

Public (1898) Department.

ORDINARY MS.

G.O., No. 1219

Dated 23-5-98

INDEXED.

114
26-9-98

[Despatch Abstract.]

Informing V. N. Soma-
Sundaram Mudali, late third-class
Hospital Asst, that the Govt declines
to interfere in the matter of his
petition for appealing against his
dismissal from the service.

T
27/9/98

BACK PAPERS.

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

FURTHER PAPERS.

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

Public (1898) Department.

CURRENT No. 2895



Order

From
Singer. Major Genl. B. Sibthorpe,
B.B., F.R.C.P.S.,
Singer General with the Govt.
of Madras.

No. $\frac{73}{13}$

Dated 9th September.

Received 9

Registered 12

Enclosures 15.

Spare copies -

SUBJECT.

Transmitting with remarks a
petition from V. N. Somasundram
Mudali, late a 3rd Class Ho-
pital Assistant Madras Subordi-
-nate Medical Department, -
appealing against his dismissal
from the Service.

BACK PAPERS.

G.O.	No.	Department.	Date.
	1644	Pub.	14.12.97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclosure No. 1 to Letter No. 73 d/9/5/11/11

To

HIS EXCELLENCY SIR ARTHUR ELIBANT HAVELOCK, G.C.M.G.,
G.C.I.E.,

Governor of Madras, Fort Saint George.

The humble petition of V.N. Somasun-
dra Mudali, Ex.- Civil Hospital Assist-
-ant, No. 454, Madras Medical Establish-
-ment, residing at No. 3/ on Police --
Commissioner's Office Road, Eamora, --
Madras,

Most Respectfully Sheweth,

That your petitioner was educated at the Madras Medi-
-cal College at the expense of the State as a Civil Hospi-
-tal Assistant, passed the final examination in the year -
1891 and was employed in the Districts of Anantapur, South
Arcot, Cuddapah and Bellary for about 7 years. Your peti-
-tioner was last employed on Plague Duty at the Vistnaret
Isolation Hospital, 4th District, Madras.

2. That on the 28th April 1893, your petitioner attended
the Hospital an hour later after seeing his mother start to
her native place by 6-45 A.M. train of the Madras Railway
and having been sick the previous night of malarious fever
contracted while serving in the Ceded Districts for about
3½ years and to which he is subjected to occasional occur-
-rences, for which he has taken a dose of quinine and
brandy.

3. That there was another Hospital Assistant Subramaniya-
-Mudali who was also doing duty at the Hospital. These ex-
-isted between him and your petitioner is explained in Part 6
of

of his explanation (EXHIBIT B.)

4. That consequent upon the said enmity, the Hospital Assistant Subramaniya Mudali contrived to report against your petitioner secretly to the Civil Apothecary in charge who came in with a police constable and asked your petitioner to appear before the Surgeon, who declared him to have been suspended from his rank.

5. That your petitioner was mercilessly handed over to the Police on the 28th April 1898 for alleged charge of -- drunkenness and disorderly behaviour for which he was reported to the President, Municipal Commission, Madras (EXH. A). Your petitioner was acquitted of the charge brought against him on the following day in the Presidency Magistrates' Court for reasons quoted in the judgment (EXHIBIT C). Your petitioner's explanation was submitted in detail (EXHIBIT B) to the Surgeon-General through the Surgeon 4th District.

6. That the case having been thrown out, a scheme was -- subsequently devised and the statements of the Civil Apothecary, Hospital Assistant Subramaniya Mudali and the Ward Attendant Veerasawmy were obtained (EXHIBITS D, E & F). Your petitioner respectfully begs to leave to your Excellency's benign consideration to judge as to whether or not the said statements have been deliberately consulted and drawn up to bring your petitioner to a total ruin.

7. That the Surgeon, 4th District, in the concluding part of his minute No. 235, dated 21st May 1898 (EXHIBIT G), remarks that he was not aware of any enmity existing between your petitioner and the Hospital Assistant Subramaniya Mudali; but there is written record in the Isolation Hospital to show that the Hospital Assistant Subramaniya Mudali was censured by the Surgeon at your petitioner's instance, which he admits in his evidence before the Magistrate (EXHIBIT C). That your petitioner being a strict official had occasions to exercise the functions of his office towards some of the

operatives

operatives and others subject to his control with utmost vigour, which resulted in enmity. The Resident Apothecary Mr. Muhammed's statement (EXHIBIT D) is false, in as much as Hospital Assistant Subramaniam Madali makes no mention either in his evidence before the Magistrate or in his statement (EXHIBIT E) as to the abusive and obscene language most prominently brought to light in the Apothecary's statement. The statement of the ward attendant Veerasamy is quite unreliable as he was also fined by the Surgeon at the instance of your petitioner, who reported against him for insult and insubordination and which is recorded in the order book of the Isolation Hospital. This ward attendant was, in addition to this fine, warned orally by the Surgeon that, in case of a similar next occurrence, his services would be dispensed with.

