Court appear to have been regularly recorded since 1857 only.

I have the honor to be,
Sir,
Your most Obedient Servant
E. J. Elliott
Civil Judge

Received
17 6 70
J. D. G.

A Conta 3/2

Memo Copy

Wm. Wyman Esq.
Treasurer N.C. Hospl.
Insane Asylum Raleigh N.C.

Court House Salem Surry Co.
N.C. June 12th 1865

Sir,

Enclosed I send you a letter from Civil Judge of Yadkin dated 11th Inst. with a draft for $1000 in favor of the Insane Asylum at Raleigh.

Yours truly,
[illegible]

Original Letter from the Civil Judge of Salem Dated 11th June 1865 Stating that the Records of his Court do not afford the information required in the within mentioned letter.

Filed Aug 30th 67

From
The Civil Judge
of Salem

To The Civil Judge
of Yadkin

Dated 16th June
Rec'd 1870

Stating that the
Records of his Court
do not afford the in-
formation required
in the within men-
tioned letter.

Statement of Service of J. M. Kurasimoobo Naidoo District moonsiff of Shevagunga

Establishment	Appointment	Date of entertainment From	Date of entertainment To	Salary Rs	Salary As	Period of Service in each grade y	m	d	Remarks
District Moonsiff's Court at Caroor	6th Grade	15 Dec. 1841	15 Sept. 1843	6	..	1	9	0	
Tahsildary attached to the Zilla Salem Civil & Session Court of Salem	4th Do	16 Sept. 1843	10th Feb 1845	12	..	1	4	26	
Do	3d Do	11th Feb 1845	26th Dec. 1847	15	..	2	10	14	
Do	2d Do	27th Dec. 1847	1st April 1850	17	8	2	3	6	
Do	Criminal Jawabnavis	2d April 1850	9th Augt 1851	28	..	1	4	7	
Do of Cuddalore	Nazir	10th Augt 1851	15th April 1852	45	..	..	8	6	
P. S. C. Court of Do	Sheristadar	16th April 1852	31st Augt 1863	90	..	11	4	15	This acted for the District moonsiff ship of Chingleput & Madura branch in 1860 & 62
..	..	..	..	..	..	..	..	..	
..	..	..	..	..	..	..	..	..	
Small cause Court of Do	Head Clerk	1st Sept. 1863	26th March 1866	100	..	2	6	26	Once acted as Do of Vir. dachellum in 1864 & 65
..	..	..	..	..	..	..	..	..	
Madura District	District Moonsiff of Shevagunga	27th March 1866	23d Nov. 1868	200	..	2	7	27	
			Total Service			26	11	9	

J. D. Gordon

D. Kurasimoobo

Statement of Service of T. V. Narasimooloo Naidu District moonsiff of Shevagunga

Establishment	Appointment	Date of entertainment From	Date of entertainment To	Salary Rs	Salary As	Period of Service in each grade y	m	d	Remarks
District moonsiff's court at Caroor lately attached to the Zilla Salem Civil & Session court of Salem	6th Goomastah	15 Decr 1841	15 Sept 1843	6	"	1	9	0	
	4th Do	16 Sept 1843	10th Feb 1845	12	"	1	4	26	
Do	3d Do	11th Feb 1845	26th Decr 1847	15	"	2	10	16	
Do	2d Do	27th Decr 1847	1st April 1850	17	8	2	3	6	
Do	Criminal Cavabnavis	2d April 1850	9th Augt 1851	28	"	1	4	7	
Do of Cuddalore	Nazir	10th Augt 1851	15th April 1852	45	"	"	8	6	
H. S. A. court of Do	Sheristadar	16th April 1852	31st Augt 1863	90	"	11	4	15	Thrice acted for the District moonsiff Ship of Shevagunga & Chedumbrum in 1860 & 62
"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	
Small cause court of Do	Head Clerk	1st Sept 1863	26th March 1866	100	"	2	6	26	Once acted as Do of Vir dachellum in 1864 & 65
"	"	"	"	"	"	"	"	"	
Madura District	District Moonsiff of Shevagunga	27th March 1866	23d Novr 1868	200	"	2	7	27	
			Total Service			26	11	9	

J. D Goudey

T. V Narasimooloo

To

The Civil Judge of

Madura

The humble application of

Respectfully Sheweth

S. M. Hasanumma Pandaram of Melur

Servant of Shivagunga

That Constable High Court was sworn

proceedings dated the 11th May 1869, having served

that the period between 12th August & 24th November 1868

to be Counted to your Petitioners Service, he requests

your honor will be pleased to recommend him

for pension from the date

He begs to enclose a printed copy of

the Testimonials & Station to which his service in

various grades. He likewise begs to express the

information required for filling up the Register that

may be submitted by your honor to the Government

As your Petitioner is unable to

state the exact periods of leaves he obtained during

the whole period of his service, he most humbly requests

your honor will be pleased to get this information

from the Judges of Salem & Coimbatore districts.

Begging to be excused

Madura
11th May 1870

S. M. Hasanumma

1 Salem, Shevaroy, Nuracinvorbo Nadoo

2 Vidwoodel Baleja Caste

3 Madura

4 District Provoiff of Tevazengaik

5 15th December 1841

6 24th November 1868

7 As per orders of the High Court dated 11th May 1869

	Yrs	Mo	Ds
8 Dowlaing employed, & under what Circumstances	"	"	"
9 Total of Service before 32 years of age	"	"	"
10 Total of Service not in Pension grades	1	9	1
11 Total of leave other than privileged & preparatory leave			
12 Total period in Pension { Grades Counted as Service	25	2	8
13 Age of the Applicant at the time of this Application	52	2	12
14 Right	Rupees 5	Rs 2	
15 Descriptive marks			
16 Average Salary of last five years	Rs 98	As "	P "
17 Proposed Amount of Pension	76	8	"

18 Date from which to Commence 24th November 1868

19 Place of payment Trichinopoly

The Applicant was born on the 18th Pranava of the year Parthiva.

D. Strachey

Copy

No 260
1870.

Madura Civil Court
2nd September 1870.

From,

J. D. Goldingham Esquire
Civil Judge of
Madura

To,

H. Cushington Esquire
Accountant General
Madras.

Sir,

In returning your Memo dated 29th August 1870 I have the honor to state that the instructions contained in the Government Notification therein referred to contain that the present applicant is not to be observed as the applicant has produced no medical Certificate with his application for Pension for the reasons given in the explanation submitted with my letter No 255 of 31st August 1870.

