M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1659 Press ~~Mis.~~

59-60

Dated 8 — 12 — 1859.

Not to be folded or roughly handled

3-7-26

Proceedings of the Madras Government, Revenue Department, for the month of December 1859.

No. 59. Read the following.

To the Honorable Sir CHARLES EDWARD TREVELYAN, K. C. B., Governor in Council; Fort Saint George, dated Madras, 1st October 1859.

The humble petition of Ramrow, late Tahsildar of Pulladum táluq in Coimbatúr Zillah.

Your Petitioner submits herewith a memorial to the address of the Secretary of the State for India against the orders of Government, dated 17th May 1859, passed on his petition No. 1272 of 1859, together with all the papers connected therewith, (triplicate in copies), which it is requested, may be ordered to be despatched to the Home authorities.

No. 60. ORDER THEREON, 8th December 1859, No. 1659.

Ordered that the memorial forwarded with the foregoing letter be submitted to the Home authorities, and that intimation of its despatch be given to petitioner.

(Signed) L. FORBES,
Deputy Secretary to Government.

The Secretary of the State for India

The humble Petition of Ramrow late Tasseldar of Pulladum Talook Zillah of Coimbatore under the Presidency of Fort St. George

Humbly sheweth

That Dissatisfied with the order of Govt. made on his Petition No. 1272 of 1859 dated 17 May 1859 Your Petitioner respectfully Appeals therefrom on the following grounds submitting herewith as several Documents as have reference to the grievances therein Complained of

That Your Petitioner is a Servant in the late Honorable Company's Service 7 Years as Talook Gomastah in Madura District on 17½ Rs. per Mensem 5 Years as Talook Sheristadar in the Zillah of Coimbatore on 35 Rs. per Mensem 10 Years as Tasseldar of Pulladum Talook in the same Zillah on 100 Rs. per Mensem

2

That Your Petitioner discharged the duties of

of his Office so correctly and with such Vigilance that few of the bad character residing in his Talook became his Enemies and that he was removed from Office upon their Combined evidence by the Sub Collector and Collector of the District. The Cause which gave rise to his removal having been stated at Length in his Petition marked B and E it is needless for him to reiterate here than succinctly stating the nature of the Charges imputed to him and the manner in which the Collector and the Board over passed the justice as well as the decline of the Government to interfere with their Subordinates decisions.

The Enemies of the Petitioner are these -

I Olagamoottoo Counden and 9 others have set a Case against your Petitioner as of the (Ramalaren) Charged Your Petitioner with having received a bribe of 40 Rupees for his alleged removal of stones from the Orricut - The Petitioner was fined 80 Rs according to the sentence marked A

~~The same~~

Rayatauen

II Rayatauen Charged Your Petitioner with having differed to give him a Stamp paper certified he pays him a bribe of 150 Rs The Petitioner was fined 80 Rs accordding to the sentence marked A-2

III Have set up a case against Your Petitioner as if he received 100 Rupees from one Tungamoottoo Counden of Echimpatty - 4 years ago no sentence was passed in this case -

IV The same Olagamoottoo Counden and 9 others have set up a case against Your Petitioner as if he received 250 Rupees from Patany Counden of Vaniputtum 2 years ago No sentence was passed in this Case -

V The same Olagamoottoo Counden and 9 others have set up a case against Your Petitioner as if he received a bribe of 500 Rupees from Sanapathy Caunden and Pinnie Counden of cully pottiem and Alalanady Villages 4 years ago No Sentence was passed in this case

VI The same Olagamoottoo Counden and 9 others have set up a Case against Your Petitioner as if he received Rs 1150 from

against him -

from Cursum Chetty of Pulicat
Prisoners and Rupees 2.00 from Vijiapoo-
-ram Channa Chetty (2 years) No sentence
was passed in this Case.

Of the six Cases above mentioned only
two (Nos I and II) are stated by the Sub
Collector to have been proved as would
appear by his sentences A & A - The
Extraordinary manner of bringing
the stains to bear against your Petitioner
is this - None of the Prosecutors has
appeared nor presented written Complaint
before the Collector. The abovementioned
Olagamootoo Cowunden and 9 others
appeared before that Authority and gave
private information that the Petitioner
received a bribe of 20 Rupees from each
in the matter mentioned in the sentences.
Ther Collector issued Notice to the
Prosecutors and Summons to the Wit-
-nesses at once (a circumstance quite
opposed to the established Regulations)
The witnesses examined in the first
Case are Uncle (and brother in law to the
Prosr

Prosecutors and those two examined in the
other Case are Nephew and one of the 10
Enemies. The two Prosecutors and 3
Witnesses are nearest relatives of one
of the 10 Enemies, Massoolachella tavern,
It is not a surprizing plan that the
Witnesses will never go unupheld their
ancestors false Complains. It is a general
rule of the English Government that its
functionaries shall allow the Charged to
be present at the trials and give him all
previlege of Cross questioning the witnesses
and Prosecutions to disprove the Charge
but such previlege was not allowed to
your Petitioner at all in these two Cases
but on the Contrary the Prosecutors and
their whole Number of witnesses made
to be present and to hear what each
deposes and call the rest to depose -
Here any qualified European Gentleman
will be justly disposed to Concluded that
although the Cases were pronounced
to be proved Yet they are liable to be
annulled -

The Other 4 Cases (III IV V & VI)
The
against him -

The said 10 Examiners did, as they have done in the two Cases (I and II) privately give ther names of the persons to the Collector who having given bribes to your Petitioner and the Collector then issued Notices and summonces at Once to the Witnesses in one after another Case. The manner of ascertaining the truth of these 14 Cases are very rare form, that is on private information being received the Collector used to ask the persons attended and if they pleaded ignarance he will permit them to go home and require the informants to amend up the Case - So each Case was laid aside for a week or upwards and at last the informant Olagamoattoo Crounden arranged that two or more of the 10 to be come witnesses in One Case and one two to became Prosecutar in another Even these parties were divided and admitted as such the Cases were not proved against your Petitioner and therefore the Collector recommended to the Board that your Petitioner might be removed on the 18th December 1857.