8. That it is stated that your petitioner, while under suspension was brought before the Magistrate and fined Rs. 5-- for drunkenness on the 4th May 1898. (EXHIBIT H). Your petitioner most respectfully submits that the course adopted by Hospital Assistant Subramaniam Madali on the said pretence -- having signally proved futile by acquittal by the Presidency Magistrate, it was, your petitioner has every reason to believe so strategically resuscitated to charge your petitioner with the same accusation by a Police constable in the Mount Road Police Station (near the Neil's Statue) which is close to the Royapettah Police Station, where your petitioner was previously charged. Your petitioner was waylaid that night on his way home and was robbed by 3 persons. Soon after this occurrence, the Police constable charged your petitioner while in defenceless condition, with drunkenness before the same Magistrate, who having been wholly prejudiced by the previous charge against the petitioner, fined him, which was taken as the fundamentum of the remark "habitual drunkard" referred to in the concluding para of the Surgeon-General's proceedings No. 3503 dated 5th July 1898. Keeping this as the basis, your

Chairman of

petitioner was removed from the service. It is with reference, submitted that the sole career of his life has been involvement in the present matter with a view to other existing interests and with a view to the fact of your petitioner having been a member of the Government, upon as to the present interest in the case, while your petitioner was a member of the Government, having been allowed to be under surveillance in the Government, tant striking circumstances, all of which are stated in the goes to confirm the facts stated above.

9. That the Surgeon-General in his letter N. 1100 dated 24th July 1904 (EXHIBIT I) remarks that no evidence has been adduced in support of your petitioner's statements as to the facts of the case of evidence against him. All that can be said is that by the statements given by the General, the petitioner, in providing a statement to your petitioner, that the petitioner is a member of the Government, and that the petitioner is a member of the Government, are admitted as facts and are not in doubt. The "fact of the destruction" referred to is nothing but a statement to the destruction under a petitioner. It is not a statement to the fact in instances of this kind that the petitioner is a member of the Government, and that the petitioner is a member of the Government, to trouble, and that the petitioner is a member of the Government, every person in the service, as no action would be taken in them for non-compliance with the truth should fall to the Government. all the concerned parties have been into a collusion. Your petitioner's case stands exactly in similar circumstances.

10. That in para 5 of his letter N. 1110 dated 6th Aug 1904 (EXHIBIT J), the Secretary to the Surgeon-General remarks that your petitioner's letter dated 23rd July 1904 (EXHIBIT K) is most interesting and holds out a threat that the same will be forwarded to Government as an evidence of utter want of self-nation. It is submitted that the remark is very charitable and that the threat held out is apparently to obviate an appeal to Government against the orders of the Surgeon-General and the

Chairman of

Bukrapatnam

5
The at tends naturally to believe that the other side has
already set on foot to get the Government in possession of the
is referred.

11. That your petitioner's files, 10,000 dated 1st Jul 1931
(EXHIBIT B) of being for the Government is being withheld
with a view to stop the office of the Surgeon-General
has not either by oversight failed to furnish the copies or
has intentionally refrained from so doing after a lapse of
over 17 days in order that your petitioner might be left in
dark as to the several vindictive measures being adopted by the
parties. It is not known that further measures than those
that were supplied to your petitioner on the 1st of July 1931
after a month are kept unfurnished so as to frustrate the ob-
-ject of this appeal. It will also be observed that the Sur-
-geon-General has studiously avoided to make mention in his
report to the proceedings the whole calendar case No. 10080 of
1931 (EXHIBIT C) on the file of the President's Commission
Court, Bangalore, and the several submissions, and the evidence
of "mass of evidence" in the proceedings of the Commission
-ings.

12. That your petitioner has most respectfully submitted in
extension and explanation of the above narrative that his ser-
-vice began on the 1st Jul. 1931 (EXHIBIT D), that on the
24th April 1932 your petitioner had rendered entire satisfac-
-tion to his superiors, except that owing to your petitioner's
expression of a medico-legal opinion, from which the Surgeon-
-General differed, your petitioner was suspended from the post of
Officer for a month and that having fulfilled the necessary
conditions of service and examination, your petitioner was to
have enjoyed his promotion to End Class from the 1st of July
1932. (EXHIBIT N). In addition to the Medical charge, your pe-
-titioner was entrusted in the districts of Anantapur and --
South Arcot with the responsible duties of Under Chairman of

9/9/98

Bakrayatanm and Titag dy Unions, where he detected g... 1398.
cases of fraud and brought the culprits to justice.
13. Your petitioner is apprehensive of his having trans-
acted much on your Excellency's valuable time for which he
-ble trusts his anxiety to put your Excellency in possession
of all the merits and demerits of his case may plead an
excuse and he would now, in conclusion, most respectfully
that your Excellency will be graciously pleased to take in
consideration the circumstances of his deplorable case as
above narrated and explained and that, while wishing him
any fault your Excellency may discern in the same, your Exce-
-lency will graciously temper such punishment with a reprieve
overrule the severe order of dismissal passed against your
-tioner in continuation to the order of Government No. 1644
dated 14th December 1887, limiting the power of the Surgeon-
-General in inflicting punishment upon the Medical subordi-
-nates, which naturally closes the door of hope for his
future life.

For which act of generosity, your petitioner will, as in
duty bound,

Ever yours,

V. S. Somasundra Mudali

M. S. S. S.,
30th August 1898.

No.240.

A
No. 2 to Letter No. 33
13 9/9/98
Office of Surgeon 4th District.

Royapettah Hospital, 28th April 1898.