I have the honor to be
Sir
Your most Obedient Servant

J. D Goldingham
Civil Judge.

Accountant General's Office
Recd 5 9 870
Ansd

DB

Encl Memo
Letter
Explanation
Application
Petition
Receipt

Rec'd 6/9/70.

PENSION REPORT DEPARTMENT.

Fort Saint George,
Accountant General's Office,
The 29 Aug 1870.

To
The Civil Judge of Madura
in continuation of printed Memo from this Depart. dd 27
Inst. which accompd the Rep. & appn for Pension
for Parassurmoodoo Naidoo late D. Peon of
Shevagungah —

The Undersigned has the honor to return the papers connected with the

Pension.....
~~Gratuity~~.....
Compassionate Allowance.....

case noted in the Margin, received with letter dated 10 Aug/70 No. 209 for want of Nos. 206 also.

~~Memo.~~

It is particularly requested that an EARLY reply may be sent, and that this Memo. be re-transmitted.

A. Cushingham

Examiner of Claims.

Received
1:9 70
J.D.G.

1. Detail, with dates, of local posts. } Vide paras. 133-134-135 and 141, of chapter III of the
2. ,, ,, of pay. } Civil Auditor's Manual.
3. ,, of leaves enjoyed other than Privilege or preparatory, during the whole period of Service, vide Government Notification, published at page 540, 2nd Volume of the Gazette for 1863.
4. ame in item 1 of the Register of application.
5. ate of age attested by Head of Department.
6. ,, that alle[illegible] services from to are proved from the records.
7. ,, of past character, vide page 99, 2nd Volume of the Official Gazette for 1862.
8. Explanation of apparent breaks.
9. ,, ,, ,, degradation.
10. Insertion of desired place of payment.
11. Printed form of application for under the new Rules published at page 631, of the 2nd Volume of the Gazette for 1866.
12. Printed form of application for gratuity under the old Rules, which can be had from the Superintendent of Stationery.
13. One Register (printed) of all applications for gratuity should be sent to this Department, as required under the recent Orders of Government, instead of the separate manuscript Registers for each individual, herewith returned.
14. Insertion in item 15 of the Register of all descriptive marks agreeably to Notification published at page 802, of 2nd Volume of the Gazette for 1866.
15. Insertion in the Leave Statement, of the period of absence with loss of full and half pay, respectively, during the period of
16. Insertion (in red ink) in the detailed Statement of service, of the period during which the applicant without employ by

17. Insertion in of the Register, of the proposed amount of Gratuity
18. Information as to whether the applicant received any gratuity for past service in consequence of the abolition of his Office on the
if so, a Copy of the order sanctioning such gratuity must be furnished.
19. For deletion of Remarks at foot of the Register, if the applicant did not receive any gratuity.
For the deletion of grounds of retirement, &c., other than those required under N. B. at foot of the Register.
Discharge Certificate from the Superintendent of Police showing the period of the applicant's employment in the new Police, and why his services were dispensed with.

22. Testimonials of character or Certificates given to applicant by the Head of an Office, or, (in the absence of such Certificates,) an affidavit signed before a Magistrate, in support of the applicant's service from to which cannot be proved from the Official records.

23. Explanation of the cause of delay in submission of application until when the applicant appears from the statement of service to have ceased to do duty on the

24. Explanation why the applicant was retained in Government service from to when the Medical Certificate was dated vide Government Notification, published at pages 693 and 473, 1st and 2nd Volumes, respectively of the Official Gazette for 1866.

25. Explanation why the applicant was recommended to of the Register, for a gratuity of Rupees equal to months salary, when he is eligible to the gratuity of Rupees equal to months salary under the

Vide Inspector General's Circular No. 1517, dated 25th April 1863, Indian Medical Department.

26. Medical Certificate in prescribed form shewing the applicant's inability to serve longer.

a. Vide Government Notifications, published at page 749 and 632, Volume 1 of Gazette for 1858 and 1863, respectively.

b. Agreeably to the Orders of Government, dated 14th June 1866, No. 234, as the applicant's service exclusive of the periods

amounts to

c. Vide Government Notification, published at page 705, 1st Volume, and page 450, 2nd Volume of the Official Gazette for 1865 and 1866, respectively.

27. Explanation why Medical Certificate is dated after the applicant ceased to do duty, instead of on, or before, his retirement from Government service.

28. Transmission of the true Copy of the order of

29. Translation of the papers of applicant as the cause of shewn in this Office report to Government. should be

30. Explanation as to whether the applicant applied for during his life, if so, when he applied, and when he died.

31. Explanation as to whether the applicant's heirs applied for the arrears of due to the applicant up to the date of decease, together with date of application for

32. Insertion in the 1st and 2nd sides of the Register, of the correct periods of years as pencilled, instead of years.

33. Insertion in the Register of application as to whether the applicant for Compassionate allowance has been employed since the date of the abolition of Office in , and whether holds any employment at present.

34. English Translation of affidavit to be given, on the back of the same (herewith returned,) so as to enable this Department to report its tenor to Government.

35. Signature of the applicant, to be affixed at foot of affidavit in

36. Transmission of the Printed Memo, from this Department dated as required therein, as the cannot be disposed of without it.

37. Insertion in Clause 3 of item No. 7 in the 1st side of the Register, of the date, and No. of the Order of Government, under which the applicant was thrown out of employ by reduction of Establishment.

38. For deletion of the applicant's service of years before 22 years of age in item No. 9 of the 1st side, and at foot of the 2nd side of the Register, the entire service rendered by up to

are required to be shewn in the case of Compassionate allowance.

Petn. dt. 8/3/68.

No. 208
1868

Madura Civil Court,
12th August 1868.

27

From

G. R. Sharpe, Esquire,
Civil Judge of
Madura.

To

H. Wigram, Esquire,
Acting Registrar of the
High Court of Judicature,
Appellate Side,
Madras.

Sir,

I have the honor to state for the information of the Honorable the Judges that I have this day suspended a Varaviumaloo Saick District Munsif of Shivagungah from Office.

2. Petitions had been presented against him praying for permission to prosecute the said Munsif both criminally and civilly and after making due enquiry of all the revenue and judicial officers of the neighbourhood whom I met as to the character which he bore,

and after seeing a considerable amount of most unsatisfactory and suspicious work done by the Immdiff, I was prepared to enter upon the inquiry on Saturday last.

3. Of this the Immdiff was on 4th and 5th instant duly warned by me personally and directed to attend unless (as he requested he might do) he submitted his resignation of the service on the previous Friday.