The Board of Revenue on the

19th January 1858 directed the Collector to Reexamine the Cases and dispose them under Regulation -

The Collector having gone on leave the Sub Collector in Charge undertook the disposal of the Case upon himself by doing nothing fresh enquiry there only reading the papers to the Prosecutor and Witnesses and Obtaining their signatures thereto. Your Petitioner requested the Sub Collector either to take fresh Depositions from the witnesses or to question them to relate the Circumstance without reading over to them the Depositions and Compare their statements with those Depositions which he declined to do except doing as above mentioned and then passed the sentences $\frac{1}{2}$ & $\frac{1}{2}$ on the 29th January 1858 - The Petitioner paid off the fine imposed on him under those sentences -

The Sub Collector submitted his sentences to the Board in reference to there instructions dated 19 January 1858 -

The Board going through the merits against him -

merits of the Cases referred to in those Sentences were pleased to Cancel the Sentences A_1 and A_2 aforesaid but Owing to the misfortune of the Petitioners ordered to remove him from Office on the 8th March 1858.

The Petitioner successively presented 3 Petitions to the Board stating all and every sufficient Grounds but they took no notice than stating that "they on the 8th March 1858" Cancelled the decisions Complained of "on account of informality but they saw reason "however to authorize Petitioners dismissal."

Whereupon the Petitioner appealed to the Government but they declined that they see no reason to interfere with the Boards decision.

Having stated all the Circumstances attendant on the mode of Enquiry from the beginning to the end it only remains for the Petitioner to fall on the mercy of the Home Authorities and solicit their benient interference in superseding the orders of the local Government upon deliberate Consideration of the following reasons and legal inferences.

The case of Ramatavan referred to in the Decission A_1. This individual who pleads to have given me a bribe in the matter referred to in the Sentence is forwarded to the Magistrate for the same and recommended to incur the penalty in the Petitioner's Arizee dated 15th November 1856 If the statement of the said individual that he bribed him was true, he may or ought to have complained of it to the Magistrate at the time The case tried against that individual is that he stole the stones of the Anicut was tried by the Taluk Sheristadar and not by the Petitioner was only the Officer that forwarded him and his witnesses to Magistrate while there is no favor done to him except injury by sending him to the Magistrate to be fined, there is no reason for him to give the Bribe to the Petitioner. The records connected with his being forwarded to the Magistrate are now on the Magistrates' record. Besides this the individual has never made known to the Sub Collector and Collector who on several occasions visited

against him.

visited the Talook stations no one can stay without disclosing the matter for a year after he has given the bribe - The two witnesses who gave evidence in this Case are on several Occasions punished by the Petitioner for their unjustly and clandestinely carrying the water of others to their own fields -

In the Case of Poiyatavien referred to in the sentence A/2 - The 1st witness is Nephews to this individual and the 2d is the Curnum of the Village Itchimputty whose garden was jointly purchased by the said individual and by the 1st witness - The said 2d witness having appropriated the Circar Collection about Rupees 200 to his own use, the Petitioner levied the Money from and suspended him for one year for that fault just one Month before the enquiry instituted against the Petitioner Therefore he has decended to the instigation of the Prosecutor and other Servants of the Cutcherry who were ill will with the Petitioner The Prosecutor states that it

it was a year and half before ie, during the Jamabundy that he bribed the Petitioner - If so, there would have been no bar for him to have made known the Circumstance to the Collector who was on the spot for Jamabundy Had the said individual made known the delay to the Head Sheristadar who was setting the Jamabundy at the time he would have repremanded the Petitioner for it and the stamp paper of 2 Rupees Value given him presently without difficulty or necessity of giving the bribe to the Petitioner - the remaining 4 Cases in which no sentence is posed except bare allusion in the Collectors ter or report dated 8 December 1858 - one is -

III Jungamoottoo Counden &c 10 persons of the Village of Itchimputty were charged with Murder which Case the Petitioner tried and forwarded them to the Court with his report dated 18th August 1856. In this Case the Petitioner is charged to have received a bribe of 100 Rupees from the witness Jungamoottoo Counden the

against him -

the Manayar, who was lately dismissed in some other Cases and who was called by the Collector, has deposed that he collected 100 Rs. from 10 persons and gave the same Amount to the Petitioner. Upon this his Statement the first mentioned Sangamoottoo Counden was made Prosr. and this Manayar Sangamoottoo Counden a witness: While the Petitioner committed the Case for trial before the Court what would be the reason for him to give the alleged bribe to the Petitioner. all these proceedings are on Courts record. all the proceedings connected with the dismissal of this Sangamoottoo Counden in other Cases are on the Magistrates record. In this bribery Case no Eye

III

witness ex. the witness Choudrik was recommended to be made one

IV

Evil Jail for the arrest of Parian

The other Case of Palany Counden In this Case the Petitioner is charged to have received 250 Rupees from Palany Counden. The Man Palany Counden who is said to have

fined

paid the Amount to the Petitioner made no personal appearance nor presented Complaint before the Collector but Alagamoottoo Counden & 10 persons abovementioned have set up this Case as they informed to the Collector and selected two of their Relatives who deposed that the Petitioner received the bribe in the Muntrippollum Chuttrum (Where the witnesses resides). The Petitioner did not go to that Chuttrum 8 Months prior or 8 Months subsequent to the date on which they deposed to have given the bribe 2 Years before this will be verified by the records of the Talook & Hoozoor.

V

In this Case there is no other Prosecutor nor witnesses but the said Alagamoottoo Counden & 10 have selected two witnesses (who were Enemies to Sanapathy Counden and Sinnia Counden of Valarasa Cullie pollium). These witnesses deposed that they heard that the Petitioner received a bribe of 500 Rupees from Sanapathy Counden & another 4 Years before. These being

against him.

being hearsay Men & is no case at all.

VI In this Case no witnesses but Prosecutor only. The said Olaganoottoo Coundan & 10 have only procured Prost. who stated that he had no witnesses to support his Case that is Vinnatumby Chetty his son in law Curpen Chetty gave a bribe of Rupees 200. Rs. 150 to the Petitioner

The said Olaganoottoo Coundan & 10 persons who in other petty Cases had during the Petitioners Jaspildarship had been punished, suspend or dismissed, & for whose Conducts there are ample records on the record of the Court & Magists had set up the Cases against your Pet.rs Had the Documents been called for & inspected as the Petitioner stated in the Government Petition, the Petitioner would have obtained justice which happiness the Petitioner was not yet met with owing to his misfortune.