From

Surgeon.Lieut.Col.G.L.Walker, M.D.,
Surgeon, 4th District.

To

The President,
Municipal Commission, Madras.

Sir,

I have the honor to bring to your notice that 3rd Class Hospital Assistant V.N.Somasundrum Mudali, No.454 came in a state of noisy intoxication to the Isolation Hospital -- this morning at 8 o'clock two hours late, he behaved in a most disorderly manner, drove away all the small-pox patients into the neighbouring garden; he then took the knife from the bam-booman who was working there and drove him away; he then -- abused the other Hospital Assistant and the servants, flourish-ing the knife at the same time: on receiving information of the occurrence, Apothecary Nur Muhammed went to the Isolation Hospital taking two Police constables with him and restored order and got the patients back to their wards; the police -- arrested the Hospital Assistant and brought him to my office here; when I saw that he was noisily 'intoxicated; they then - removed him in custody.

2. I have suspended the Hospital Assistant pending your disposal and request that you will be so good as to replace him without delay.

3. I trust the hospital Assistants' quarters may be com-pleted without further delay, so that they may occupy them--- which would tend to prevent a recurrence of this scandalous incident.

I have the honor to be,
Sir,
Your most obedient servant,
/Sd/ Geo.L.Walker, M. D.
Surgn.Lt.Col.,
Ag.Surgeon, 4th District.

Bene

A

True copy forwarded to the Surgeon-General for information -
under instruction from the President.

/Sd/ J. W. Cornwall, Surgn. Col., Lieut.
Health Officer, M. M. C.

/True copy/

/Sd/ R.H. Elliot, Surgeon-Captain,
Secy, Surgeon-General with the
Government of Madras.

Madras,
25th July 1898

(True copy)

V.N. Somasundram Mudali
30-8-98

*Indra 7/2/98
C. 7/2/98*

B

Enclosure No. 3 to Letter No. 73 d/9-9-98

From

V.N. Somasundram Mudaliar,
Hospital Assistant, No. 454,
No. 5, Veerasami Pillai Street,
Egmore.

To

The Surgeon, 4th District,
Madras.

Sir,

I respectfully beg to submit my explanation called for
in your Memorandum No. 262 dated 11th Instant, and to request
that you will be good enough to transmit the same to the Sur-
geon-General for his orders with your kind and favorable re-
marks.

2.

Re. Late Attendance.

On the morning of the 28th Ultimo, I was obliged to
attend the Hospital only an hour late in consequence of my --
having to despatch my mother to my native place by 6-45 A.M.
train of the Madras Railway, wherefrom I went direct to the
Hospital at Kistnampet at 8 O' clock, the hour of attendance
being fixed at 6-45.

3.

Re. Noisy intoxication.

With reference to this charge, I beg to submit that I
was ill on the previous day, for which I took a dose of qui-
-nine and brandy as medicine on the morning in question but -
was not drunk as alleged. This, the other Hospital Assistant
Subramaniya Mudaliar on duty took advantage of the enmity--
that existed between us, particulars whereof appearing in para
6 infra, by misrepresentation of the several accusations con-
-tained in your report. In the concluding portion of the 1st
para of your letter No. 241 dated 28th April 1898, it is stated
that I was noisily intoxicated when I appeared before you. In
this connection, I beg to submit that the appearance of the

Resident

Resident Apothecary with the police has, as it ought to be, so irritated and excited my feelings when talking with you in a loud voice, as I never expected that the enmity between me and the other Hospital Assistant would be carried out so inhumanely as he did. To my misfortune, perhaps, the smell of the medicine taken for my illness combined with the excitement has given color to the alleged charge brought against me.

4. Re. Disorderly behaviour.

(a) Drove all small-pox patients.

This I deny of having done so. It will be observed that the report was made on representation by the other Hospital Assistant who deposed before you that I drove the small-pox patients, while he deposed before the Magistrate that I began to discharge them. This conflicting statement, I leave for your consideration as to this charge that I drove the small-pox patients to the adjacent garden- a fact that has not occurred at all.

(b) Re. Taking hold of the bamboo-man's knife and driving him away.

This is a fictitious charge. The fact is that there was only one bamboo-man present on that day to work at tattles for the Hospital Assistants' Quarters. I asked him where the other workmen were to which he said that the others were following. As there was much delay in the work, which was not begun that day till 9 o'clock, I told him to fetch the other men leaving the knife behind. This is corroborated by the deposition made by the Hospital Assistant Subramaniya Mudaliar before the Magistrate, which goes to prove that his representation to you in the matter is entirely unfounded.

(c) Re. abusive language towards the Hospital Assistant Subramaniya Mudaliar and the Servants and flourishing the knife.

This, like the other charges is equally false, in as much as nothing was deposed to this effect before the Magistrate. If the above charge was true as represented by him to you, it is not understood what prevented him from deposing the same before the Magistrate. It is natural that in instances of the nature at hand a witness like the Hospital Assistant Subramaniya Mudaliar to avoid

avoid the evil consequences of the provisions of the Indian Penal Code arising from perjury would not have given out in a court of law anything but truth. A perusal of the judgment of the Magistrate will show that the allegation of flourishing the knife is a fiction.