4. I further distinctly warned the Immdiff that he must not attempt to go to his Station until he received further orders from me.

5. The Immdiff has not attended this Court for enquiry, but I ascertain on excellent authority that immediately after leaving me on the 5th instant, he started the same day for his Station - leaving behind him the enclosed unsatisfactory letter not delivered

29

to me until the next day at 2 P.M.

I have, &c.,

(Signed) G. R. Sharpe,
Civil Judge.

(True Copy)

Ludgrave
Acting Registrar,
Appellate Side.

12th December 1870.

To

The Under Secretary to Government
with reference to his memo. dated
7th December 1870.

Enclosure

No. 242
1868

Madura Civil Court
23d. September 1868.

From,

G. Ro. Shaw Esqre.
Civil Judge of Madura.

To,

H. Wigram, Esqre.,
Offg. Registrar of the High Court of
Judicature, Appellate Side,
Madras.

Sir,

I have the honor to continue my letter No. 208 to report further in regard to Mr. Narasimmuloo Naik District Incumbent of Shevagunga.

2 The Incumbent has not complied to this date attended before me for an enquiry, although duly invited to do so by my order of suspension dated 12th August 1868 (Translation enclosed) and again by my order dated 29th August endorsed on his Petition (Translation B enclosed) and communicated to his Vakil on that date. Since then

the Inconsiff came to my house & wanted to have a private interview with me, but I declined this and directed him to come to Court if he had anything to represent.

3. Investigations of this kind are attended with great difficulty on account of there being no provision authorizing the administration of an oath. There were however 2 petitions on record in which it was possible to do so. One of these was Inc: No 270 of 1868 (Translation C enclosed), but this Petitioner when called did not appear. It was then stated in open Court by a pleader that a Vakil of Inconsiffs Court had procured the non-appearance of Petitioner on Inconsiffs behalf, and certainly that Vakeel's deposition (D) creates a strong suspicion that this is the case.

4. The other petition was Inc: No 277 of 1868 (E) with which also petitions Nos 275 & 276 were also presented (F and G). The same Petitioner had previously presented a petition No 191 of 1868 (Translation H enclosed) complaining of his not being furnished with copies of Judgment &c by the Inconsiff. The Inconsiff was called upon for explanation which he gave (Translations I enclosed). These are merely useful as showing that obstacles were thrown in Petitioner's way and exhibiting Inconsiffs disregard of the convenience of parties as no appeal lies from the decree it was not necessary to prepare & give a copy speedily.

5 The petition No 277 contained however charges of illegal confinement &c against the Inconsiff. This charge is amply supported by the evidence of 3 witnesses a Vakeel, a peon and a talla peon, (Depositions J. K. & L enclosed). These depositions were recorded on 17th Sept last, at which date I ascertained that Inconsiff was present in Madura and further these witnesses have been in daily attendance at my Court since, but neither Inconsiff, nor any body on his behalf has applied to cross examine them. Their statements are also supported by para II of Inconsiffs Judgment (M).

6 There was also another petition No 680

of 1867 (Translation N enclosed) by a third party pending before this court when I assumed charge. The late Civil Judge had, in December last, called upon the Plaintiff for explanation which (Translation O enclosed) was not furnished until March. Merely point for Plaintiff to meet was that the suit had been dismissed for non-appearance of Plaintiff, whereas the Vakeel (Translation of deposition P) was absent on leave granted by Plaintiff. Unable to meet this point, Plaintiff alleges that this Court's orders were mislaid, and that his explanation was drawn up on the strength of memory of having read them once. I must attract special attention to the Diary (Translation Q enclosed). That document alone is sufficient to show that Plaintiff is utterly devoid of any sense of justice, for no man with the slightest spark thereof could have kept these wretched Plaintiffs dancing attendance at his court from day to day, week to week, month to month, & one might almost say from year to year, and finally have dismissed the suit on the very day fixed for final hearing for Plaintiff's non-appearance, although the Plaintiff had on that day appeared before the Court, and his Vakeel was absent with the Court's permission. The Diary itself as it stands is bad enough, but examination will show that it leaves unaccounted for several days at different intervals. It is unnecessary for me to remark what gross ignorance was shown in applying Section 110 of the Civil Procedure Code in a case wherein Defendant to put in an appearance.

7 I fear much that the above is by no means a solitary instance of Plaintiff's unsatisfactory mode of conducting business. I allude to it more especially because it has come under my own observation in the course of business during my short tenure of office, for since my transfer to this Zillah I have not had much leisure at my disposal. I may however refer to a case remarked upon by my predecessor during the present year (R). I may remark that it was my intention at one time to have ransacked the diaries

of similar cases and for that purpose I caused some Notes to be put in Lists which are still available if further inquiry is deemed necessary.

8. A very sure test will be of how matters are going on is a comparison of the No of Reviews & considering that this Inconiff who during the 1st Quarter of 1868 (being the last complete quarter) passed only 4 decrees on the merits granted during the same period 26 Reviews of Judgment, many previous convictions as to his conduct notwithstanding weakened.

9. Another test is also the regularity with which the Diaries are sent up to the Civil Court. This Inconiff (see deposition 4) at once commenced to violate the custom which had therefore prevailed, set at naught the orders of the late Civil Judge, and only very stringent orders on my part have succeeded in extracting them piecemeal.

10 Two other matters have come before me of extreme discourtesy and want of

Mention to the requests of the Inconiffs and adjoining Pillahs (S.T.U.V) and I request attention to the gross delay in each case.

11 I will now proceed to place on Record what occurred at the interview which Inconiff had with me on 4th August last. My time was so occupied during July with holding the sessions after the adjournment, and preparing for the August sessions that I was unable to leave Trincomalee. I had however, intended visiting Chenaygam immediately after the August Sessions were over. On the 1st day of the Sessions (4th Tuesday) Inconiff came to my house - of course the reception of a man so notoriously badly disposed of was not calculated to be very comforting to him, for I at once told him that I should hold an inquiry and if ground appeared should direct his prosecution criminally. He then commenced to whine,

requested to be allowed to resign forthwith
if I would forbear proceedings — I replied
to make any promises and told him
he might return the next day and
tell me what course he had resolved
on. — He appeared on the 5th and after in-
forming me that he had gone away
excused himself by stating that it had
not occurred in my time and tendered
me some letters to show under what
great embarrassments temptations he had fallen.
I told him that I had nothing to do
with an inquiry in my private house &
that such inquiry would commence
at Court on the following Saturday
unless I received his immediate re-
signation of the service on the Friday
previous. I further distinctly ordered
him not to quit Madeira before
that date, or render any account to
to his station. He left my house and
the same day proceeded to Serampore

12 The investigation would have
been much facilitated had the Insolvent
attended before me in person. This
however he has not chosen to do,
but has contented himself with putting
in a Vakeelat unable to obtain copies
of document and the petition (W)
presented under the above Vakeelnamah.