Therefore Your Petitioner

respectfully

respectfully begs to conclude by stating that even after the Board of Revenue have cancelled the ~~extraction~~ Collectors decision for which he was removed and fined Rupees 160, he was not restored to his Post nor repaid the fine imposed, and that the local Government has over passed such apparent point, and that the Petitioner suffers for maintenance this 21 Months, that he has no other savings whereby he could subsist himself for he acted so correctly in Circar business that he procured the enmity of the people and that therefrom the Home Authorities will have clemency upon the petition and order his reinstatement and refund of the fine imposed.

Shall Ever Pray

Madras
October 1859

P.S. The two orders passed by the Board of which no copy is with the Pet.r should be called & referred by the Home Authorities & justice done to him.

Rama Row Tahsildar of Pullaram
is charged with oppression in the
following instances.

The Prosecutor Ramalawan
of Loolooe in Pullaram Talooke
deposes that about a year ago
certain Stones of the Rashepollium
Amient were carried away by
freshes. the Defendant Rama Row
Tahsildar of Pullaram, made
this a pretesth for extracting money
from him by intimating he might
be charged with having taken the
Stones away. Prosecutor therefore
went to the Defendant's house
and there in presence of 1st witness
paid 40 Rupees to defendant for
the purpose of buying off any
charge that might be made
against him.

1st witness deposes and Confirms his statement on oath that he accompanied prosecutor to defendant's house, and there gave Rupees 40, which prosecutor had previously entrusted to him, to defendant for the expressed purpose of buying off any charge respecting the Stones of the Rashipollium Amient.

2d witness accompanied prosecutor and 1st witness to defendant's house with a full knowledge of what they were going there for - he remained without, and in a short time they came out, and told him that the matter had been arranged, and the bribe paid and accepted.

The Defendant denies the Charge -

I consider it sufficiently established that defendant for a bribe of Rupees 40 allowed Complainant to buy off a charge, whether true or false does not appear, that might have been made against him, and therefore sentenced him / Defendant / to a fine of Rupees 80 under Clause 1 Section V Regulation IX of 1822, in default of payment to be kept in Custody in the Cutcherry or Jail, under Clause 2 of the aforesaid Section and Regulation.

Coimbatore
Collr's Office
29th January 1858.

/Signed/ Wm. J. Walhouse
Sub Collr in Charge

/True Copy/
The term of appeal
on this Decision expires
on the 29th April 1858.

Sub Collr in Charge

Rama Row Tasildar of Pulladum is charged with evasion in the following instance.

Seya Sevan of Ramanathapooram in the Coimbatore Talook, jointly with 1st witness, had purchased a garden from 2nd witness in Calingal a village of the Pulladum Talook about one and a half year ago. He applied to Defendant to purchase a Stamped paper for a sale bond, such Stamped paper being required by a Circular from the Collector under date 28th November 1853 to be purchased in the Talook where such transfer is effected. Defendant on various pretexts deferred giving the Stamped paper till a bribe was paid. Prosecutor accordingly went to Defendant's house and there

paid

Exhibit A
Resolution of the Collector
in Charge.
Nov 29 32/58
D 1818/58
Ex. No. 12 of 1859

paid him 40 Rupees before two witnesses, and got the Stamped papers on the " same afternoon.

1st " and 2nd " witnesses prove on oath the payment of 40 Rupees to Defendant in his house in their presence for the purpose of obtaining a Stamped paper from " Defendant who had previously evaded furnishing one. Defendant having " received the money said that if they came to the Cutcherry in the afternoon the Stamped papers would be furnished; " they accordingly went there, and it was given to them.

Defendant denies the charge

The evidence proves defendant to have received a bribe of Rupees 40 for doing an official act, namely "

supplying and selling a Stamped papers to Complainant for which no payment could be lawfully demanded. He is therefore sentenced to pay a fine of " Rupees 80 under clause 1 of section V of Regulation IX of 1822 and to be kept in custody in the Cutcherry or Dillah Jail till the judgement is satisfied, under clause 2 of the aforesaid section and Regulation.

I also Concur with the " Collector in recommending the " dismissal of defendant from his Office.

(Signed) M. J. Walhouse
Sub Collector incharge

Coimbatore
Collector's Office
29th January 1858

The term of appeal on this decision expires on the 29th April 1858.

True Copy

M. J. Walhouse
Sub Collector incharge

To

9 32 Jds
8/4/50

The President and Members of the Board of Revenue

The humble petition of Rama Row, late Shanbogue Sildar of Pulladum, in the district of Coimbatore, presented by his Vakeel M. Vencatroyaloo Naidoo

Sheweth,

That one Ramathaven of Soolur in Pulladum Taluk, charged your petitioner with having, about a year ago, received from him the sum of 40 Rs as a bribe for his alleged removal of certain stones from the Anicut of Rashapolum. That an investigation was held into this charge and a fine of 80 Rs was imposed upon your petitioner under clause 1st, Section V. Regulation IX of 1822 together with his dismissal from his Office, and feeling himself aggrieved by this decision, your petitioner begs to prefer this his appeal to your Board on the following grounds, in the humble hope that his case may receive your favorable consideration.

1st — That the first witness who has deposed to the payment of the said bribe to your petitioner for the purpose of buying off any Charge respecting the stones of the Rashepolum Anicut is the paternal uncle of the prosecutor, and although that he deposed truthfully, which is not the case, it is submitted that no man — be his crime what it may —

A 2/2
Sub Collector in Charge
Decisions —

Received 2nd Feb 1850

Law P. 932/58

Rs 1818/54

can be convicted upon the ipse dixit of a single and uncorroborated testimony. If public servants are to be punished upon such evidence, no one will be safe, more especially men holding the office of Phasildar and Head of Police, who are likely to have many enemies in their Talooks by reason of their acting strictly in the fulfilment of their respective duties, and your petitioner is fully persuaded that your honorable Board will coincide in the opinion thus expressed on the subject.