5. The Police did not come on their own accord to the Hospital, but by desire of the Resident Apothecary of the Royapettah Hospital and I was sent to the Police Station under your orders in custody- an unexpected justice received at your benevolent hands on account of my bad time.

6. I now beg to place before you the particulars of enmity that gave rise between me and the other Hospital Assistant. The first cause is that I reported him to you of his leaving the hospital before the prescribed hour for which he was censured by you. This enmity he exhibited orally on many occasions and was girdling up his loins to retaliate me for the same. There were other things, -official and private, from which enmity has emanated between us in serious aspects, but I regret that there are no records to substantiate them. With a view to secure permanency in the present hospital, the Hospital Assistant Subramaniya Mudaliar who is a native of Madras created similar mischiefs against my predecessor, a mussalman to effect a transfer and he has accordingly succeeded in his endeavours.

7. From the deposition of the prosecuting constable, it will be observed that I was drunk but knew what I was about. A drunken man cannot be expected to be in his senses and when he is in senses, it cannot, I submit, be said that he is incapable of performing his duties. In my case, I was said to be drunk simply because that I used the remedy enumerated in Para 3 for my illness. This remedy has not and could not have made me incapable of performing my duties. Nor is this all. The Magistrate on the strength of the surreptitious evidence of the

Hospital

Hospital Assistant did not at all dwell upon the allegation of drunkenness in his judgment, as he totally disbelieved it.

8. The report made by you was entirely based upon the false representation of the Hospital Assistant Subramaniya Mudaliar who as above pointed out and pronounced by the Presidency Magistrate in his judgment is my enemy. No credit should therefore be given to the enigmatical statement given before you which is contradictory in toto to the one solemnly affirmed before the Magistrate and it is upon this score the Magistrate has disbelieved and discharged the case.

9. I beg to forward herewith an attested copy of the calendar - case No.10020 of 1928 against me (to be returned when done with) for favor of your kind perusal and submission to the Surgeon-General.

10. In conclusion I beg to submit that the whole case is nothing but an out-come of enmity between me and the other Hospital Assistant Subramaniya Mudaliar as will be clearly borne out by his deposition and that of the Magistrate's decision, and I respectfully crave that, in giving due consideration to the latter, the heavy punishment of suspension I am now undergoing may be annulled and that I may be reinstated.

I beg to remain,

Sir,

Your most obedient servant,

Madras,
19 May 1928.)

/Sd/ V. N. Somasundram Mudaliar,
Hospital Asst., No.454.

(True copy)

V. N. Somasundram Mudaliar
30.4.28

Encl. No 3 to P.C.
712895 of 28

Enclosure No. 4 to Letter No. 23 13 19-9-28
IN THE PRESIDENCY MAGISTRATE'S COURT,

EGMORE, MADRAS.

(Application No.)

Before P. Rajaratna Mudaliar Esq., - Presidency Magistrate.

Calendar No. 10020 of 1928.

Complainant.

Ponnurangan, D/403.

Accused.

Somasundram Mudali,

Hospital Assistant,

E g m o r e.

Charge.

Drunk and disorderly behaviour by using indecent and abusive language towards one Subramaniya Mudali on 28th April 1928 at the Isolation Hospital at Kistnampet.
111
75 1928

29-4-28.

Plea not guilty.

P.C. solemnly affirmed and says when I went to the spot accused was seated on a chair and was abusing some body an ass and a dog. I cannot say who was being abused. He had this knife and said that if any one come near he will beat them. I asked him for the knife and he gave it to me. When I came Subramaniya Mudali came with me. He never spoke to me but when I went to the Verandah he said that the accused was abusing. The accused was drunk but he knew what he was about. The Apothecary Nur Muhammed Hussain Sahib came and called me. I did not ask the accused whom he was abusing. I did not ask him whom he got the knife from. I made no enquiry.

Second Witness. Subramaniya Mudali solemnly affirmed says.

I was at the Isolation Hospital. The accused came. He was drunk and began to discharge all patients. He came into the wards. There was a Madacaran standing there. Accused took his knife from him. Because he was drunk I did not like to stop

stop there and so I left the place and went to the office room. This is all that the accused did. I made a report that the whole Hospital was in disorder. The Resident Apothecary of the Rorapet-tah Hospital came with a police man: I did not make a formal re-
-port but sent only a chit. When the Apothecary came the accused had a knife in his hand. The Apothecary brought him to the office and was enquiring him. We took me and the accused to the Surgeon 4th District when I made an oral report. He told me to go to the Police and make a report, and I did accordingly.

Cross examined.

I saw the accused when the Apothecary came with the policeman. He was in the cholera ward. He was standing with a knife. He was holding the knife with both his hands. There were two ward ser-
-vants present. I did not go to the Office room at the enquiry. It is I that made the report about the conduct of the accused and it is in consequence of my report that he is now being prosecuted. I know Syed Abdul Raheem who was accused's predecessor. I reported him also for "disorder" and he was transferred and accused came. Accused reported me to the doctor for leaving the hospital before my time. I was censured by the doctor. We were friendly in spite the accused reporting me. The accused came at 8 A.M. but he ought to have come at 7 A.M. I did not tell him that it was within my power to report him for late attendance. A Madacaran came. Accused asked him where the other madacaran were. The man replied that the other workmen would be coming. We told him to sit in a corner and he went away. The other workmen did not turn up that day. The man who came at first and from whom the knife was taken did not return.