13. I enclose copies of letters received
from the Head Assistant Collector in
those Division. Serampore is situ-
ate, and of the Principal Sadr Amins
to show in what bad estimation the
Insolvent is held (XY). I have also re-
corded the depositions of several Vakeels
to show in what evil repute the Insolvent
is held, but these it is unnecessary
to forward.

14 I have not deemed it neces-
sary to hold any lengthened inquiry,
or to proceed to the Insolvent's Station.
There is enough on record to satisfy me

that Transcripts be sent should be removed from the Office of Interpreter and Master that for the comfort of the people at large, and in the interests of justice the Honorable the Judges will be equally satisfied.

I have &c.

(Signed) G. R. Sharpe

Civil Judge

41

1869

Proceedings of the High Court of Judicature at Madras, 29th January 1869.

Read letter dated the 12th August 1868, No. 208, from the Civil Judge of Madura, stating that he has suspended the District Munsif of Sivagunga from his office and submitting translation of a letter addressed to him by the said Munsif.

Read also letter dated the 23rd September 1868 from the same officer, communicating the dismissal of the Interpreter Naick, formerly District Munsif of Sivagunga.

Read also the defence of the District Munsif of Sivagunga, submitted by the Acting Civil Judge.

These papers have reference to the Criminal Conduct of the Interpreter Naick, District Munsif of Sivagunga as disclosed under suspension.

The principal charge against him is his direct

before the Supreme Court on the 3rd December for which the Hearing was fixed, which was on the 4th March 1868 or nearly two years after the filing of the Petition, the Plaintiffs Counsel obtained leave from the Hearing. The 2nd Plaintiff was a second cousin person, but the Hearing disclosed the suit and the costs of the proceedings under Section 111 of the Code of Civil Procedure Law. The Respondents of the 1st Petitioner of that section to the circumstances of the case. The Petition was dismissed by reference to the Decision of the said Court, which is still in force, that when a Petition has been retained in a suit it cannot be heard and decided ex parte during his absence can have.

The Civil Judge has also reported that this Hearing has the most possible reputation in the Madura District and both the

the Civil Judge and the Head Assistant Collector mention as most suspicious the large number of Cases in which he has admitted previous and renewed Petitions after reconsideration.

The Chief Justice and Judges have carefully considered the written defence of the Hearing and are of opinion that this disregard of the Civil Judges reasonable and proper authority; that the progressive of his attendance and his grave judicial misconduct in the two instances above referred to, show that he is not fit to be longer trusted with judicial powers at the same time the consideration of his long service they will obtain from the extreme punishment of dismissal and only require him to resign or

made pursuant to the Statute and
may therefore be allowed.

Thos Eaton J.
J.P. Huntsville

(True Copy of Warrant)

Ed Jones
Acting Magistrate
Huntsville

THE COPIES

OF

TESTIMONIALS &c.

GRANTED TO

S. M. Varadammoolen Naidoo.

MADRAS:

PRINTED AT THE STREE-NEKATHANUM PRESS.

1868

JOHN BIRD ESQUIRE.

The humble Petition of M. Narasimmooloo son of M. Rungappah Naick late Talug Moonsiff of Yatapoor in the Zilla of Salem.

Most Humbly Sheweth.

With profound respect and submission I beg leave to bring my aggrieved circumstances to the kind notice of your honor humbly hoping to pardon for intruding on your valuable time that your honor had been pleased to transfer my late father from the capacity of Peishkar to that of Police Daroga at Kistnagherry Talug, and from thence to that of Nazir in the Zillah Court at Salem wherein he continued for 10 years to your entire satisfaction and then your honor were pleased to appoint him as Talug Moonsiff at Yatapoor in which he also continued only for 2 years, but to our great misfortune and loss, he departed his life, leaving behind him a large family, as well as my mother, myself; my sister and my brother-inlaw in a condition as most destitute even for common necessaries of life. We have applied for Pension to the address of the Zilla Court and to your honor while on circuit at Salem, but we have not been favored with any redress.

Having happily heard of your safe arrival from the Cape we proceeded hither to beg of your honor who is (only) the benefactor of our family and we most earnestly implore your

honor will be graciously pleased to put me and my brother-in-law in some situation so that we may earn our livelihood under the kind protection of your honor or to favor a letter of recommendation to the kind protection of Mr. E. Bannerman at Salem for that purpose.

Which act of charity would draw upon your honor the unbounded blessings of God Almighty, is the prayer of your humble Petitioner.

Madras, 15th February 1835. *Shall ever pray.*

Rungappa Naick was an excellent Public Servant and a good man and I am very sorry to find from this that his family is in distress I should be glad to be of use to this man for his father's sake.

Madras, 15th February 1835. (Signed,) JOHN BIRD.

Narasimmooloo's father was an Excellent public servant and a good man and for his sake I shall be glad to find that Narasimmooloo had obtained Circar employment.

Madras, 5th January 1840. (Signed,) JOHN BIRD.

Narasimmooloo, I can do nothing more for you than I have already done namely to certify that your father was a valuable public servant and that on his account I should be glad to see you better provided for.

Madras, 27th July 1842.

Yours,

(Signed,) JOHN BIRD.

Narasimmooloo Naik behaved to my entire satisfaction during the period he was a goomastah in the District Moonsiffs Court at Caroor as he appeared to have been faithful, active, assiduous and besides an experienced person in the discharge of the Judicial business I have every reason to believe that he is a fit person to hold a valuable and higher situation.

19th September 1843.

(Signed,) NAMASIVOYA PILLAI.

Moonsiff.

Owing to the good opinion I had of the abilities of Narasimmooloo late 5th Goomastah I promoted him to the Office of 2nd Goomastah and again on the 2nd April 1850 to that of Criminal Javabinivis. He is well acquainted with the Criminal duties Regulations &c. and I consider him fully qualified for the situation he holds and deserving of further promotion.

26th June 1851. (Signed.) J. G. S. BRUERE,

Late Civil & Session Judge of Salem.