2dly That the evidence of the seconde witness, to which reference is made in the Charge, is not worthy of credit, inasmuch as he deposes that he was not present at the time of the alleged payment of bribery to your petitioner at his house; that he remained outside the premises; and that in a short time, the prosecutor and the first witness came and told him that the matter had been arranged. Here your honorable Board will observe that if this witness had actually followed the prosecutor and the first witness to your petitioner's house with a full Knowledge of the transaction, as stated in his deposition he would not have remained outside the house; neither is it probable that he would have done so. This circumstance affords a strong and convincing proof that the charge is a downright fabrication originating in malice, which will be presently pointed out for the consideration of your Honorable Board.

That

3rdly.—That your petitioner charged the prosecutor in the first instance with having taken certain stones from the said Anicut, and made a report to the Magistrate on the subject, recommending the infliction of punishment upon him, and when the matter was under investigation of that Officer, it was fully open to him to prefer the present charge at the time, which he has not done, and which, combined with the fact of your petitioner having, in the exercise of his duty as Head of Police, charged the prosecutor with having carried away the stones in question, shows that the charge now preferred against your petitioner is, as stated above, a fabrication originating in malice. This circumstance was not brought under the consideration of the local authorities at the time your petitioner was convicted, and had it been so done, they would have dealt with the case very differently, for it is not possible that a servant of Government in the position of your petitioner would, after charging the prosecutor in the manner he did, have lent himself to an act, which, he knew, would have proved fatal to his future prospects in life. The whole record connected with the removal of the stones by the prosecutor is in the Magistrate's office, and your petitioner entertains a confident hope that your Honorable Board will, on reference to it, be convinced of the utter falsity of the accusation preferred against him

and

and the consequent injustice done him by the infliction of fine upon him on the one hand; and his removal from duty on the other.

4th. That your petitioner was further charged by one Payathasen with having received from him the sum of 40 Rs for selling to him a stamped paper. Of this charge also, he was, in the opinion of the local authorities, convicted, though it is equally unfounded, and originated in malice, which he will presently explain.

5th. That the first witness is the nephew of the prosecutor, and if his testimony was entitled to any credit at all, it should have been received with extreme caution and hesitation, which was not done in the present instance; on the contrary, due weight was attached to it, and to the testimony of the second witness, which ought to have been thrown overboard by reason of his being under suspension from his duty of village Curnum at the instance of your petitioner, in consequence of his having appropriated the money he collected in the village to his advantage at the expense of the Circar, which circumstance is not unknown to the local authorities, and had it been duly taken into consideration by them, surely they would have dismissed the charge as being void of truth.

That

6th:- That the prosecutor and his two witnesses were examined behind the backs of your petitioner. He was kept at a distance from the place of the examination, thereby denying his right of cross-questioning his accuser and his witnesses; a right to which every person - be his criminality what it may - is entitled, and your petitioner is inclined to believe that your honorable Board will admit that the course pursued by the local authorities is open to grave objection.

Under all these circumstances, your petitioner humbly solicits that your Honorable Board will be pleased to send for the whole of the record connected with your petitioner's case, and on a perusal of the same, order the remission of the fine imposed upon him via Rs 1.0.0, and his restoration to the post from which he has been removed upon suspicion excited by his enemies, and your petitioner, as in duty bound will ever pray.

M. Venkatasamy Iyer

Vakil

1835

Pleader of the Sudr Court.

2035 Dt. 17 July/58.

To

The Honorable the President and Members
of the Board of Revenue.
Fort St. George

The Humble Petition of Rama Row
late Tahsildar of Palladam Talook in the
Zilla of Coimbatore.

Humbly Sheweth.

1. That your Petitioner on the 7th April 1858 submitted his hard case to the Consideration of your Honorable Board through his late Uncle's Vakeel Venkatarey but that on the Orders of the Sub Collector of Dismissing your Petitioner from his employ upon frivolous charges and

2. To this Petition your Hon.ble Board were pleased on the 22d of the same Month to endorse that your Hon.ble Board on the 8th March last cancelled the decision of the Sub Collector in charges on Account of malicity, but that they saw reason however to authorise your Petitioner

3. The Sub Collectors decision being cancelled by your Hon.ble Board, your Petitioner is at a loss to Conceive what other "reason" could possibly have come before your Hon.ble Board to authorise your Petitioner's dismissal. Your Humble Petitioner Submits that he has done nothing even merit a censure from your Hon.ble Board and feels satisfied that if he will be favored with a Copy or Extract of the Hon.ble Board's Proceedings of the 8th March last alluded to by your Hon.ble Board in the endorsement of the 22d April last, your Petitioner is confident that he will be able to give such satisfactory and perfect explanation as will indemnify

Rec.d 22 April 1858
Read
Mamun Row, late
Tahsildar of Palladam Talook
on the Zillah of Coimbatore
by his Vakeel Mr. Venkatarey
for Review.

Dated 7th April 1858
Rec.d 8th April 1858
with 3 Enc.s

Referred to the Sub Collector in charge
the Sub Collector is requested to
inclosed evidence received from
Sentence, and Observations
his report, upon the
charge of Robbery, on the
Petitioner, and Receipt for
Records herein adduced
for orders thereon

By Order
Sd/- [illegible]
Sec.y

Fort St. George
22d April 1858

By Orders
Sd/- [illegible]
Sec.y

Rec.d Office,
Fort St. George
22d April 1858

The Board are
the 8th March last cancelled
the decision complained of
on account of informality
they saw reason however
to authorise Petitioner's dismissal
Petitioner

Rec.d 22 April 1858
Read
Mamun Row, late
Tahsildar of Palladam Talook
on the Zillah of Coimbatore
by his Vakeel Mr. Venkatarey
for Review.

Dated 7th April 1858
Rec.d 8th April 1858
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Referred to the Sub Collector in charge
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Records herein adduced
for orders thereon

By Order
Sd/- [illegible]
Sec.y

Fort St. George
22d April 1858

By Orders
Sd/- [illegible]
Sec.y

Rec.d Office,
Fort St. George
22d April 1858

The Board are
the 8th March last cancelled
the decision complained of
on account of informality
they saw reason however
to authorise Petitioner's dismissal
Petitioner

Sd/- [illegible]
Sub Sec.y

B

Rec.d 12 & 22 April 1858

tion as will induce your Hon^ble Board to order his res-
toration to his appointment, without even a censure.—
Your Petitioner therefore humbly prays
that your Hon^ble Board will be kindly
pleased to order Extract of the Proceedings
of your Hon^ble Board of the 8^th March last
be granted to your Petitioner.— Or if granting
Extract be contrary to the Rules of your
Honorable Board, to allow your Petitioner
Mookhtear Vakeel Mr. V. S. Sam to
have access to the same and take such
notes as would help your Humble
Petitioner in clearing his character.—
And your Petitioner in duty bound
Will ever Pray.—

Madras.
16th July 1858.

