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MADRAS RECORD OFFICE.

Government of Madras.

Revision DEPARTMENT.

G.O. No.	657	Press Mis.
Dated	4-12-1877.	

Not to be folded or roughly handled

Page 1426

Fort St. George Nov^r 27th 1855.

The following Extract from a Despatch
from the Honble the Court of Directors,
addressed to the Gov^t. of India in
the Priv^y Coun^{cil}, No. 75 of 1855 of the
15th August, is published for general
information.

Para 3. If an Unconquanted Servant
be dismissed for misconduct, and be
subsequently readmitted to employ-
ment, his first service is not to count
for pension. But with this exception,
we shall allow twelve months to elapse
between two periods of service without
the servant forfeiting his claim to
count the first period as well as the
second towards the retiring pension.
The privilege, however, of so reckoning
the time of service can only apply

Public Department.

N^o 119.

Extract from the Minutes of Consultation dated 3^d May 1853.

Read the following letter from Mr. Parthasarathy Pillay late 2^d Writer and Acting Nazir in the Principal Sudder Amm's Court of Tennevelly.

Here enter 16th March 1854.

In modification of the orders of Government contained in Extract Minutes of Consultation 17th February 1851 the Right Honorable the Governor in Council is pleased to permit the employment of Mr. Parthasarathy Pillay

x x x
x x x

True (Extract)

(Signed) J. D. Sim

Deputy Secretary to Government

No.

The Civil Judge of
Tellicherry

For communication to

Mr. Parthasarathy Pillay

Late 2nd Writer and Acting Nazir
in the Principal Sudder Amies Court
of Simmerelly

(True Copy)

Mr. Parthasarathy Pillay

Late District Munsif of Nedungunad
South Malabar.

Salem 9th November 1877

To,

The Honorable G. F. Chammichael
Chief Secretary
to Government
Fort Saint George
Madras

Honorable Sir,

In returning the papers
forwarded with my letter of the 29th of
September last, I beg most respectfully
to state that I have authenticated all
the documents under my own signature
on each sheet as directed to, in your Honor.
Memo No. 2695 of the 29th Ultimo.

I beg to remain
Honorable Sir

Your Honor's most obedient & humble Servant

M. Parthasarathy Pillay

Late 1st Grade District Munsif of
Nedunganad in South Malabar
residing in Salem.

11/11/77
200/200
5-10-11
300/200
11/11/77

Enclosures

M. Parthasarathy Pillay

Fort:
Proceedings

En No 100/77

TO

HIS GRACE THE MOST NOBLE THE DUKE OF
BUCKINGHAM AND CHANDOS, G. C. S. I.,
GOVERNOR OF MADRAS.

*The Humble Memorial of M. PARTHASARATHY
PILLAY, late 1st Grade District Munsif of
Nedunganad, in the District of South
Malabar, residing in Salem.*

MAY IT PLEASE YOUR GRACE,

Your Grace's humble Memorialist is constrained from deep feelings of regret to seek redress in a case decided* by your Grace in your Council in regard to the pension awarded to the Memorialist without retaining him in the service for a short period to entitle him to one-half pension on his salary of First Grade District Munsif. The High Court without reference to your Memorialist's past services and his present efficiency as certified by the Doctor† and to the recommendation of the District Judge to retain him in the service, compelled him to retire on pension without allowing him to complete the term of the nine months' service to entitle for one-half pension for which he feels deeply aggrieved and has no recourse, but to solicit in your Grace's hands a **re-consideration** of his case. On reference to the accompanying papers, it will appear that the High Court had *inadvertently*‡ treated your Memorialist's request as an application for retention for two year's further service instead of only nine months. By this circumstance alone your Grace will be able to judge that your Memorialist's case was not justly dealt with by the High Court.

2. Your Memorialist served the Government for upwards of thirty-one years, but owing to a **break** in the service, only twenty-three years and odd are reckoned as continuous service entitling your Memorialist to pension, out of which your Memorialist has served twenty-one years and three months as District Munsif and Principal Sudder Amin, so that only nine months' further service is required to complete the period which would entitle him to one-half pension.