Order.

The constable says that the accused was abusing; but the 2nd witness says nothing about the abuse. The description given by both about the knife is conflicting, and the allegation about the accused's holding the knife in his hands seems to be a fiction. The Police constable says that the accused was seated on a chair and was hold-
-ing the knife in one of his hands, and shows how he did it, but the 2nd witness says that the accused was standing in the ward and was holding the knife with both his hands and shows how he did it. It

is

is alleged that the accused created disorder in the Hospital but there is no evidence to prove the fact beyond the state-
-ment of the 2nd witness who appears to be his enemy. The ac-
-cused is discharged under the circumstances.

Seal of the Presidency)
Magistrates' Court,)
2nd Division, Madras.)

/Sd/ P. Rajaratna Mudaliar,
Presidency Magistrate.

Presidency Magistrates' Court)
Egmore, Madras, 14 May 1898.)

(A true copy)
(for private use)

Copy applied 17-5-98.)
... delivered 18-5-98.)

/Sd/ E. Kelly,
Chief Clerk.

420 words Rs. 2-0-0.
Paper & Stamp "1-3"
2-1-3.

/True copy/

V. N. Somasundra Mudali
30.8.98

Enclosure No. 5 to Letter No. 73 d/9-9-98
13

Copy of a letter from the Resident Apothecary, Royapet-
-tah Hospital to the Surgeon, 4th District, Madras.

No. Nil, dated 16th May 1898.

With reference to your Memo. No. 263, dated
11th May 1898, I beg to report that on the morning of the
23rd April a small chit (marked A) was sent to me by the --
Hospital Assistant Subramaniam Mudaly to come down to Isola-
-tion Hospital immediately and on showing the chit to you,
you gave orders to take a police constable with me that in
case the hospital Assistant Somasundra Mudaly was drunk and
disorderly to hand him over to the Police and assist me to
keep order at the Hospital. Accordingly I went to the Iso-
-lation hospital accompanied with a police constable and -
found the said Hospital Assistant was really drunk and dis-
-orderly as alleged, he had no cloth on his body nor cover-
-ing on his head, he used abusive and obscene languages to
the Hospital Assistant Subramaniam Mudaly accusing him of --
false charges, he had a knife in his hand, which he did not
give it to me readily for some time, he was very noisy and
was unable to answer questions put to him. I put him in a
bandy, and brought him to you in charge of the Police.

/True copy/

(Sd) C. Donovan, Surgeon-Capt.

Ag. Secy, Surgeon-General with the
Government of Madras.

/True copy/

Subramaniam Mudali
30.8.98

Delivered at Royapet
29.8.98

Letter No. 4 to P. L.
C. N. 2895 d/98

Enclosure No. 6 to Letter No. 23 13 9/9/98

Statement of 3rd Class Hospital Assistant V.C. Subramaniam Mudaliar, No. 121.

Isolation Hospital.

At 7-15 A.M. on 23-4-98 Somasundra Mudaliar sent word to me to see him in his quarters and I did accordingly. I found him drunk and unable to assist himself. I requested him to go away home or to sleep in his quarters and promised to take up his duty that day. We ordered the ward boy to tell me that I had no business to speak to him and I had to be quiet. We then ordered some patients to appear before him and when they did so, took up their clothing and after distributing a portion of their diets ordered them to go away home. They agreed to leave the hospital after their meals and after the Apothecary's visit and went to their respective places. A second time he sent for them and --- drove them and the poor patients ran into the garden adjoining the hospital. I at this moment went straight into the cholera ward and from there sent the ward attendant to bring them back and made them sit behind the kitchen. I was not able to manage with him and so sent the Hospital Tody to inform the Civil Apothecary Mr. Nur Muhamed at the Royapettah Hospital. Somasundra Mudaliar then began to act in an indecent manner and I was lead to the necessity of sending a letter to the Civil Apothecary -- through the ward attendant asking him to come down at once. All this time he was undressed. After the ward boy has left the hos-

hospital

30-8-98

Encls 4: 5 to Pub
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II

hospital a Bamboo man who was sent by the Municipality for repair of some bamboo cots came to the hospital, from whose hands he snatched up a knife and was dealing with it as he liked, which led me to order a female servants of the Hospital to go away at a distance and myself went and waited for the Apothecary at the gate of the office room. The Apothecary came with the ward boy and a Police constable and brought him to the office, during which time I was engaged in making the patients occupy their respective beds. The Police constable asked me to go with him to the Police Station with them and from there we went before the Surgeon 4th District who ^{had} taken my statement of the occurrence. The Royapettah Police then asked me to go with them to the Police Station where the Officer in charge took my statement. I then returned to the hospital to resume my duty.

Isolation Hospital)
Kistnapett d/15-5-98.) /sd/ V.C. Subramaniam,
3rd Class Hospital Asst.
No. 621

/True copy/

/Sd/ C. Donovan, Surgeon-Captain,

Ag. Secy, Surgeon-General with
the Govt. of Madras.