The sheristadar of the Principal Sadr Ameen's Court in Cuddalore, Narasimmooloo Naidoo, is well acquainted with the Tamil Genteo and English in which languages he is able to read and write with accuracy. He is also acquainted with Regulations Orders and Laws and is competent to conduct public business to the entire satisfaction of his superiors in proof of which Mr. BRUERE admitted him in public service and from his good conduct and competency raised him to his present post of sherestadar and I consider him fit, from the strict and upright

manner in which he has discharged the duties confided to him for the period he has been under me, to hold a higher post than his present one. Being therefore confident that he will so conduct himself as to merit the unfeigned approbation of his future employers I have much pleasure in granting him this testimonial of the high opinion I have of him.

6th June 1853.

(Signed,) C. VENCATARAGAVA CHARIYAR,

Principal Sadr Ameen.

In delivering over charge of this Court I feel it my duty to bear testimony to the abilities of the Sheristadar of this Court, Narasimmooloo Naidoo, whom I always found up to his work, his knowledge of the Judicial Proceedings (both Civil and Criminal) is remarkable, he is a man of integrity and of good principles.

2*nd August* 1854. (Signed,) C. VENCATACHELLIAH,

Acting Principal Sadr Ameen.

I have great pleasure in certifying that Narasimmooloo Naidoo the Sheristadar of the Principal Sadr Ameen's Court of Cuddalore is very able and most efficient functionary, his knowledge of Circular Orders and Regulations and the very great experience he has both in the Civil and Criminal departments will enable him to fill the Office of District Moonsiff he aspires to, with credit to himself and to his employers.

17*th April* 1855. (Signed,) V. SOONDARA NAIDOO,

Acting Principal Sadr Ameen.

Extract from the Proceedings of the Principal Sadr Ameen's Court of Cuddalore:—under date the 29th August 1856.

Being about to deliver over charge of this office which he retained for nearly 2 years the Acting Pricipal Sadr Ameen takes the opportunity of recording his high openion of S. M. Narrsimmooloo Naidoo the Sheristadar of this Court who from the able way in which he discharged the duties of his office afforded him entire satisfaction and he will be indeed glad to hear of his speedy promotion to a District Moonsiffship as he is possessed of every qualification required for efficient discharge of the duties attached to that Office.

(True Extract.)

(Signed,) V. SOONDARA NAIDOO,

Acting Principal Sadr Ameen.

I am happy in being able to confirm the opinion of former Principal Sadr Ameens as to the charactor and abilities of S. M. Narasimmooloo Naidoo. He has on three occasions been chosen by the Civil Court to act as District Moonsiff and during the period he has performed the Office of Sheristadar of my Court, he has given me entire satisfaction by his familiar acquaintance with its duties and as steady and careful performance of the same I have received no complaints against him nor have I observed any thing against him and therefore believe him to be honest and upright.

30*th April* 1863. (Signed,) J. WILKINS.

Principal Sadr Ameen.

Cuddalore, March 13th 1866.

S. M. Narasimmooloo Naidoo has acted for different periods aggregating nearly 2 years as District Moonsiff of this zillah he was appointed by me on each occasion and I am glad to be able to bear testimony to his diligence in performing his duties and to the integrity of character manifested by him.

(Signed,) GEORGE ELLIS,
Civil Judge.

S. M. Narasimmooloo Naidoo on the abolition of the Principal Sudr Ameen's Court in 1863 was appointed Sheristadar of this Court and now leaves the appointment on being made District Moonsiff of Sevagungah. During the 2½ years that he has served under me, he has given me perfect satisfaction and I have much pleasure in testifying to his carefulness in the discharge of his duties and to his knowledge and ability I also believe that he possesses the far higher and much rarer quality of uprightness.

Cuddalore Small Cause Court
15th March 1866.

(Signed,) F. C. CARR,
Judge.

Narasimmooloo Naidoo was appointed by me District Moonsiff of Sevagungah on the high testimonials to character and qualifications obtained from the Civil Judge of Cuddalore and others under whom he had served and from what I have seen and heard of him I believe him to be an honest and efficient officer and I hope he will still rise in the service.

27*th March* 1867. (Signed,) R. R. COTTON,
Civil Judge

Enclosure
In a letter from
the Civil Judge
of Madura
Date 10th August
1870 No 209

Private Diary
Copies of Testimonials
also of Mukkan Pandi
Naicken late Dubash
to the Collector
of Sivaganga

Revd. In No 936/70

Copies of
Testimonials granted
to S. M. Paramasivan
Naicken late District
Moonsiff of Sivaganga
in the District of Madura

In No 2078/70

JOHN BIRD ESQUIRE.

The humble Petition of M. Narasimmadoo son of
M. Ramayyah Naick late Talug Moonsiff
of Yatapoor in the Zilla of Salem.

Most Humbly Sheweth.

With profound respect and submission I beg leave to bring my aggrieved circumstances to the kind notice of your honor humbly hoping to pardon for intruding on your valuable time that your honor had been pleased to transfer my late father from the capacity of Peishkar to that of Police Daroga at Kistnagherry Talug, and from thence to that of Nazir in the Zillah Court at Salem wherein he continued for 10 years to your entire satisfaction and then your honor were pleased to appoint him as Talug Moonsiff at Yatapoor in which he also continued only for 2 years, but to our great misfortune and loss, he departed his life, leaving behind him a large family, as well as my mother, myself; my sister and my brother-inlaw in a condition as most destitute even for common necessaries of life. We have applied for Pension to the address of the Zilla Court and to your honor while on circuit at Salem, but we have not been favored with any redress.

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Which act of charity would draw upon your honor the unbounded blessings of God Almighty, is the prayer of your humble Petitioner.

Madras, 15th February 1835. *Shall ever pray.*

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(Signed,) JOHN BIRD.

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manner in which he has discharged the duties confided to him for the period he has been under me, to hold a higher post than his present one. Being therefore confident that he will so conduct himself as to merit the unfeigned approbation of his future employers I have much pleasure in granting him this testimonial of the high openion I have of him.

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Principal Sudr Ameen.

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Acting Principal Sudr Ameen.

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Extract from the Proceedings of the Principal Sudr Ameen's Court of Cuddalore:— under date the 29th August 1856.

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(True Extract.)

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Cuddalore, March 13th 1866.

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(Signed,) GEORGE ELLIS,
Civil Judge.

S. M. Narasimmooloo Naidoo on the abolition of the Principal Sudr Ameen's Court in 1863 was appointed Sheristadar of this Court and now leaves the appointment on being made District Moonsiff of Sevagungah. During the 2½ years that he has served under me, he has given me perfect satisfaction and I have much pleasure in testifying to his carefulness in the discharge of his duties and to his knowledge and ability I also believe that he possesses the far higher and much rarer quality of uprightness.