S. Your Petitioner being now in Mad-
as, prays that the Hon^ble Board's Or-
der on this Petition be sent to him care
his Mookhtear Vakeel Mr. V. S. Sam.

2538/L.A.

31 Aug 58

To

The Honorable the President and Members
of the Board of Revenue
Fort St George

The humble Petition of Ramasawmy
Petitioner in No 2035 of 1858 on the
files of your Honorable Board

Humbly Sheweth.

That your humble Petitioner submitted
1st application to your Hon^ble Board on the 16th July last praying for
copy of the Board's Proceedings of the 8 March 1858 or an acco
to it with the view of ascertaining the reasons that induced your
Hon^ble Board to dismiss him from the Service, but to his deep
your Hon^ble Board were pleased to refuse compliance by
Board see no occasion to comply with the Petitioners Requ

That throws back and the right of knowing
2d crime for which he is so harshly dealt with — a right that is justly accor
ed to the greatest Malefactor on earth — your humble Petitioner ca
not but presume and assume that the Two Charges embod
in the Orders of the Sub Collector in charge dated 29th January la
formed the Reasons that induced your Hon^ble Board to ar
rive your Petitioners dismissal — notwithstanding that the Sai
Orders were Cancelled by your Hon^ble Board — Consequently y
Petition humbly begs leave briefly to state the nature and pa
culars of the two accusations whereby your Hon^ble Board we
once perceive how utterly incredible are the stories got up
that they are the Machinations of some evil disposed person

That in the case of Ramatawen your Pet
3d Submits, in limine, that there is no Prosecution or charge pro
there May not from any other against your Petitioner — Ramata
was summoned

Received 12th Sept 1858

No 2035 of 1858

From Rama Row
late Tahsildar of
Pallakum under
Cuddapah

Dated 16th
Read 19 July 1858
and 18 Aug 1858

Prays that he may
be furnished with
copy of the Rev Pr.
alluded to in Her
Endt on his Petn of
24th Inst

Referred
to the Collector
of Cuddapah
for his report
by order
Vizh
Secretary

C

=ed an excuse to be
cause in order that
he may be enabled
to endeavour to obtain
=Board reconsider
dismissal from the
Service

He Board desire
reason to comply
with Petitioners
request —

Revenue Board's Proc.
Fort St George
25th Sept 1858

By order
Vizh
Secretary

was summoned to attend and give deposition and their deposition taken in your Petitioner's absence and on the strength of which he is since Styled the Prosecutor, formed the foundation of the Accusation which terminated in your Petitioner dismissal.- Your Hon.ble Board will perceive that there must have been an invisible Prosecutor in the matter- as otherwise no Summons would issue at the instance of nobody.- Who this unknown Prosecutor is a mystery that has not been unravelled up to this date. Similar Summons were sent to the two other corroborating Deponants or Witness, who were brought up together and Ramatavan interrogated, and when his Deposition was taken down, the other Two were asked if what he had said was right- to which they gave an affirmative answer. And this proceeding sealed your Petitioners doom!

During all these examinations your Petitioner was directed to keep away as far as was sufficient to prevent his overhearing the Depositions that were being taken down

4. Your humble Petitioner begs submissively to call your Hon.ble Board's kind attention to the singularity of this Case and its utter improbability.- This man Ramatavan was accused of stealing 2 Stones in October 1856- on which occasion it is averred your Petitioner received the Bribe of Rup.s 40. to keep off any charge that might be brought against him;- in fact, your Petitioner is represented to have sent for the said Ramatavan and asked him for the Money; and yet if your Hon.ble Board be pleased to send for the Records of that Case it will be evident that it was duly investigated into by the Sub Police Officer to whom your Petitioners Report referred the Case for investigation and reported it to the Magistrate recommending Severe punishment- Had the case been as now represented (in November 1857) how was it that this Compulsory bribery was not disclosed to the Magestrate at the time when the Magestrate on your Petitioner's Report ordered the matter to be sent up to him, particularly when he saw that he was about to be let off that after the lapse of a year he comes forward, not of himself but upon Summons sent and in a Deposition speaks of this having been

your Petitioner. It would seem as if the bribe was given to remove himself and not to keep off the charge.

5. The other case is still more ridiculous not preposterous. Its investigation was conducted and carried on exactly in the same manner as in the above case. Your Petitioner was not allowed an opportunity of defending himself or of hearing the depositions and no proofs were called for or taken. Your Petitioner was condemned simply because one man said that he had bribed and two others bore testimony to the correctness of his accusation- No enquiry was made to ascertain who sold the identical Stamp- the duty of selling which in the Taluk Cutcherries now devolving upon the Taluk Serishtadars.- The Serishtadar was never sent for or questioned and the Stamps was not produced to speak for itself. This man Peyatavan who says he has paid Rs 40 a year and half ago for a Stamp of 2 Rubies but who cannot recollect the date corrected or rather by statement confirmed by two witnesses (styled and to be the bearer) and the other, jointly with Peyatavan (styled by the Order of the Sub Collector in charge) this fellow of the Tyr[illegible] upon such accusations they are to fair credit that the Sentence contained in the Order of 29th June 1858 now called, was passed upon your Petitioner.- If Public Government Servants, holding the situation of Shanbogs, are to be dismissed on such futile grounds, then, there is no justice on Earth and the Minutes of Consultations of 8th August 1856 No 840 is but a dead letter and by no means to be attended to.

6. Your Petitioner further begs to submit that he was not called upon to answer any of the charges or depositions till both Cases were concluded when at a late hours of the night he was asked if he would question the Deponants and on his asking permission to do so next day, he was told there was no occasion for it.