/True copy/

V. Somasundra Mudali
30.8.98

(True copy)

Intro to the Pub.
C. No. 2095 of 98

F. No. 7 to Letter No. 33 19-9-98

Statement of ward Attendant Veerasamy, Isolation Hospital.

At about 7 A. M. on 28th April 1898 Somasundra Modelliar came to the Hospital drunk. He went to his quarters and called Subramania Modelliar. In his presence he called several patients after taking the hospital clothing from them and distributing a portion of their diets told them to run away. Subramania Modelliar asked him to go home or to sleep in his quarters and said that he would take duty for him that day. As the patients did not go away he drove them a second time and they left the hospital. In the meanwhile Subramania Modelliar went into the cholera ward and by my aid gathered all of them and making them sit behind the kitchen wall sent the Hospital totty to Apothecary Nur Muhammed Sahib at the Royapettah Hospital to inform him what was going on here. After the totty has left the Hospital, Somasundra Modelliar undressed himself and came to the cholera ward and began to behave badly. Subramania Modelliar gave a letter to the Apothecary which I have taken to him at the Royapettah Hospital, myself, the Apothecary and a Police Constable returned to the Hospital within half an hour. When at the gate of the ~~room~~ office room we saw Subramania Modelliar who told us that Somasundra Modelliar was in the Cholera ward with a knife in hand. Then we all went into the cholera ward and saw Somasundra Modelliar sitting on a chair with a knife in hand. There was none near him. From there we went to the Office room and then to the Police Station and then to the Royapettah hospital where the Apothecary and the 3 hospital assistants went before the Doctor and I returned to my duty.

Isolation Hospital X Mark of Veerasamy
Kistnapett, d/ 15th May 1898 Ward attendant
(True Copy)

(Sd) C. Donovan
Surgeon-Captain

Ag. Secy, Surgeon-General
with the Govt. of Madras.

(True copy)

V. Somasundra Mudali
30.8.98

Enclosure No. 8 to Letter No. 13 d/9-9-98

Copy of minute from the Surgeon, 4th District, Madras, to the Secy
to the Surgeon-General with Govt. of Madras.

No. 235, dated 21st May 1898.

The explanation of Hospital Assistant V.N. Somasundrum Mudaliar, and the statements of Hospital Assistant V.C. Subramaniam Mudaliar, ward attendant Veerasawmy, and Civil Apothecary Nur Muhammed are herewith submitted.

2. I may remark that when news of the drunken and disorderly state of the Hospital Assistant V.N. Somasundrum Mudaliar at the Isolation Hospital reached Royapettah Hospital, I was engaged in a surgical operation, so could not visit the scene of disturbance myself; I accordingly sent Civil Apothecary Nur Muhammed who went to the Isolation Hospital taking with him a police constable from the station en route, they brought hospital Assistant Somasundrum Mudaliar to my office without delay, he was then noisily intoxicated, and I could smell liquor from him though he stood some four or five feet from me, he was very noisy, talked loudly and in a disrespectful manner, he was able to walk without assistance, but was quite unfit for duty, he was removed by the police constable for enquiry at the Police Station.

3. I understand the Magistrate discharged the accused owing to some discrepancies in the evidence put before him, but, from the condition in which I saw the Hospital Assistant that morning I quite believe that the report made against him by Hospital Assistant Subramania Mudaliar is true; moreover, after this occurrence i.e. on the 3rd May, the same drunken hospital Assistant was again arrested by the police for being drunk and incapable, lying in the road in Triplicane, he was taken before the Egmore Police Court next day and was fined Rs. 5.

4. I am not aware that any enmity existed between the two hospital Assistants referred to.

Enclosed to Secy. to Govt. C
No. 2895 of 98

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28.9.98

30-8-98

/ True copy /

/Sd/ C. Donovan, Surgeon-Captain,
Ag. Secy, Surgeon-General with the
Govt. of Madras.

(True copy)

ven. Somasundra mudali
30.8.98

Encls. 8 to P. R.
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Lecture No. 10 73 9-9-98
13

PROCEEDINGS OF THE SURGEON-GENERAL WITH THE GOVERNMENT OF MADRAS.

Read the following papers:-

Letter No.240 dated 28th April 1898, from the Surgeon 4th District, to the President, Municipal Commission, Madras, copy communicated for the information of the Surgeon-General.

Hospital Assistant's explanation, dated 12th May 1898.

Copy of judgment of the Presidency Magistrate, Egmore, dated 4th May 1898.

O R D E R thereon, No.3503 dated the 22nd July 1898.

On the 28th April 1898, the Surgeon, 4th District, reported that 3rd Class Hospital Assistant V.N. Samsundar Mudaliar, No.454, employed on plague duty under the Madras Municipality came in a state of noisy intoxication to the Isolation Hospital on the morning of that date and behaved in a most disorderly manner, that he drove away all the small-pox patients into the neighbouring garden, took the knife from the bambooman who was working there and flourished it at the other Hospital Assistant and the servants abusing them at the same time, that on receipt of information the Apothecary of the Royapettah Hospital went to the Isolation Hospital taking two police constables with him, restored order and got the patients back to their wards; that the Hospital Assistant was arrested by the police and brought to the Surgeon, 4th District who saw that the Hospital Assistant was noisily intoxicated.

2. The Hospital Assistant was suspended and placed by the police before a Magistrate who however discharged him on account of some discrepancy in the evidence.