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Narasimmooloo Naidoo was appointed by me District Moonsiff of Sevagungah on the high testimonials to charector and qualifications obtained from the Civil Judge of Cuddalore and others under whom he had served and from what I have seen and heard of him I believe him to be an honest and efficient officer and I hope he will still rise in the service.

27th March 1867.

(Signed,) R. R. COTTON,
Civil Jud

No 59.

79

No 209
1870

Madura Civil Court
10th August 1870

From

J. D. Goldingham Esquire
Civil Judge of
Madura

To

The Accountant General
to the Government of
Madras

Sir

I have the honor to forward for submission to Government after verification Register of our Application for Superannuation Pension relating to Parasinnacoo Naicker late District Peon of Shevegungah.

The applicant has been in the Government service for 26 years 11 months 8 days and after excluding service which Pension granted and leave enjoyed by the applicant I calculate the total period of his service in the Pension grades to be 24 years 7 months 8 days and recommend him for 1/3rd of his average Salary accordingly.

Annexed are Copy of Proceedings of the High Court dated 11th May 1869

Original

A/E.

Enclosure 1870 293

Copy

Statement

Letter, Cuddalore

Collr. Cuddalore

Medical

Copy of a Statement showing the leave obtained by M. Narasimmalu Naidoo while serving in the Cuddalore District.

83

In what Court	Designation of Office	Salary	Discription of the leave	Extent of leave				Remarks
					Y	M	Days	
Principal Sadr Amins Court	Sheristadar	Rs 90	Leave on substitute	From 25th November 1853 to 9th January 1854	"	1	15	Not ascertainable whether sick or private affairs leave
Do.	Do.	Do.	Do.	From 20th February 1854 to 5th March	"	"	14	
Do.	Do.	Do.	Do.	From 31st July 1855 to 15th Septr.	"	1	15	
Do.	Do.	Do.	Do.	From 29th June 1857 to 9th August	"	1	9	
Court of Small Causes, Cuddalore	Head Clerk	Rs 100.	Sick leave	From 9th July 1864 to 27th Septr.	"	2	18	
					"	7	11	

Received
6:8:70
J.D.G.

Cuddalore
Civil Court
1st August 1870

Examd
V.L.

Civil Judge

5783

Received
6 8 70
J.D.G.

From,
The Civil Surgeon of
Coimbatore
To,
The Civil Surgeon of
Ootacamund

Dated 1st August 1870

No. 2

No. 130

Enclosure 1

Forwarding a statement showing the leave of absence granted to Dr. Narasimooloo which exhibit enfolowed in the Enclosure Medical

Pers. L. No 936/70

To

His Excellency,
The Right Honorable the Governor,
In Council,
Fort Saint George.

The humble Petition of
S. M. Narasimooloo Naidoo,
late District Moonsiff of Sevaguna-
gah, in Madura District.

Humbly Sheweth,

That though the Honorable High Court in their Proceedings dated 29th January 1869 preceded the Petitioner's retirement, he requested them by a Petition to allow him to serve for a few months more to entitle him to half Pension, but instead of granting the request, they modified the Order of suspension made by the late Civil Judge Mr. Sharpe, and declared in their Proceedings of the 1st May 1869, that they consider-ed the Petitioner to have held the Office of District Moon-siff from 12 August the date of suspension to 24th No-vember 1868, on which date a person in his room was appointed, and directed that the period between the 2 dates be added to Petitioners service, so as to entitling him to half Pension.

Petitioner again moved the High Court to reinstate him for a short time more, but they having refused

2

refused the request, he preceeded an appeal to the Govern-
ment, also to his misfortune passed an endorsement
dated 3d May 1870 stating that they had no power to
interfere. If the Government had not taken such a
view, the Petitioner would surely have been reinstated
for reasons shewn in his appeal Petition.

3. Upon this, Petitioner submitted his appli-
cation to the present Civil Judge of Madura for Pension
from 24 November 1868, as per Proceedings of the High Court
dated 14 May 1869.

4. The Civil Judge in forwarding the appli-
cation to the Examiner of Claims, erroneously stated in
his recommendation
that a Pension of one
third on the average
salary of the last 5
years might be grant-
ed to Petitioner; but
upon being informed
that Petitioner was en-
titled to a moiety according to the Rule noted in the mar-
gin, the Civil Judge recommended in a 2d letter to the
Examiner of Claims that the Petitioner should be allowed
half Pension.

Para 598, Page 184 of the Uncovenanted Servants
Vade Mecum

Native Judges appointed before 29 October 1856, are allow-
ed Pensions under the Old Rules of 1831, but those appointed after
that date, receive their Pensions under the new Rules; in other
words, one third or half pensions are granted to the former
after 15 or 22 years service, including all leave of absence which
under the Rules of 1855 counted towards pension, and to the
latter after 15 or 25 years service exclusive of all leave of
absence.

Secretary of State, 31st July 1866, No 174, Government
of India, 29th October 1866, No 3031, Fenancial Gazette, Page
776.

5. Petitioner then appeared before the Ex-
aminer of Claims, and was told that his application
was returned to the Civil Judge, as no Medical Certi-
ficate accompanied it. The Civil Judge replied that
such Certificate was not necessary as the Petitioner re-
tires at the desire of the Honorable High Court. The Peti-
tioner

Petitioner once more appeared before the Examiner of
Claims, and requested to be favored with his opinion
with reference to the rate of Pension and Medical Cer-
tificate, but was simply referred to Government, to whom
the application for Pension was submitted.

6. Under these circumstances, the Petitioner is
afraid that the material points in his case may be
overlooked when the Government passes final orders
on his Pension Application, and humbly ventures there-
fore to submit the following circumstances to Govern-
ment, in what he believes to be the fittest time for it.

7. Petitioner begs to state that it was only in
Obedience to the orders of the High Court that he has
applied for Pension. The case stands analogous to that
of a Person aged above 55 years, under the orders of
Government.

8. The High Court in their Proceedings of
the 14 May 1869 have virtually ordered Petitioner re-
instatement by allowing him to draw full pay (from 12th
August to 24th November 1868) during his suspension,
the above period counting towards Pension, and the
Government also were pleased to sanction the said
arrangement in June 1869. And it now remains for
your Noble Government to consider him as having been
employed from the date up to which he was allowed to
draw his full pay, or to grant him Pension from
the day following the said date.

