

Public (1897) Department.

ORDINARY MS.

G.O., No. 1456

DATED 5-11-97

INDEXED.

2/3/97

[Despatch Abstract.]

Representing the Chief Judge of the
Court of Small Causes, Madras
to dispose of the case of indentured
P. Mirmengadasamy Naidu, an
accountant in his Court, under
G.O. 44, Pub. dy 21-1-95

T 57/11/97

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C	4278	-	9780 160994-12-97				

Public (1897) Department.

CURRENT No. 3923

R
 Flag the exhibits
 under the current
 please, giving the letters
 the C.J. has given them
 29.10.97

From

R. B. Mitchell Esquire,
 Chief Judge,
 Court of Small Causes,
 Madras.

No. 822

Dated 18th October 1897.

Received 18. 10. 97.

Registered 19. 10. 97

Enclosures 12. 16.

Spare copies

26.10.97

SUBJECT.

Reporting to Government the case
 of Perambur Srinivasadasamy
 Naidu, accountant of his Court, on
 a salary of Rs 25 per month, who
 was adjudicated an insolvent on
 13th September 1897.

R
 But why can't you put up a
 precedent? There was a similar
 case (last, as I think) from the
 High Court - see Judge in order
 24/10/97

Order

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No 822-

From

Court of small causes

Madras, 18th October 1897

R. B. Mitchell Esquire,

Chief Judge,

Court of small causes,

Madras,

CURRENT NO 3923

To

The Hon'ble Mr. J. F. Price, C.S.I.,

Chief Secretary to the

Government of Madras,

(Public Department.)

Sir,

A² with reference to G.O. 7th June 1881, No 781, Public, para: 3, G.O. 21st June 1883, No 1215, Public, para: 2, G.O. 17th November 1885, No 2679, Public, para: 3, and G.O. 25th April 1891 No 331, Public, I have the honor to report to Government the case of Perambur Srinengadasaamy Naidu, Accountant of this Court, on a salary of Rs 25 per month. 2. In May last he applied to me (his letter of application dated 14th May 1897 and list of debts accompanying it are forwarded herewith) for leave to file his petition and Schedule in the Insolvency Court. The list of his debts giving merely names of creditors and amounts of debts, I required him (vide my memorandum of 18th May 1897 forwarded herewith) to furnish particulars of the debts in a fresh schedule; and at the same time I required him to furnish a schedule of all his property. He then (vide his letter of 19th May 1897 and schedule attached thereto, forwarded herewith) furnished a fresh schedule giving particulars of his debts, and stated that he had no property except "some sundry utensils and clothing". He was called upon (vide my memorandum of 26th May 1897 forwarded herewith) to furnish certain other information about his brothers and himself, and also about the "sundry debts about Rs 150", No 18 in his schedule. Thereupon he furnished the information given in his letter of 28th May 1897.

* A

* A1

* B

* C

* C1

* D

* E

may 1897. (forwarded herewith). After having given the case my best consideration, I thought the circumstances of the case were such as to make it right to allow him to file his petition and schedule without being suspended, and I made an order accordingly (Vide my order dated 15th June 1897 forwarded herewith). On 5th July 1897 he filed his petition and schedule in the Insolvent Court, and on 13th September 1897 he obtained an order of personal discharge (Certified copy of the Petition and Schedule and original order of discharge are forwarded herewith). He having represented that he could not afford to pay for a certified copy of his Petition and Schedule (Vide his letter to me dated 14th September 1897, forwarded herewith), the Chief Clerk of the Insolvent Court was requested to furnish one gratis, which he has done (Vide his letter dated 9th October 1897, forwarded herewith).

3. So far as one can see from the materials forthcoming (the letters of the insolvent, forwarded herewith, his schedule, and the discharge order), it is not shown that his insolvency was the result of extravagance on his part. His father appears to have got into debt and to have resorted to Sowcars for loans, and having once got into the hands of the money lenders to have got deeper and deeper into debt, and in some cases the son joined with his father in executing promissory notes in favour of the Sowcars, and in some instances the insolvent's brothers joined in executing notes. By the process of successively borrowing fresh loans on fresh promissory notes at high interest to pay off the former ones, the debts accumulated to over Rs. 7000.

4. It will be seen from the order of discharge that when the case came on for hearing after adjournments, no creditor appeared and opposed the discharge.

5. P. Tiruvengadachariyaidu bears a good character as an official of this Court, as will be seen from the memorandum by the Registrar of this Court dated 11th October 1897 (forwarded herewith). He

has been in service in this Court from 15th July 1892. He is 38 years of age.

6. A letter by him to me dated 11th October 1897 is also forwarded herewith.

7. I have the honor to request that the papers forwarded herewith may be returned, when done with, unless the Government requires to retain all or any of them.

I have the honor to be,

Sir,

Your most obedient servant,

R. B. Marshall

Chief Judge.

C. No. 3923

~~THE EXCELLENCY THE GOVERNOR.~~

~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~

~~THE HON'BLE MR GROSE, C.I.E.~~

SUBJECT.

Insolvent Perambur Irin-
- Vengadasamy Naidu

FOR ORDERS.

~~Tell the Judge~~
~~to dispose of~~
~~the case under~~
~~G.O. 575 of 18th May~~
~~1896.~~

At 1.11.97.

Tell the Judge to
dispose of the
case under G.O.
No 44 P. of 21
Jan'y 1895.

At 7.11.97

Name of Insolvent - Perambur
Iruvengadasamy Naidu
Occupation - Accountant, Court
of Small Causes
Pay - Rs 25 per mensem
Debts - Rs 7037-3-7
Assets - Rs 60-0-0
Length of Service - Five years
(in this Court from 15th Jan'y 1892)
Age - 38 years

Attention is solicited
to the current. Insolvent
obtained an order of personal
discharge on the 13th September
1897, was not suspended
and the Chief Judge reports
that his insolvency does
not appear to have been
due to extravagance
vide para 3 of current.
Insolvent

Papers to be read in proceedings:--

Again G.O., No. , dated 189 .

Again G.O., No. , dated 189 .

Current No. 3923 of 1897 dated 18th Oct , from The Chief Justice
Court of Small Causes
" " " 189 " " "
" " " 189 " " "

N ORDER No. 1456 of 5-11-97
The Chief Judge of the
Court of Small Causes will
be requested to dispose of
the case under No. 44
Public of 21. 1.95
(from C.S. order)

CW 2.11.97 *MLP* 2/11/97

To
The C.J., Court of Small Causes (2)
(with Encls 24)

Deefer

[Signature]

* page after N

Insolvent's pay
is Rs 25 a month and
therein he states he
has to support two
brothers, his wife
and children.

Orders are
solicited

G.O. no. 505 dated
1st May 1896 is attached
as a precedent.

MLP
28/11/97

CW
29.10.97

When given for copying

When copied

When examined

When signed

3/11
4/11

189

READ AGAIN G.O., No.

189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.P.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only