3. The fact however remained that he was found drunk and noisy by the Medical Officer and the Apothecary. Moreover -- after the above occurrence the same Hospital Assistant was -- again

*Encls to P. G. to P. G. C. No.
2895 of 98*

again arrested by the Police on the 3rd May 1898 for being drunk and incapable and lying on the road in Triplicane and was fined Rs.5 by the Magistrate.

4. The Hospital Assistant in his explanation states that he had taken a dose of quinine and brandy as medicine on the morning of the 28th and was not drunk; that the other charges against him were fictitious and due to an enmity between him and the other Hospital Assistant, and that his talking in a loud voice before the Medical Officer was due to excitement.

5. No evidence has been adduced by the Hospital Assistant to support his statements or to rebut the mass of evidence against him.

6. From his subsequent conviction by the same Magistrate on a similar charge it is clear that the Hospital Assistant is a habitual drunkard and unfit for employment in a medical capacity. He is accordingly removed from the service with effect from the date of suspension, viz: 28th April 1898.

/True Extract/

/Sd/ R.H. Elliot, Surgeon-Captain,
Secretary, Surgeon-General
with the Govt. of Madras.

/True copy/

/Sd/ R.H. Elliot, Surgn-Captn.,
Secretary, Surgeon-General
with the Govt. of Madras.

(True copy)

V.N. Somasundram Mudali

30.8.98

Madras,
25th July 1898.)

Office of Surgeon-General with the

No.4110.

Government of Madras,

Madras, 5th August 1898.

To

V.N. Somasundram Mudaliar,

late Hospital Assistant.

Your letter dated 27th July 1898. Copies of the more important documents have already been supplied to you.

2. Copies of the statements of the Medical Sub-ordinates and of the ward attendant are herewith sent- as also of the remarks of the Surgeon, 4th District, on your explanation.

3. The attestment copy of judgment in calendar case No. 10020 of 1898 is also returned.

4. In your previous application you should have specified the documents, copies of which you required.

5. Your present letter is most impertinent and when your case goes on to Government, the Surgeon-General will forward the letter also as an evidence of your utter want of subordination.

/By order/

(Sd) C. Donovan, Surgeon-Captain
Ag. Secy, Surgeon-General
with the Govt. of Madras.

/ True copy /

V.N. Somasundram Mudali
30.8.98

*Encl. No 10 to P.N.
C. No 2875 of 98*

Enclosure No. 13 to Letter No. 73 d/9-9-98

Very urgent

K

No. 3/4, Police Commissioner's Office
Road.

Egmore, Madras 27th July 1898

From

Enclosure No. 12 to Letter No. 73 d/9-9-98

V. N. Sornasundra Mudaliar,

Late Hospital Assistant, Madras.

To

The Secretary

to the Surgeon-General with the Government of
Madras, Bangalore.

Sir,

Referring to your letter No. 2302 of the 25th Instant, I beg to invite your very early attention to my letter of the 3rd Idem and to request that you will be good enough to favor me with the copies therein asked for as early as practicable.

2. It may not be out of place here to mention that it would be unreasonable if I am not supplied with the copies of the "mass of evidence against me" quoted in Para 3 of the Proceedings of the Surgeon-General, No. 7503 of the 5th Instant. My request to return the attested copy (procured at my cost) in Calendar Case No. 10020 of 1898 has been complied with. It is very strange to observe that the very copies that were not asked for were supplied after a lapse of over 17 days. I would therefore esteem it a great favor by your kindly furnishing me with all the copies of the connected papers in order that I might be given a fair chance of appealing to Government.

3. In the event of your not acceding to my request please favor me with a reply to that effect by return of post, so that I may be in a position to bring the matter to the notice of the higher authorities.

4. By the delay that occurs in furnishing me with the copies under reference, my appeal to Government will not be delayed.

5. For your information, I subjoin the copies required.

(a) Original attested copy in Calendar Case No. 10020 of 1898.

(b) Letters from the Surgeon-General to the Surgeon, 4th District, subsequent to the latter officer's report dated 28th April 1898, No. 240 and his reply thereto, if any.

(c) Statements of Medical subordinates and servants attached

Enclos 11 to 12

C. 757895

25-7-98

K
to the Kistnarpet Isolation and Royapettam Hospitals, if any.
(d) Remarks of the Surgeon, 4th District on my explanation dated 19th May 1898, if any.

I beg to remain,
Sir,
Your Most Obedient Servant,
(Sd) V. N. Somasundram Mudaliar.

(True Copy)
V. N. Somasundram Mudaliar
30.8.98

Enclosure No. 13 to letter No. 73 13 9-9-98
No. 3/4, Police Commissioner's Office
Road, Egmore, Madras.
9th July 1898.

From
V. N. Somasundram Mudaliar,
Hospital Assistant, Madras.

To
The Secretary to the
Surgeon-General with the Government of
Madras, Madras.