9. As the Government do not call for a
Medical Certificate in applying the 55 years Rule,

Petitioner

Petitioner sees no reason why the Examiner of Claims should exact the same from him, when the Privy Council of their own pleasure have accepted his retirement.

10. No Medical Certificate need be submitted in a case of this description, but the Examiner of Claims has simply objected, pursuant the strict letter of the rules pertinent to the special circumstance of the case unto his consideration, thereby probably that this was the province of Government.

11. Under these circumstances, the Petitioner humbly begs the Government will be pleased to dispense with Medical Certificate in this exceptional case.

12. The Petitioner begs to add that the Government of India, so far back as the 17 January 1865 in their Financial Letter No 265 declared that the term "Native Judges" includes District Superintendents (Vide No 63 Page 105, Unenumerated Servants Code Pension) There cannot therefore be the slightest doubt that a District Superintendent comes under the term "Native Judge."

13. It is stated in the Notification of the Government of India dated 29 October 1866 (referred to in para 598 of the Code Pension), that Native Judges appointed before that date are allowed half Pension after 22 years Service excluding all leave of absence which under the rule of 1855 counted towards Pension and it has been likewise stated (in para 599) that the option of the old Pension Rule which is secured by the Notification of the 29 October 1866 to Native Judges who were in the service on that date, is not affected by their transfer to Small Cause Courts as Judges though it has been expressly ruled that Judges of Small Cause Court are not to be considered Native Judges; and as such, not entitled to the benefit of the Notification. These two facts are quite enough to show that all parties appointed as Principal Sudder Ameens or District Superintendents before the date of the Notification are to be considered as Native Judges, and as such, entitled to enjoy the benefit of the same

14. To put it in clear words, the Petitioner begs to submit that the old Pension Rules under which the Pension is at present claimed, say, that after 22 years service as a Native Judge one half Pension and after 15 years one third. The Petitioner humbly presumes that it is not thereby meant that a person should be a Native Judge during the whole period of the above 22 or 15 years, to entitle him to half and one third Pensions respectively because that would be simply impossible. For, a person cannot be expected to become a Native Judge at the very outset. He must have at least served some 10 years as the Subordinate grades to fit him for the responsible duties of a Native Judge, and then in the event of his having to pass a further period of 22 or 15 years as the case may be, his Pension of service would become respectively 32 and 25 years for which under the ordinary rules, he is clearly entitled

entitled to good service Pension for the former period, and a Pension on Medical Certificate for the latter. What could then be the good of the special provision made in the above Notification for "Native Judges," (which excludes District Moonsiffs as well) unless other Service in the Subordinate grades be taken into consideration and added together. — And this provision, it is humbly submitted, applies to persons who have become Native Judges, however a short time it may be, before the date of the Notification (that is 29 October 1868).

15 Petitioner was entertained in the Public Service on the 15th December 1841, his Service from that date to 24th November 1868 (alluded to in the Honorable High Courts Proceedings of the 14th May 1869) extends to 26 years, 11 months and 9 days, of which his Service in Pensionable grades is 25 years 2 months and 8 days. — Even deducting the periods of leave out of the above 25 years, it will appear that Petitioner has served more than 2 years beyond the 22 years required under the Notification, and that therefore your Government's poor Petitioner who officiated as District Moonsiff on four occasions for a period of nearly 2 years, and was permanently appointed to the present Honorary office in March 1866 is entitled to the benefit of the above Notification; that is, to a moiety of his average Salary for the last 5 years. Besides, of the leave which he has availed before the date of the Notification in question, be not excluded according to the spirit of the said Notification, the Petitioner will have 25 years 2 months and 8 days, and the Petitioner humbly submits that he is justly entitled to this indulgence, as he was appointed permanent District Moonsiff before the date of the said Notification.

16. Under all these circumstances, the Petitioner who has faithfully served during his long career of service in the judicial line alone, to the entire satisfaction of his superiors (as will appear from the copies of the Testimonials, chiefly of Messrs Carr and Cotton herewith submitted), and who has now been obliged to retire solely under the orders of the Honorable High Court, most humbly craves that the noble Government will be pleased to take his case into their serious and equitable consideration, and be pleased to grant him Pension equal to a moiety of his average Salary of 5 years, as requested in his application, and as recommended by the Civil Judge in his 2nd Letter to the Examiner of Claims, and your Petitioner as in duty bound

shall ever pray

Madras
27th September
1870

95 2078.
2 Encl.
27/9/70.

To

H. E. Stokes Esqre.
Under Secretary to Government,
Revenue Department,
Fort Saint George.

Respected Sir,

I, S. M. Narasimooloo Naidoo, late District Moonsiff of Sevagunga in Madura District, respectfully beg to submit the accompanying Petition for your kind perusal, requesting at the same time that you will be pleased to lay the same (with the Papers regarding my Petition) before His Excellency the Governor in Council for his favorable sanction of my prayer.

I beg to remain
Respected Sir
Your most obedt. Servant.

Madras
27 Sept 1870

S. M. Narasimooloo

Encl 2 to 2078/70

97

non production of the required
Medical Certificate, submitted
the application to Govt

Refers to Para 598
Page 104 of the Uncovenanted
Servants Code Manual
to the letter, No 265, dated
17th January 1866, from the
Govt of India in the Financial
dept

Prays that Govt will
take his case into
kind Consideration
& grant him half
pension in conformity
with the old rules,
as he has served for 25 years, 2 months & 8 days.

Rs 20 2 8

74

REGISTER *of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the* Civil & Session Court *of* Madura

1	Full name of Pensioner...		Salem Ummoor Narasimmalu Naidu
2	Sect or caste...		Native sect. Baliya caste.
3	Residence		Madura
4	Present post...		Late District Munsif of Shevagunga
5	Date of commencement of service...		15th December 1841
6	Date of retirement from service...		23rd November 1868. Vide G.O. Pro 11th May 1869.
7*	Abstract of the grounds of application.	1. ~~Good service~~	As per order of the High Court Vide 11th January 1869 Copy herewith Exhibit B.
		2. ~~Inability to serve longer~~ ...	
		3. ~~Reduction of Establishment~~	
8*	How long unemployed, and under what circumstances.	1. ~~Resigned the service from~~	Years. Months. Days. to
		2.† ~~Reduction of Establishment from~~	to
		3. ~~Suspended from~~	to
		4. ~~Dismissed for misconduct from~~	to
9	Total of service before 22 years of age		1 0 1
10	Total of service not in Pension grades		0 7 11
11	Total of leave other than privilege and preparatory leave		0 0 0
		Grand Total...	2 4 12
12	Total period in Pension grades counted as service		24 7 1
13‡	Age of the applicant at the time of this application...		52 2 12
14	Height...		Feet. Inches. 5 2
15	Descriptive marks.—		An old scar on the Crown of the head running across it & another above the right corner of the left eye.
16	Average salary of past 5 years		Rs. A. P. 1838 10 8 by annuity
17	Proposed amount of Pension		37 1 2
18	Date from which to commence		24th November 1868
19	Place of payment...		Trichinopoly

* *N. B.*—The reason of the applicant's retirement and of his being unemployed for the periods given being left, the other grounds of retirement and reasons of break in employment should be erased with red ink.