3. Under these circumstances your Memorialist humbly craves that your Grace will be so good as to take his **hard case** into **re-consideration** and include his former service of eight years as the Rule§ prohibiting to count former service, was issued only in 1855, or long after your Memorialist's re-employment by the order of Government, dated 3rd May 1853, and therefore your Grace's Memorialist humbly thinks that the Rule cannot be applied to your Memorialist's case, or order as a special case as recommended|| by the District Judge that a pension equal to a moiety of his salary be granted and if this is impracticable your Memorialist begs that your Grace will be pleased to order the accompanying Appeal to be forwarded to the Most Honorable the Secretary of State for India supported with such recommendation as your Grace may deem fit for the redress sought for. Your Memorialist is in perfect hope that your Grace's disposition and kindness to render justice to all who serve or have served the Government, will not deny the boon prayed for, and for which act of benevolence and justice your Memorialist as in duty bound

SHALL EVER PRAY.

M. Parthasarathy Pillay
late 1st grade
District Munsif

In No 3028 of 1877

* Vide enclosure marked A.

† B. Certified that I have this day seen and examined M. Parthasarathy Pillay, District Munsif of Nedunganad. This officer though past 55 years of age is still in good bodily and mental vigour and is capable of further efficient service in the Government employ.

(Sd). W. H. ROBERTS, M. D.,
Civil Surgeon,
Malabar.

4th August 1876.

‡ Vide enclosure marked A. para. 2, and a copy of the Proceedings of the High Court, dated 18th July 1877, marked C.

§ Vide Fort St. George Gazette, dated 27th November 1855, page 1426.

|| E. 1. The certificates obtained by this officer and my own private enquiries prove that during his 21 years' service as District Munsif his conduct for integrity has been absolutely unimpeachable.

2. Ten months' additional service as Munsif would have entitled him to retire on 150 Rupees a month and I strongly recommend that as a matter of favour this pension be granted. It is not impolitic to mark with approval very special cases of integrity among old and tried servants and I believe that all who know Parthasarathy Pillay will uphold me in saying that his is a very special case.

(Sd). H. WIGRAM,
District Judge.

December 1876.

Madras
29th September
1877.

APPENDIX.

A.

GOVERNMENT OF MADRAS PENSION DEPARTMENT.

8TH MAY 1877, No. 235.

PENSIONS.

Read the following papers:—

From the Officiating District Judge of South Malabar, 18th December 1876.

From the Officiating Accountant-General, dated 10th February 1877, No. 788; To the Chief Justice of the High Court of Judicature at Madras, Appellate Side, dated 22nd March 1877, No. 156.

From T. WEIR, Esq., Acting Registrar of the High Court of Judicature at Madras, Appellate Side, to the Officiating Chief Secretary to Government, dated 16th April 1877, No. 976.

1. Adverting to your letter, dated 22nd March 1877, forwarding an application for pension on behalf of Parthasarathy Pillay, late first-grade District Munsif, Nedunganad, South Malabar, and requesting to be informed whether this official may not be retained in the service for a further period of nine months to complete the necessary term of service for one-half pension, I am to state that the appointment and the vacancy in the first-grade of Munsif's created by Parthasarathy Pillay's retirement have long since been filled up, and that "the High Court cannot now, without inflicting undue hardship on the persons who have been appointed and promoted, permit the restoration of Parthasarathy Pillay to the position which he formerly held."

2. I am to add that, when the question whether Parthasarathy Pillay should be required to retire on his attaining the age of sixty years was laid before the High Court, it was stated by the District Judge of South Malabar that this Munsif required to serve for a further period of two years to secure the one-half rate of pension.

ORDER THEREON, 8th May 1877, No. 235.

Application is made for a special pension of Rupees 150 per mensem on behalf of Malai Parthasarathy Pillay, late District Munsif of Nedunganad, in the South Malabar District, whose superior service amounts to twenty-three years and twenty-six days.

2. On the perusal of the Applicant's pension papers, the Government see no special reason whatever in this case to warrant an application to Her Majesty's Government for special pension.

3. His Grace the Governor in Council resolves to grant the one-third pension, Rupees (100) one hundred per mensem to Malai Parthasarathy Pillay, to which he is entitled under Sections 56, 59 (C) and 60 of the Civil Pension Code (3rd Edition), payable at Madras from the 10th December 1876.

(True Extract.)

(Signed.) H. B. GRIGG,

Ag. Under Secretary to Government.

To the Accountant General with Register.

„ District Judge of South Malabar.

To

MR. M. PARTHASARATHY PILLAY.

For his information.

Exd. J. Wright.

(True Copy)
M. Parthasarathy Pillay
late 1st grade
Dist Munsif

In N. 2695 of 1877

(2)

B.

Certified that I have this day seen and examined M. Parthasarathy Pillay, District Munsif of Nedunganad. This officer though past 55 years of age is still in good bodily and mental vigour and is capable of further efficient service in the Government employ.