Sir,

With reference to the true copy of the proceedings of the Surgeon-General with the Government of Madras, No. 3503, dated 5th Instant communicated to me by the Surgeon 4th District in his office No. 364 dated 7th Instant, I beg to request you will kindly favour me with all the copies of papers (letters, statements &c) connected with my case excepting,

1. Letter from the Surgeon 4th District to the President, Municipal Commission, Madras.
2. My explanation thereon.
3. Letter No. 261 dated 10th May 1898 from the Surgeon 4th District to Surgeon-General, to enable me to prefer an appeal to Government.
11. The favor of return of the original attested copy in Calender case No. 10020 of 93, forwarded with my explanation dated 19-5-98 and the President's note dated 2-5-98 directing me to appear before you is also requested.

I beg to remain,
Sir,
Your most obedient servant,

/Sd/ V. N. Somasundram Mudaliar,
Hospital Asst.

/ True copy /
V. N. Somasundram Mudaliar
30.8.98

Encls No 12 to Sec
C. No 2095-4 98

M

Enclosure No. 14 to Order No. 73 9-9-98
13

Statement of services of 3rd Class Hospital Assistant V.N. Somasundaram

Mudali, No. 454.- Date of rank-1st July 1931.

No.	Name of dispensary to which attached.	From	To	Remarks.
1.	Local Fund Dispensary, Bukka Ratnam, Anantapur Dist.	1-7-1891	6-8-92.	This dispensary was started by him for the first time.
2.	L.F. Dispensary, Titagudy, South Arcot Dist.	7-8-92.	15-10-94	
3.	L.F. Dispensary, Vattavalam, South Arcot Dist.	16-10-94.	11-5-95.	
4.	L.F. Dispensary-Porumamilla, Cuddapah District.	12-5-95.	24-4-95	
5.	Doing duty, Cuddapah.	25-8-95.	12-3-97.	Suspended by the Surgeon-General for a month from 12-2-97 to 12-3-97 for difference of opinion in professional judgment, i.e. in a Medical-Legal point.
6.	Doing duty, Bellary.	13-3-97.	31-10-97	
7.	Plague duty, Madras Municipality.	1-11-97.	23-4-98.	

V.N. Somasundaram Mudali
30.8.98

M

N

Through the Health Officer, Madras Municipality.
No. 15 to Letter No. 73 d/9-9-98

No. 3234.

Extract from Orders by the Surgeon-General with the Government of Madras, Madras the 24th June 1898.

The undermentioned 3rd class Hospital Assistants having completed 7 years' service and passed the qualifying examination are promoted to 2nd Class with effect from 1st July 1898.

Rank.	Name.
x	x
3rd Class Hospital Assistant.	V.N.Somasundrum Mudaly, No. 454. Plague duty under Madras Municipality.
x	x

/True Extract/

/Sd/ R.H.Elliott, Surgeon-Capt
Secretary, Surgeon-General with the Government of Madras.

To
3rd Class Hospital Assistant V.N.Somasundrum Mudali, No. 454.

Forwarded to H.A. V.N.Somasundrum Mudali.

/Sd/ J. W. Cornwall,
Health Officer.
27-6-98.

(True copy)

V.N.Somasundrum Mudali
30-8-98

Encls No. 14 to Put

CURRENT NO. 2875

OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,

No. 73/13 Potacamund 9th September 1898.
Madrass,

From

SURGEON-MAJOR-GENERAL C. SIBTHORPE, C.B., F.R.C.P.I.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,
Public DEPARTMENT.

SIR,

I have the honor to transmit the accompanying petition from V.N. Somasundra Mudali, late a 3rd Class Civil Hospital Assistant, Madras Subordinate Medical Department, appealing against his dismissal from the service.

2. The whole case is set out in my Proceedings No. 3503 dated 5th July 1898 a copy of which is attached to the Petition.

3. A Medical Subordinate who is capable of being found helplessly drunk on a public road is hardly the person to be trusted with the lives of patients. His explanation of the incident as given in the petition is a mere fiction as he pleaded "guilty" before the Magistrate vide copy of Judgement in Calendar case No. 10290 of 1898 attached to the Petition.

4. I have no doubt that he was also guilty of the charges brought against him by Hospital Assistant Subramanian but that he escaped conviction on account of some discrepancies in evidence. Surgeon-Lieutenant-Colonel Walker who saw the man immediately after distinctly says that he was noisily drunk.

5. It will be seen from the present petition and its annexures that the Hospital Assistant's signature is very shaky and enough to prove his intemperate habits.

Encls 4. 15 to P. S.
6. 7. 2. 2. 2. 2. 2. 2.

6. Under the circumstances I trust Government will be pleased to summarily dismiss his appeal.

I have the honor to be,

Sir,

Your most obedient Servant,

C. S. M. S.

Surgeon-Major-General,
Surgeon-General

with the Govt. of Madras.

[Signature]

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H. M.

Public Dept:

C.No.2895

1898.

Subject

Appeal against his dismissal for
drunkenness by late 3rd class Hospi-
tal Asst. V.M. Somasundram Mudali.

FOR ORDERS

Petitioner at *Q* appeals
against the order of dismissal at *J*,
which was founded on his having been
convicted of drunkenness (*vide* exhibit *D*).
The Petitioner pleaded guilty to that
charge. Submitted that the S.G.'s
order should be upheld. A draft *order* is sub-
mitted for approval:--

ORDER

No 1219, 8 23rd Sept.
1898

Petitioner will be informed

that Government declines to interfere

in his case.

S.G. (2)

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