† ~~It is hereby certified that no gratuity was drawn by the applicant on reduction of Establishment, in the year.~~
~~It is certified that gratuity having been granted was refunded to the amount of Rs.~~ A. P.
~~Order sanctioning payment of gratuity was~~
~~Amount of gratuity granted was Rs.~~ A. P.
~~Refund of gratuity was credited to the account for the month of~~ 186 .

‡ I do hereby certify, that to the best of my belief the applicant's age above stated is correct. Malcolm Ferguson
Sheristadar

Statement of total period of Service.

Establishment.	Post.	Pay. Rs.	A.	P.	Period. From	To	Yrs.	Ms.	Ds.	Accountant General or Controller of Military Accounts Remarks.
Westrich Supp's Court & Coroner Cuddalore Cuddalore & Salem	6th Sowarah	6	..	..	15th Dec: 1842	15th Sept: 1843	1	9	1	Not certified
Civil & Session Court Salem	4th Do	12	..	..	16th Sept: 1843	10th Feby 1845	1	4	26	
Do	3rd Do	15	..	..	11th Feby 1845	31st Dec: 1847	2	10	20	
Do	2nd Do	17	8	..	1st Jan: 1848	1st April 1850	2	3	0	Verified from the records of this office
Do	Criminal Prosecutor	28	..	..	2nd April 1850	3rd April 1851	1	0	8	Pay drawn up to 23rd inst. 1850 only
Civil & Session Court & Co: Dale	Sheristadar	115	..	..	10th April 1851	15th April 1852	1	0	6	
Do Do Criminal Court Cuddalore	2nd Sheristadar	90	..	..	16th April 1852	21st Augt 1863	11	4	16	The applicant's total period of service is 26 years 11 months and not years 26-11-13 as given by the Civil Judge
Sessions Court & Co: Dale	2nd Clerk	100	..	..	1st Septr 1852	27th June 1856	2	0	27	
Madras Medical Service - Surgeon	District Surgeon	200	..	..	25th March 1865	23rd Decr 1868	2	7	27	

Total..... 26 11 13

	Years.	Months.	Days.
Deduct service before 22 years of age	..	..	..
Deduct service not in Pension grades	1	7	1
Deduct leave	..	7	11
	2	4	12
Net period of Service.....	24	7	1

Explanation of Column 8 with quotations of orders of reinstatement.

The applt. was suspended by the late Civil Judge Mr Thompson the 13th August 1868. But the High Court in their Proc: of the 4th May 1869 modified the said order & ordered that the period intervening between date of suspension & date of the appointment of substitute should reckon for pension.

Explanation of any degradation.

None.

Detail of leave on half pay and full stoppage of pay.

From	To	Yrs.	Ms.	Ds.
25th Feby 1852	9th Jany 1851	0	1	15
20th Feby 1853	3rd March 1854	0	0	14
2nd July 1855	16th Septr 1855	0	1	15
22nd Decr 1855	9th March 1857	0	1	9
9th July 1867	27th Septr 1867	0	2	18
	Total of leave...	0	7	11

Remarks by the Head of the Office on past character and conduct of the applicant throughout the service.

I know nothing of whatever of the applicant.

Civil & Session Court (Vacation) Office,
The 11th August 1870.

J. D. Sandilands
Civil & Session Judge

No. 1078

REPORT OF THE Accountant General

	Years.	Months.	Days.
Service qualifying for pension is proved for a total period of...	24	6	28

	Rs.	A.	P.
In the last 5 years of his service the average pay of the applicant's permanent post was	153	2	6

Applicant is eligible to a pension of Rupees 51 .. per mensem, equal to 1/3 of his average salary during the last 5 years, under Clause II of Section 6 of the Revised Pension Rules, on production of prescribed Medical Certificate, should Government be pleased to accept the explanation given by the Civil Judge in his replies of the 31st August 1870 herewith accompanying, with reference to the cause of delay in the submission of the application until 10th August 1870 when the applicant retired from his service on the 24th November 1868

The explanation given by the Civil Judge in his replies dated 31st August, and in his letter dated 2nd September 1870 Nos 260 in answer to items Nos 60 and 260 in the Printed Memo from this Department dated 27th and 31st August 1870 respectively, with reference to non production of Medical Certificate, are also herewith submitted for the consideration of Government

Fort Saint George
Accountt Genls Office
8th September 1870

H. Richmond
Accountant General

To The Chief Secretary to Government
Civil Pension Department

PENSION 187 DEPARTMENT.

From the Accountant General

Fort Saint George,

To the Chief Secretary to Government,

Civil Pension Department.

Dated 10 } October 187
Received } October 187

Enclosures.

Verifies the service

of Narasimmulu Naidu

late District Munsiff of Chingleput

borne on the establishment of the Civil Court of Madura.

Civil Secy. D. No 1820 of 1871

PENSION 187 DEPARTMENT.

From the Civil Session Judge of Madura

To the Accountant General ~~Controller of Disbursements~~

Fort St. George.

Dated 11 } August 187
Received } August 187

Register of an application for Superannuation Pension in behalf

of Narasimmulu Naidu

late Ct. Amin of Shevagunga

borne on the establishment of the Civil Session Court of Madura.

Noted an order dated 5/10

ORDER OF GOVERNMENT. 20th October 1870. No 5 to 10

To certify the applicant to a pension the a medical certificate of incapacity ~~plus~~ for service must be produced.

2. The Civil Judge of Madura will therefore call upon Narasimhulu Naydu to present himself for medical examination.

Entered and Intimated 2 Govt 28 Oct 1870

D. Thiruvengada Mudaliar
Asst to the Secy to Govt

To the Civil Judge of Madura
Accountant General

Desp. 29/10/70.