(Signed.) W. H. ROBERTS, M. D.,
Civil Surgeon, Malabar.

4th August 1876.

C.(1.)

To

THE HONORABLE THE CHIEF JUSTICE AND JUDGES OF
THE HIGH COURT OF JUDICATURE, MADRAS.

The humble Memorial of M. PARTHASARATHY PILLAY,
late First Grade District Munsif of Nedunganad,
in the District of South Malabar.

MOST RESPECTFULLY SHEWETH,

1. That your Memorialist has received through the District Court of South Malabar, a copy of the Order of Government dated the 8th May, 1877, No. 235 (enclosure A) sanctioning the payment to him of only one-third pension (namely Rs. 100) as it appeared to Government that he still wanted a period of 6 months to complete the term of service for one half pension.

2. That your Memorialist's case is a very deplorable one, as will appear to your Lordships, and he approaches your Lordships with the firm confidence that your Lordships will find sufficient grounds for referring the matter for the reconsideration of Government.

3. That your Memorialist served the Government most faithfully and diligently for a period of 31 years of which he was for 21 years and odd, a District Munsif—that during this time, as the Memorialist's Testimonials which accompany will shew, he was sent from one District to another to clear off heavy arrears and this duty he performed to the entire satisfaction of his superiors and the public.

4. That a further service of 9 or 10 months would have entitled him to a pension equal to one half of his salary or Rs. 150 by completing 22 years' service as a District Munsif (Cl: 3 app. B. page 124 of the Civil Pension Code.)—that your Memorialist was both willing and able to serve for this period and accordingly petitioned the District Judge in September last on the strength of the Certificate from the Civil Surgeon dated 4th August 1876, as to his physical fitness (enclosure B)—that this petition was forwarded for the consideration of the Hon: the High Court and there recorded (No. 2,161 dated 21st September, 1876.)—that as he had moved in the matter about three months before the arrangements consequent on his retirement were made, it is a matter of great grievance that the Memorialist should be made a loser of so much as Rs. 50 per mensem simply because his restoration for a short period which was suggested by the Chief Secretary to Government in his letter dated the 22nd March 1877 could not be permitted without inflicting undue hardship on the officers who had been appointed and promoted on his retirement.

5. That in his remarks (enclosure E) appended to the application for pension on behalf of the Memorialist the District Judge particularly referred to the fact of the Memorialist only wanting a short period to qualify him for one half pension and recommended as a matter of favor that this pension should be granted.

6. Under the above stated circumstances your Memorialist humbly craves that your Lordships will be pleased to refer his SAD CASE for the re-consideration of His Grace's Government and endorse the opinion of your Memorialist's immediate superior the District Judge that as a very Special case a pension equal to half his salary be granted to him, or if, in the opinion of your Lordships, such recommendation will be of no avail, that your Lordships will in consideration of his past long and arduous service deign to adopt measures for his re-employment for the

M. P.

(3)

period of nine months at the sacrifice of his pension from the date of his retirement, and post him to any other District or any other Department (if the present arrangements cannot be disturbed), for which act of JUSTICE your Memorialist shall, as in duty bound,

EVER PRAY.

(Signed.) M. PARTHASARATHY PILLAY,
Late 1st Grade District Munsif of Nedunganad
in South Malabar, Madras Presidency.

CALICUT, 13th June 1877.

C.(2.)

No. 1,488.

Proceedings of the High Court of Judicature at Madras, 18th July 1877.

Read Memorial from Parthasarathy Pillay, late 1st Class District Munsif of Nedunganad, in South Malabar, requesting that his case may be submitted to Government for re-consideration and orders obtained for his re-employment for a period of nine months so as to entitle him to a pension of one-half of his salary.

The High Court are unable to comply with M. Parthasarathy Pillay's request. In his letter of the 5th September 1876, Parthasarathy Pillay asked to be allowed to remain in the service for ten months longer (not two years). The order of the High Court, dated 21st September 1876, inadvertently treated this request as an application for retention for two years more.

The question however was whether, having regard to the Munsif's qualifications and capacity, it was desirable to retain him in the service for any period after he had attained the age of 60 years. The High Court decided that it was not desirable and with this decision the matter must be considered as finally disposed of by the High Court.

(True Extract.)

(Signed.) T. WEIR,
Acting Registrar, Appellate Side.

To

M. PARTHASARATHY PILLAY,
late District Munsif of Nedunganad,
through the District Judge of South Malabar.

(True Copy.)