7. Although your Hon.ble Board cancelled the Orders of the Sub Collector in charge, your Petitioner humbly submits that the Sentence has been fully carried out as passed

8. Your Petitioner

Upon Petition in Conclusion begs respectfully to invite Upon Hon^ble Board's kind attention to the Circular Orders and the Minutes of Consultation noted in the Margin, particularly to the Second C.O dated 2^d Nov^r 1837 in the case of Patta Ramien and Veeappyen, the Phraseology of which case and that of Upon humble Petitioner's, is so great and striking that Upon Petitioner is confident a similar justice awaits him.:-

Upon Petitioner therefore most humbly prays that Upon Hon^ble Board will be pleased to call the Record of his hard case to their consideration and by taking that and all the foregoing circumstances into Upon Hon^ble Board's favorable consideration, be pleased to Order Upon Petitioner's restitution to Office and the pecuniary loss he has sustained deprived and deprived as shown above.

And Upon Petitioner as in duty bound shall ever pray.

Madras
31^st August 1858

Wm Ivon Shaw

C.O. dated 2^d March 1837 and Minute Page 226
do 2^d Nov^r 1837 - Page 242.
Minutes of Consultation dated 8^th August 1856 Page 185

No. 2538 of 1858.

Petitioner is informed that the records in his Case were taken into due consideration before the Board's order of 8th March last was passed and they see no reason to modify that decision.

The fact of the Sub Collr's sentence being cancelled on the ground of informality by no means relieved Petitioner from the strong imputation of corruption under which he lay - and which was such as in the opinion of the Bd to disqualify him for further employment in the public Service. No further Petition on this Case will be noticed.

By Order,

Sub Secy.

Revenue Board Office,
Fort St. George,
13th Sept. 1858.

No. 2538 of 1858

From
Rama Row
To
Lewis Bentinck

Petitioner complains that the Collr of Trichinopoly has dismissed him from the Service without assigning any reason for the same, and prays that the Board will be pleased to direct that he may be restored to his situation.

Dated 31st August 1858

Rec'd 31st Augt 1858

Rule 12 of 1839

Referring to the Board's Order on the former Petn dated 8th March last declining to interfere in the matter.

Copy to Petr

Heir Petn of 1858 and
on the subject of his

N 2538 of 1858

D

R 1818/59.

25

To

The Right Honorable the Governor in Council
of the Presidency of Madras
&c &c &c
Fort St. George.

The Humble & Submissive Memorial
and Petition of Ramasawmy Pulle
Tasildar of Palladum Taluk
in the District of Coimbatore

Humbly Sheweth.

That your humble Memorialist was
Thahasildar of Palladum Taluk in that Collectorate
zeal & fidelity and by maintaining a good reputation
enjoyed the good will and esteem of his Zeal & Superior
in the District

That whilst thus enjoyed in discharging his duties
your Memorialist was suddenly ordered to attend
the Huzzoor Cutcherry to answer charges that had been
preferred by one Prosecutor whom upon summary in-
-formal and an offhand enquiry into the alleged or
to called charges, a hasty conclusion was come to by
the late Collector in charge without bringing in the case
in the usual & regular course which would have
enabled your Memorialist to refute the

accusations

accusations in lieu and to prove the falsity of the charges, and upon such conclusion he was found Guilty and sentenced to pay Fine and was besides recommended to the Board of Revenue to be dismissed the service by an order dated the 29th January 1858. Exhibit A which is herewith submitted.

3d That your Memorialist thereupon submitted an Appeal Petition to the Board of Revenue on the 7th of April 1858 and prayed for the reversal or cancelment of the said Order of the Sub Collector in charge. But the Board made an endorsement to say that the decision complained of was cancelled by the Board on the 8th March 1858, but that they saw reason to authorize your Memorialist's dismissal from his appointment. As per Exhibit B herewith humbly submitted.

4th That your Memorialist thereupon petitioned the Board again on the 16th July 1858 asking for a copy of the Board's proceedings of the 8th March 1858, with a view of ascertaining the reasons that the Board saw to authorize your Memorialist's dismissal, or to be allowed an access to the same through his Mookhtiar Vakeel in order to enable your Memorialist to submit a justification of his character and clear himself of all the imputations that might have been brought against him:

him: but the Board by an Endorsement dated 22d July 1858 observed that they saw no occasion to comply with your Memorialist's Request. As will be evident by Exhibit C herewith submitted.

5th That your Memorialist being thus left in the dark as to the reason that induced the Board to authorize his dismissal notwithstanding the cancelment of the decision of the Sub Collector in charge, ventured to submit a second time the particulars of the case decided upon by the Sub Collector in charge and gave in the Petition dated 31st August 1858. But instead of being favored by a satisfactory order Your Memorialist was deeply grieved to find that, by an Endorsement dated 13th September 1858, his case was made worse, and not only the Order of dismissal was not rescinded, but also your Memorialist is pronounced disqualified for further Employment in the public service declining in the meantime to notice any further Petitions on the subject as per Exhibit D which is herewith submitted.

6th That aggrieved by such a decision of the Boards of Revenue, your Memorialist begs to submit this his humble Memorial of appeal to your Lordship in Council on the following among other grounds, viz.

1st That the Board's order is illegal And

and untenable in as much as it is passed in direct violation of and opposition to the orders conveyed to them by your Lordship in Council in the Minutes of Consultation No. 860 dated so late as November 1856 which has been overlooked altogether and utterly disregarded notwithstanding that it was brought to the notice of the Board of Revenue by your Memorialist.

2d. That the whole proceeding from the beginning to the end is irregular and illegal in as much as no opportunity was given to your Memorialist to enter upon his defence and prove his innocence, which is contrary and averse to all orders of the Honorable the Court of Directors as well as to the Minutes of Consultation No. 860 dated November 1856 above referred to.

3d. That the entire proceedings in this matter are repugnant to Law principles and Statute Law, in as much as after cancelling the decision of the Sub Collector in charge, the said cancelled decision has been carried out to its full extent as both the fine thereby imposed has been levied and the dismissal recommended carried out

4th. That the charges adduced against your Memorialist, besides being eleven eighteen months old, were not supported by any Prosecutor or party responsible for their consequences - It is evident therefore, ipso facto, that the accusation were false and altogether founded on untruth, as is shown in the Exhibit D (Petition).