H. WIGRAM,
Acting District Judge.

D.

TELLICHERRY, 10th September 1853.

M. PARTHASARATHY PILLAY is a clever hard-working man, and highly spoken of by Mr. Frere.

(Signed.) W. ROBINSON.

(True Copy)
M. Parthasarathy Pillay
Late 1st grade Dist. Munsif.

To

M. PARTHASARATHY PILLAY.

You are this day appointed as a Clerk in the Civil Court of Tellicherry in accordance with the Orders of the Government dated 3rd May 1853.

TELICHERRY, 19th September 1853.

(Signed.) H. FRERE,
Civil Judge.

I do hereby Certify that I have satisfied myself that M. PARTHASARATHY PILLAY, bearer of this Certificate, is fully fitted by respectability, good character, and general information to fill the office of Pleader.

25th July 1855.

(Signed) H. FRERE,
Civil Judge.

It is hereby certified that M. PARTHASARATHY PILLAY, was examined at the yearly examination held at Mangalore in the month of June 1857, as well as at a special examination held before the Civil Judge of Tellicherry on the 1st March 1859, under the orders of the Court of Sudder Udalut, dated 31st January 1859, and that he has been declared to be duly qualified from his knowledge of the native language, and of the laws and rules of practice for the guidance of the Courts of Civil Justice to hold the Office of Pleader in the Sudder Court or in the Court of a Zillah Judge, Subordinate Judge, Principal Sudder Ameen or Sudder Ameen.

(Signed.) H. FRERE,
Civil Judge.

Name of Candidate.	Name of his Father.	Age.			Place of Residence.
		Years.	Months.	Days.	
M. Parthasarathy Pillay.	M. Venkatachellum Pillay.	42	4	2	Manantoddy.

TELICHERRY, 24th March 1859.

14th August 1861.

To

M. PARTHASARATHY PILLAY.

Moonsiff of Buddagherry, Malabar.

MY DEAR SIR,

If I do not write you a few lines you will think that we in Wynaad have all forgotten you, but you may rest assured that we have not, and I shall always entertain a lively and very pleasing remembrance of your friendship. In losing you, Wynaad lost an able and upright Officer of Justice, and I am sure if Government would bring you back it would give universal satisfaction.

*

*

*

*

I am,

&c.

&c.

&c.

(Signed.) W. R. S. CRAWFORD.

MY DEAR PARTHASARATHY,

I shall be glad to hear of your promotion, and doubt not that if you continue exerting yourself as in Wynaad and elsewhere, you will soon get the increase you desire.

Yours faithfully,

(Signed.) E. C. G. THOMAS.

1st October 1861.

M. P.

No. 48.

CALICUT, 19th March 1867.

To

THE REGISTRAR OF THE HIGH COURT, MADRAS.

SIR,

I have the honor at his request to forward a Memorial with his testimonials from M. PARTHASARATHY PILLAY, 2nd class District Munsiff of Neduganad.

2. He is a man of the strictest integrity, is never idle, keeps his Court file and records in capital order and is highly esteemed by the people within his jurisdiction.

I have the honor, &c.,

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

List sent to the High Court.

1	2	3	4	5	6	7
Number.	Station.	Name.	Present grade.	Length of Service as Munsiff up to 31st Decr. 1868.	Date of promotion to present grade.	REMARKS.
4	Palghaut.	M. Parthasarathy Pillay.	2nd Grade ..	12. 3. 23.	1st August 1866.	Deserving of promotion to 1st Grade. He bears the best of character for honesty and industry. Was recently transferred to the Palghaut District to clear off the arrears there, a work which he has successfully applied himself to.

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

CALICUT, 13th June 1868.

Extract from the Proceedings sent by the Civil Judge of Calicut to the High Court on review of the Civil Reports for the 1st Quarter of 1868.

The Palghaut Munsiff has by his indefatigable exertions succeeded in having no application pending more than 3 months, a state of things which that Court has not known before.

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

No. 8.

CALICUT, 13th January 1872.

To

THE CHIEF SECRETARY TO GOVERNMENT, JUDICIAL DEPARTMENT,
Fort St. George.

SIR,

*

*

*

*

Both from recent personal observation and from the Judicial work performed by him (M. PARTHASARATHY PILLAY,) I am satisfied that he is in full vigour of mind and body, and likely to do good service for the future.

My acquaintance with him as a Munsiff extends to 14 years and during that time his integrity has never been impeached. The large amount of work he gets through sufficiently testifies to his great industry.

I have, &c.,

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

(True Copy)

M. Parthasarathy Pillay
late 1st grade District Munsiff

E.

1. The certificates obtained by this officer and my own private enquiries prove that during his 21 years' service as District Munsif, his conduct for integrity has been absolutely unimpeachable.

2. Ten months' additional service as Munsif would have entitled him to retire on 150 Rs. a month, and I strongly recommend that as a matter of favor this pension be granted. It is not impolitic to mark with approval VERY SPECIAL cases of integrity among old and tried servants, and I believe that all who know PARTHASARATHY PILLAY will uphold me in saying that HIS is a very special case.

(Signed) H. WIGRAM,
District Judge.

December, 1876.

(True Copies)

*M. Parthasarathy Pillay
Late 1st grade Dist. Munsif*

Pen 2 No. 1. 8/5/77. 225
(Original)

FROM

The Late 1st Grade
District Munsif of
Nedungand in the
District of
South Malabar,

TO

HIS GRACE THE MOST NOBLE
THE DUKE OF BUCKINGHAM
AND CHANDOS, G.C.S.I.,
GOVERNOR OF MADRAS.

DATED 29th September 1877.

Praying that the Memorialist's hard case may be reconsidered and his former service of eight years be ordered to be reckoned, in order to entitle him to one-half pension for the reasons stated in the Memorial, and in case this being impracticable, the accompanying Memorial may be forwarded to the Most Honorable the Secretary of State for India.

(APPENDIX ENCLOSED.)

of the enclosed memorial
to the Secretary of State
requesting to issue orders
to count his ~~former~~ service
of 18 years to entitle
him to half pension.

Pens
Government of Madras.
Proff. Dec 177-
CO 657
LW DEPARTMENT.

Petition No. 2695 of 1877.

From Mr Parthasarathy Pillai
late 1st grade Dist. Muniiff

Occupation of
Nedunganad

Village in
Talook South Malabar
District residing in
Salem

Dated 29 Sept 3 1877
Received 1st Oct 3 1877

Rule IX
43 Copies of Memorials to
the Secy of State for India
ABSTRACT.

Prays for a re-
consideration of his case
or for the transmission

W

2695

1/10/97

1 Encl. & 3 copies of this
forward to the Secy of State

23

Madras 29th September 1877.

To The Honorable D. J. Charnival
Chief Secretary
to Government
Fort Saint George
Madras.

Honorable Sir

I beg most respectfully to
enclose my Memorial to His Grace
the Most Noble the Duke of Buckingham
and Chandos, and also my Appeal in
triplicate to the Most Noble the Secretary
of State for India and humbly request
your Honor will be so good as to place
the same before His Grace for consideration
and if possible to forward the same to the Secretary of State.

may deem proper. I beg to remain
Honorable Sir

Your Honor's most Obedt and Loyal
servt
Mr Parthasarathy Pillai
late 1st grade Dist. Muniiff of
Nedunganad in South Malabar
residing in Salem.

In R. 2025 MM

2695

25

Returned to the Memorialist with
reference to Rule No. IX, below.

*Extract from Rules for Memorials ad-
dressed to Her Majesty's Government.*

RULE IX. Memorials may be transmit-
ted either in manuscript or in print, but must,
with all accompanying documents, be properly
authenticated by the signature of the Memo-
rialist on each sheet.

Wm. Calumple

Under Secy. to Govt.

29-10-77

Wm. Calumple

Order thereon 4th December 1877 N. 157

21

This memorial will be forwarded to the
Secretary of State through the Government of
India under Rule III, Notification, 21st Aug. 1867

To Mr. Parthasarathy Pillay. Dated 4/12/77

Secretary of State
 furnish with all
 the accompanying
 documents duly
 authenticated as
 directed in Govt
 endorsement of the
 29th March, 1829.

Sanction 1877 October
 Government of Madras.

Revenue DEPARTMENT.
 No. 759

Petition No. 3028 of 1877.

From M. Parthasarathy

Village

Occupation

Asst. Secy. of

Village

Talook Nedungam

District

South Malabar

Dated

Received

9th 10th March 1877

Enclosure 55

ABSTRACT.

Resubmit his
 Memorial to the

File 657

Pension G. O. 8 May 1877
No. 235

Govt. of 1877 Madras.

PENSION.

To

M. Parthasarthy Pillay

Dated

1st 3 December 1877 No. 657

Despd.

G. O., 11th Dec

1877, No. 657.

Nos.

Informing that his
Memorial will be forwarded
to the Secretary of State thro.
the Government of India.