5th That the order of the Board of Revenue is opposed to Law in as much as it punishes a man upon a decision that has been reversed cancelled & annulled; for the Law of England provides that "when judgment pronounced "upon conviction is falsified or reversed, all "former proceedings are absolutely set aside "and the party stands as if he had never been "at all accused; restored in his credit, his capacity "his blood and his estate". ⊛

6th That the order of the Board of Revenue of the 13th September 1858 is substantially illegal and in opposition to Law, in as much as it refers to imputations of corruption as proved that are contained in the decision of the Sub Collector in charge that is cancelled in toto existant in consequence of a Sentence reversed "as at none" and therefore the fine so inflicted not being

⊛ Blackstone B IV chap 30
Page 393 — — —

being procurable or existing, the order disqualifying your Memorialist for the public Service in future is illegal and in opposition to all Laws & practices.

7th Besides the above a false and fectecious charge has been brought against your Memorialist from motives of malice and he has been removed by the Collector of Combatore on the evidence of set up Witnesses in the case. The following among other grounds, will convince your Lordship that the imputation brought against your Memorialist was a malicious one and based upon no foundation whatever.

8th The Witness Thumga Mootho Gauden mentioned in the Margin who was a Shanegapar of the said Village was discharged from the Service a year ago by your Memorialist for allowing a Prisoner in a Burgalary case to effect his escape without brining the same to the notice of your Memorialist. The Witness Chavoodien having delayed and eventually failed to pay the whole of the arrears of Rist due by him for 7 or 8 years his Estate was confiscated for the payment of the same; some portion of the Rist was thus recovered, and for the remainder he was duly sent to the Dugoor.

one Thumgamootho Goundon of Echy Putty, stated that he & others gave the Memorialist Wally in a case of Chuckler who was found hearing in a Well. This was proved by the following individuals, Viz.t

1 Chavoodien
2 Thumga Mootho Goundon —

The witnesses in this case denied all knowledge of the fact & stated they themselves did not see the Memorialist receiving the bribe —

Thumga mootho Gaudon who is the Prosecutor in the case and 9 others marginally indicated were on sufficient evidence committed on the 11th August 1857 by your Memorialist to the Principal Sudr Ameen's Court for the murder of the above said Chuckler, and they were all there acquitted. As the Prosecutor received no assistance from your Memorialist in that case is it probable that he (Pros) would bribe your Memorialist as stated in the charge preferred against your Memorialist. This of itself is sufficient proof that no bribe was offered to, or received by your Memorialist. The Witness Thumga mootho Gaudon and other Witnesses mentioned in the Margin caused the other Thumgamootho Gaudon to become Prosecutor in the case and they themselves became Witnesses through malice as above mentioned. Had your Memorialist been bribed as stated by them they would have mentioned the same either in the Court or in the Magistrate Office, but after an elapse of 4 months and after Summons were served upon them from the Dugoor they came forward and stated that your Memorialist had been bribed; from this very fact it would appear that

that the charge against him was fabricated and their object was to ruin your Memorialist

9 One Coolpandy Gaudan was, about 4 years before the charge was preferred against your Memorialist, murdered in a waste ground in the Village of Cattatore. As the Moneyagar of the said Village and that of Wavy Pallayam a neighbouring Village, were unable to discover the murderer, they were dismissed by the orders of the higher Authority. The dismissed Moneyagar Palany Moothoo Gaudan claimed the restitution of his Post, but according to the proposal of the respectable Ryots of the Village your Memorialist recommended to the Huzoor 2 persons selected by the said body supported by the Mahazurnamah signed by the parties above mentioned, and on the Huzoor sanctioning the measure Your Memorialist nominated the men to the said Posts. The dismissed Moneyagar having been deprived of the Moturnants of his office Palagamoothoo Gaudan and his relatives came forward as Witnesses to give their Evidence that your Memorialist received a bribe from the newly appointed Moneyagar. They deposed that the said bribe was given to your Memorialist

Palagamoothoo Gaudan upon the persuation of the late dismissed Moneyagar of Vane Pallam Village stated that Palany Gaudan was nominated in his lieu by the your Memorialist receiving from him 2 Rs as a bribe. To prove this two Witnesses were set up, Viz.
1. Pachee moothoo Gaudan
2. Ringiah Gaudan

The fact above alluded to was disproved.

Touching the assertion of Palagamoothoo Gaudan that your Memorialist received a bribe of 500 Rs from Sanapathy Gaudan Chinnaya Gaudan Moneyagars of Cully Pallayam and Vallarayen Village

in

a Chowky of Mounthy Pallayam about a year ago in the Month of January, that your Memorialist never visited the said Chowky at the period they stated, neither did he go there either before or after that time. Had your Memorialist as stated by them been bribed by the person who is said to have offered the bribe, that person would have appeared before higher Authority and reported the circumstance as opposed to the rules of the public Service, but this he has not done although he was removed from his office on your Memorialists account. The foregoing circumstances will clearly shew that the charge preferred against your Memorialist is quite groundless and altogether a fictitious one got up by persons determined to injure the character of your Memorialist. The above facts will be proved by the Mahazurnamah which is still in existence with the Records of the Collectors office

10 The persons marginally noted were appointed as Moneyagars 4 years ago with the Sanction of the Huzoor by your Memorialist after submitting the Mahazurnamah from the Ryots to that effect.

11 If the above charge be really worthy of credit, but the dismissed Moneyagar would not have remained quiet without lodging his complaint before

before the Collector against your Memorialist.
Coobba Gawden, Valla Gawden and Moothoo Gawden having been forced and instigated by the said Palaganoothoo Gawden stated that they merely heard that your Memorialist had received a bribe; your Memorialist submits that the bad character of these three persons as recorded in the Books of the Collectors Office, will add little or no weight to their testimony.

11 The situation of a Tasildar is of such a trying description that it is utterly impossible to satisfy every body in the distribution of justice.

12 It is very easy to believe may even to suspect that in most cases whether important or unimportant a Tasildar keeps his hands open, because cases in his province to recommend his Taloor Vendar in Revenue and Police matters to higher Authority, either for employment or dismissal. It is well known that the people of the Taloork in which your Memorialist presided as a Tasildar, are notoriously bad, and well accustomed to bring false accusations against the Tasildars, who are in consequence unable to continue in that Taloork. Your Memorialist alone was the party who remained there stationary about 10 years.

The following are the particulars on which the charge was based against your Memorialist

1 Parya Sawmy Gawden is a Moneygar of Colayoore Taloork for 10 Villages.

2. Aroonachella Gawden is a Moneygar of Palladam Taloork for 3 Villages and is also relative of the said Parya Sawmy Gawden.

3. Moothoo Sawmy Gawden is a Manager of the said Taloork for 3 Villages and also son of Parya Sawmy Gawden.

These are the three persons that every Tasildar is obliged to succomb to & these are the parties who are in the habit of interfering in all cases coming before the Tasildar and recommending them to his favor. If the Tasildar did not accede to their wishes they adopted some measures either to upset them or to remove them from their situations and this has been the practice of the Taloork.

4 Maratha Chella Thavey was committed by your Memorialist to the Court 4 Months before the charge was preferred against your Memorialist, for his being implicated in a forgery case

and his conduct is as bad as the others.

5 Chavoodien - - having delayed to pay the arrears of Kist due by him for 7 or 8 years his estate was confiscated just at the time the charge was preferred against your Memorialist.

6 Aumantha Iyen having appropriated the circars money he was suspended for a Years, it was one month before your Memorialist being charged.

7 Calagamoothoo Gawden is a person who earns his livelihood by suborning witnesses and concocting false cases.

8 Royapah Chetty was fined 10 Rs by the Collector for blocking up a private drain, on the suggestion of your Memorialist. This was also a year before the charge was preferred against your Memorialist.

9 Hebbaroo Iyen is of the same character as Calagamoothoo Gawden.

on one occasion he disguised a man in the uniform of a Civil Court Prow and gave him a Summons forged by himself to bring him to a Ryots house threatening him extracted from him 20 Rs. This came to the notice of your Memorialist who punished him and recovered the said sum & paid it back to the said Ryot. one year before the charge preferred against your Memorialist as aforesaid Ramiah Gowdens name is mentioned as a complainant in the under mentioned Petition, whereas he died 3 years before the charge was preferred against your Memorialist

The 10 individuals above mentioned having conspired together sent a complaint to the Collector against your Memorialist by Post, who accordingly sent for your Memorialist and afterwards summons were served upon them to prove the charge against your Memorialist, but they denied all knowledge of the letter in which the complaint was written, subsequently upon the persuasions of some of

of your Memorialists enemies, who are the servants of the Huzoor, they set up fresh charges the result of which was the suspension of your Memorialist.

Of these, 2 charges were set up by the said Marattha Challathaven through the instrumentality of his own relatives, and your Memorialist was joined. The other charges were also set up by the persons above alluded to, The Collector detained these persons for one month in the Huzoor, these fictitious charges were trumped up, during the examination of each charge the Prosecutor & Witnesses were allowed to remain in the presence and hearing of each other, contrary to the long established rules and usages observed in all Courts of Justice. The same course was pursued throughout the proceedings. Those who did not yield to the wishes of the Collector were dismissed by him. The Collector would not allow your Memorialist to insert these reasons in his depositions taken before him.

13 The Collector as a Superior officer in the Revenue & Magesterial Departments, can very easily bring charges against Tasildars, if he is inclined to do so. For which [illegible] consideration of the foregoing grounds & the merits of the case contained in the Exhibits A to K herewith submitted for your Lordships favourable & kind inspection, your Memorialist most humbly & submissively prays that your Lordship in Council will be pleased to order the Board of Revenue to send up the Records of the case and duly ascertaining the truth of all your Memorialists assertions as well as the hardships illegally put upon the Board's decree by your Memorialist without a cause be pleased to order his appointment again to his Post of Tasildar and to return the fine unjustly received from him by the Collector and thereby effectively carry out the benevolent principles laid down in the Minutes of Consultation No. 840 which has been so utterly disregarded and not acted upon by the Board of Revenue. Your Memorialist begs to submit herewith other Documents the Service List for your Lordship's Council's kind inspection.

And your humble Memorialist as in duty bound will ever pray.

Madras
1st April 1859

[illegible]

The Service List of Tasildars who presided in the Villages of Palladum in the District of Coimbatore from 1830 to the year 1857 and the period they continued in their Posts.

Names	year	months
1 Shunmanah Iyah	1	"
1 Mahabaid ally Khan	1	"
1 Caringalputty Soobayen	2	8
1 Sawminga Pawny Pillay	"	10
1 Vencatarame	"	7
1 Appoo Row	1	11
1 Sattanna Pandiah	"	7
1 Ramia	1	1
1 Chinnubara Sochiah	"	1
1 Encata Sabbien	"	2
1 Moorooo-awny Modelly	2	3
1 Ramas-awny Modelly	"	9
1 Sooba Row	"	2
1 Vencatnarasiah	"	2
1 Surjah povrum Vencat Row	1	9
1 Strenivassa Row	1	"
1 C. C. Bhsena Row	"	9
1 Guevahah Row		

	Names	year	Mont
1	Kistna Row	"	
1	D. Bhoojunga Row	"	2
1	Annah	1	9
1	Nunga Vally Annah	2	1
1	Ramds-awmy Iyah	"	9
1	Naramppa	"	11
1	Kistna Row	5	9
1	Rama Row	10	"

The service of Rama Row in the public Service in Madura and Coimbatore Districts is as follows

Taluk Gomastah for a period of 5 7

in the Madura District

Taluk Shristedar for a period of 6 years in the Coimbatore District

Tasildar for a period of 10 years in the Palladum Taluk in the said District.

Revenue 1859 Dept.
Pres.t Gov.t 10.th Dep.r
No. 1818

Petition to Govern.t from Ramaron late Tapildar Coimbatore Zillah

Dated 1.st Octor 1859
Rec.d 1.st D.o
25. Encls:

Submitting Memorial to the Home authorities for the restoration of his Office and the refund of the fine imposed on him.

N. Kafoor

Withan Ondor

Copy in a letter to C
dy 15.th Dec.r 59 No. 82

N. 59 & 60.

C 30.th Nov.r R 5.th Dec.r

No. 1859.

Admd Mad.r Mem.l dd

Recommd with the Copy of Letter &c
Submitted to the Home Authorities, and
that the Fine & Dis.l be given
Mad.r Cullector. 9.th Dis.l & Restoration
N Petitioner.

Ent.d Sec.t Gen.l
8.th Nov.r 1859

Ans. No. 1272 of 1859.

Copy in a letter to C
15.th Dec.r 59. No 82.

R 1818/59